



20 January 2026

Craig Innes

s7(2)(a)

Tēnā koe Craig,

Request for Information – Local Government Official Information and Meetings Act (LGOIMA) 1987

We refer to your official information request dated 4 December 2025, seeking copies of submissions from notified parties for the proposed cleanfill at 1044 Coast Road. Specifically, you requested:

“Please provide copies of all submissions of notified parties for the proposed cleanfill at 1044 Coast Road.”

Answer:

We have identified 10 submissions that fall within the scope of your request. Copies of these submissions are enclosed with this response.

Please note that we have redacted personal information, under section 7(2)(a) of the LGOIMA to protect their privacy.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at: [Office of the Ombudsman – Complaints](#), or freephone 0800 802 602.

Please note that this response to your information request may be published on Hutt City Council's website: [Proactive releases - Hutt City Council](#).

Ngā mihi nui

A handwritten signature in black ink, appearing to read 'R. van der Splinter', written in a cursive style.

Rebekah van der Splinter

Senior Advisor, Official Information and Privacy

SUBMISSION ON A NOTIFIED APPLICATION FOR A RESOURCE CONSENT



To: Chief Executive, Hutt City Council

1. This is a submission from:

Full name	Last Foley First Christopher	
Company/organisation		
Contact <i>if different</i>		
Address	No.	s7(2)(a)
	Subu	
	City	
Address for Service <i>if different Postal/Courier</i>		
	Postcode	s7(2)(a)
Phone	Day	s7(2)(a)
	Evening	s7(2)(a)
Fax		
Email		

2. This is a submission on an application from:

Name of applicant	Kakariki Estate Limited
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- For a
- Land use resource consent
 - Subdivision resource consent
 - Change or cancellation of a condition of a resource consent

3. The proposed activity and location of the application is:

If this is for a change or cancellation of a condition of a resource consent, please state the type and location of the resource consent, the relevant condition and proposed change.

Clean fill activity 1044 Coast Road, Wainuiomata Coast

4. The specific parts of the application that my submission relates to are:

Give details

**Condition of Coast Road
Storm Water run off
Property Valuations**

Submission number

OFFICE USE ONLY

5. My submission is:

Include whether you support or oppose the specific parts of the application or wish to have them amended; and the reasons for your views (extra sheets maybe attached if you wish).

Coast Road is a narrow, winding road that is the only access to Coast Road residents. The road has "pot hole" repairs on a regular basis and has limited passing or stopping areas. The introduction of 18 trucks a day will cause damage and increase the risk of accidents dramatically.

The properties on the hillside overlooking the proposed site have creeks that have run off that passes beneath the road and enter wetlands, which then run into the Wainuiomata river. In heavy rain the creeks overflow and the road floods. Placing fill between the hills and the river has the potential to render the road impassable.

We brought the property due to its pleasant rural outlook and peaceful environment. Creating a commercial work site next to life style blocks must surely devalue their resale potential.

6. I seek the following decision from the consent authority:

Give precise details, including the general nature of any conditions sought.

Assurance that Coast Road will be well maintained and all traffic restrictions policed accordingly.

An effective storm water run-off system be installed.

A land valuation be conducted on the adjoining properties considering the affect the construction will have on property values. Any changes should be reflected in rates reductions.

7. I **wish** **do not wish** to be heard in support of my submission.

8. If others make a similar submission, I **will** **will not** consider presenting a joint case with them at the hearing.

Signature of submitter:
(or person authorised to sign on behalf of submitter)

Date 28 September 20

Note to submitter: You must serve a copy of your submission on the applicant as soon as reasonably practicable after you have served your submission on the consent authority.

- Lodge your application online here: <https://kiteworks.huttcity.govt.nz/form/property#/>
- If you prefer to post or deliver: Hutt City Council, (Attention: Resource Consents), 30 Laings Road, Private Bag 31-912, Lower Hutt 5040.

SUBMISSION ON A NOTIFIED APPLICATION FOR A RESOURCE CONSENT



To: Chief Executive, Hutt City Council

1. This is a submission from:

	Ingham	AI
Full name	Last Flanagan	First Vicky
Company/organisation		
Contact <i>if different</i>		
Address	No. s7(2)(a)	
	Suburb	
	City	Postcode s7(2)(a)
Address for Service <i>if different Postal/Courier</i>	s7(2)(a)	
Phone	Day	Evening s7(2)(a)
	Fax	Mobile s7(2)(a)
Email	s7(2)(a)	s7(2)(a)

2. This is a submission on an application from:

Name of applicant	Kakariki Estate Limited
-------------------	--------------------------------

- For a
- Land use resource consent
 - Subdivision resource consent
 - Change or cancellation of a condition of a resource consent

3. The proposed activity and location of the application is:

If this is for a change or cancellation of a condition of a resource consent, please state the type and location of the resource consent, the relevant condition and proposed change.

To use 1044 Coast Road, Wainuiomata as a cleanfill (landfill – class 5).

Cleanfill material is defined in the Waste Management Institute New Zealand Technical Guidelines for Disposal to Land as: Virgin Excavated Natural Material such as clay, soil and rock that are free of combustible, putrescible, degradable or leachable components. Up to 5% by volume incidental inert manufactured material such as concrete, brick, tiles can be deposited as can up to 2% by volume biodegradable materials such as vegetation.
The clean fill would only be used by or on behalf of contractors working for Friday Homes.

4. The specific parts of the application that my submission relates to are:

Give details

Water flow and egress from our stream and culvert under the road through the property

Noise

Future property development on the site

Submission number

OFFICE USE ONLY

5. My submission is:

Include whether you support or oppose the specific parts of the application or wish to have them amended; and the reasons for your views (extra sheets may be attached if you wish).

Water flow and egress from our stream and culvert under the road through the property

We have recently had heavy rain and water was backed up through the culvert and back into our property due to the water table being too high on the 1044 property.
We believe in good faith that this is being managed, and Wellington Water technical team are working with the property owner with this.
We would hope that the development of the cleanfil will in no way hamper this or cause additional issues.
We acknowledge that due diligence has been carried out with regards to water flow, flooding and other water issues on the property in the submission documents.

Noise

We have a young child, and are hoping that the noise is not going to be excessive.
We believe in good faith that the operational hours listed will be managed and that the on-site operations will be limited to bursts throughout the day, rather than continuous.
We acknowledge that due diligence has been carried out with regards to noise and accept the mitigations being made.

Future property development on the site

Whilst the scope of this resource consent states this is simply for disposal of excavated soil from Friday Homes operations, and that the areas will be returned to pastures afterwards, we can't help but wonder if the long term plans are to develop several lifestyle block properties on the site in years to come - given the owner is a property developer. It is our understanding that currently, due to the property being in the floodplain that this is not possible - however, with raising the land by 2-3 metres, we are concerned that this will enable properties to be developed on this site. Whilst we don't think it will necessarily affect us greatly due to our location opposite the stream gully between where Stage 1 & 2 and Stage 8 are, we did move out here for the solitude and lifestyle that isn't crowded by properties.

6. I seek the following decision from the consent authority:

Give precise details, including the general nature of any conditions sought.

We have no valid reasons or concerns with which to reject this proposed consent.
We feel that any concerns we might have had have been already considered and addressed.

We wish the owner all the very best with this project.

We would like to see the consent authority approve this proposal.

7. I wish do not wish to be heard in support of my submission.

8. If others make a similar submission, I will will not consider presenting a joint case with them at the hearing.

Signature of submitter
*(or person authorised to sign
behalf of submitter)*

s7(2)(a)

29 / 09 / 2025

Date

Note to submitter: You must serve a copy of your submission on the applicant as soon as reasonably practicable after you have served your submission on the consent authority.

- Please note that your submission will be considered public information as it forms part of a formal decision making process under the Resource Management Act 1991. We require a certain level of private information to ensure you are contactable over the course of the decision making process when, or if, you choose to provide a submission. Personal contact details will not be released to the public.
- Send your submission via email here: resource.consent@huttcity.govt.nz
- If you prefer to post or deliver: Hutt City Council, (Attention: Resource Consents), 30 Laings Road, Private Bag 31-912, Lower Hutt 5040.

RELEASED UNDER THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Form 13: Submission on application concerning resource consent

Resource Management Act 1991

To: Hutt City Council

Name of submitter: Director-General of Conservation (the **Director-General**)

This is a submission on an application from Kakariki Estates Limited (the **Applicant**) for a resource consent.

Description of activity: Land use consent for the operation of a clean fill site, including associated earthworks, at 1044 Coast road, Wainuiomata (Lot 5 DP 551868)

Trade competition: I am not a trade competitor for the purposes of section 308B of the Resource Management Act 1991

My submission relates to: The whole application

My submission is: I oppose the application in part.

The Director-General's interest in the application

1. The Director-General of Conservation (the **Director-General**) has all the powers reasonably necessary to enable the Department of Conservation (**DOC**) to perform its functions.¹ The Conservation Act 1987 (the **CA**) sets out DOC's functions which include (amongst other things) management of land and natural and historic resources for conservation purposes, preservation so far as is practicable of all indigenous freshwater fisheries, protection of recreational freshwater fisheries and freshwater fish habitats and advocacy for the conservation of natural resources and historic heritage.² Section 2 of the CA defines 'conservation' to mean *'the preservation and protection of natural and historic resources for the purpose of maintaining*

¹ Conservation Act 1987, section 53.

² Conservation Act 1987, section 6.

their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations’.

Reasons for the Director-General’s submission

2. The proposal would have **adverse effects** on the DOC field base and staff accommodation, and Remutaka Forest Park’s recreational values, and visitor experiences.
3. Without being limited to such matters, the Director-General notes the following with respect to the application:
4. The decisions sought in my submission are required to ensure that, the decision-maker:
 - a. Has regard to the actual and potential effects of the activity on the environment in accordance with Section 104 of the Resource Management Act 1991 (the **Act**); and
 - b. has regard to the Wellington Conservation Management Strategy 2019, which is a relevant other matter in respect to the Proposal under Section 104(1)(c) of the Act.
5. The Applicant has provided insufficient information, and I am concerned that the proposal does not adequately identify and address:
 - a. How the proposal will avoid, remedy, or mitigate potential adverse traffic effects on visitor experience to the Remutaka Forest Park and the health and safety of DOC staff near the application site;
6. The Director-General’s concerns have been identified following a review of the information that has been provided to date. The Director-General’s submission relates to the whole application. Additional and/or more specific concerns with respect to the application may be identified once more adequate information has been made available to the Director-General.
7. Without being limited to such matters, the Director-General notes the following with respect to the application:
8. The Remutaka Forest Park is administered by DOC as a Conservation Park under the CA. The primary entrance to the Remutaka Forest Park is almost directly across from the proposed entrance to the clean fill location. The entrance, also known as the Catchpool Valley entrance, leads towards the Catchpool campground, day visitor picnic and BBQ areas, day walks, back country tracks, the Wild Coast cycle trail, and six popular DOC huts.³ There is also a DOC field

³ Department of Conservation, [Remutaka Forest Park Brochure and Map](#), January 2023. Note at the bottom of the map is the Catchpool Valley entrance and the Applicant’s land to the southwest.

base and staff accommodation approximately 180 metres north of the Catchpool Valley entrance.

9. In the most recent year, DOC received bookings for just under 10,000 bed nights for the six DOC huts and just over 3,000 bed nights for the Catchpool Valley campsite. The counters on the day walks tallied over 24,000 visitors. All visitors stated in the statistics must pass through the Catchpool Valley entrance. The Catchpool Valley entrance is classified as a Gateway Destination under the Wellington Conservation Management Strategy 2019,⁴ which means it is a destination that helps to introduce New Zealanders to the outdoors and allows them to learn about conservation. Ensuring visitors' first experience with the outdoors have a positive experience is critical to DOC's work within the Remutaka Forest Park.
10. To support the visitor experience of the Remutaka Forest Park, DOC has a field base and staff accommodation nearby. The field base has one contractor and their family living in the accommodation, and approximately five contractors using the field base and DOC staff using both facilities as necessary.
11. In short, the Remutaka Forest Park is a very popular location for visitors within the Hutt City boundaries and wider Greater Wellington region. As it is a popular location with many staff, volunteers and contractors employed to support visitors, particular care is necessary to ensure their health and safety under the Health and Safety at Work Act 2015.
12. The application stated that to mitigate impacts on recreational users of the Remutaka Forest Park it will not operate the clean fill on Saturday afternoons, Sundays, long weekends, and the days between 20th December to 10th January. However, DOC considers the shutdown periods are insufficient to adequately manage the adverse effects on recreational users, due to high levels of use from Friday afternoon through to Sunday evening.
13. The Catchpool Valley entrance is open from 6am to 8pm in summer (October – April), and 6am to 6pm in winter (May – September). Campers often arrive on Friday night to spend two nights in the Catchpool Valley campsite, and day visitors will arrive on Saturday morning, before 1:30pm, to undertake day activities. Large clean fill trucks operating on a narrow road with poor sight lines to the north during known busy times is a health and safety risk. There is minimal space to safely manoeuvre if a car strays too close to the centre line. This problem would be amplified if clean fill trucks utilised the road during peak visitor times.

⁴ Department of Conservation, [Wellington Conservation Management Strategy, Volume 2](#), January 2019, at Appendix 10, Table A10.2.

14. It would be more appropriate to end clean fill truck movements at 3:30pm on Friday and cease clean fill truck movements for the entirety of the weekend, i.e. not work on Saturdays. This would avoid peak visitor times while minimising impacts on the clean fill's operation.
15. The sight line from the staff accommodation towards the north is minimal due to vegetation on the Council road reserve. DOC staff use Coast Road to bring maintenance equipment, such as ride on lawn mowers, down to the Remutaka Forest Park entrance. *Appendix A - Entry Sightlines diagram* does not show the extent of vegetation present adjacent to the eastern side of Coast Road above DOC's field base. In practice, it is difficult to see traffic coming from the north end of the road from the DOC staff accommodation driveway. The speed limit for the Coast Road is 80 kilometres per hour, meaning clean fill trucks rounding the corner present a safety risk for DOC staff without larger, clear sight lines.
16. Berm vegetation maintenance is proposed for the clean fill entrance in proposed condition 28 of the land use consent. To ensure the safety of DOC's staff, berm vegetation maintenance to 1m should be implemented at the northern end of the road where the first bend is located as seen below:

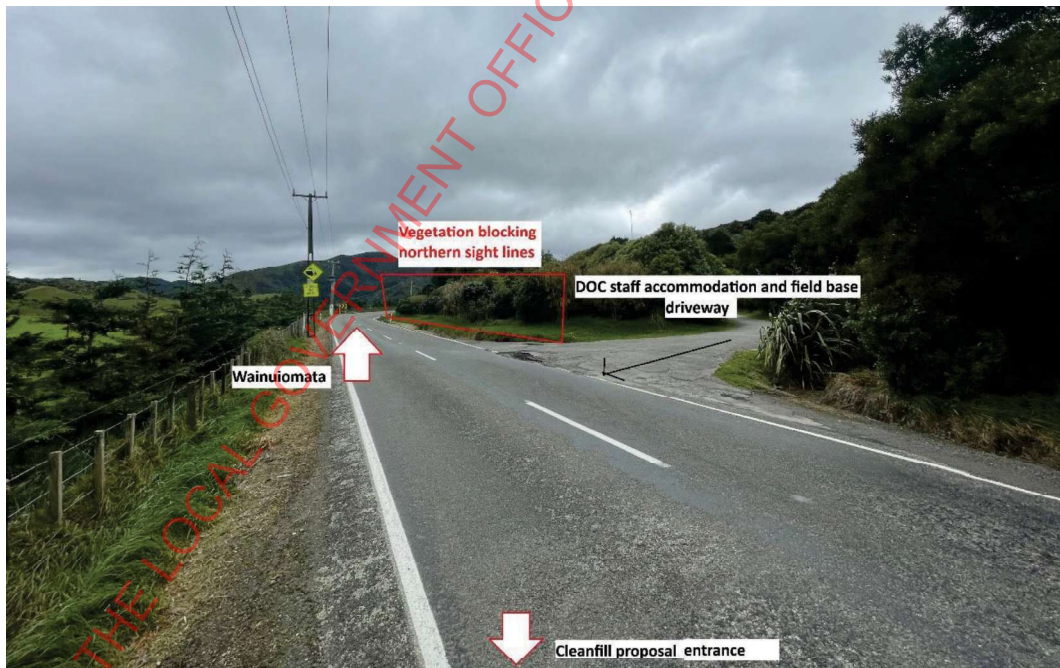


Figure 1 – Vegetation blocking DOC staff vision from northern end of Coast Road. Photo taken 13/10/2025.

17. It will also enhance safety for the clean fill truck drivers by providing a longer sight line distance to the DOC driveway.

Decision sought

18. I seek the following decision from the Council:

- a) That the consent authority **declines the application**, given the shortcomings identified above;
- b) If the consent authority is minded to grant the application, that it imposes the following requirements:
 - i. Conditions that require that the clean fill finishes operation at:
 - 3:30pm on Fridays, and
 - Does not operate on Saturday.
 - ii. Conditions requiring the Applicant to maintain a maximum vegetation height of 1 m on the road reserve between the bend and the DOC staff accommodation driveway.

19. I also seek such alternative and/or additional relief as may be necessary and appropriate to address my concerns.

I **do wish to be heard** in support of my submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

s7(2)(a)

Angus Hulme-Moir

Manager Operations, Wellington

Lower North Island Region

Acting pursuant to delegated authority on behalf of the Director-General of Conservation.

Date: 15 October 2025

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011.

Address for service:

Attn: Christina Schipper, Resource Management Planner

Form 13: Submission on application concerning resource consent**Resource Management Act 1991**

To: Hutt City Council

Name of submitter: Director-General of Conservation (the **Director-General**)

This is an addendum to the Director-General's submission on an application from Kakariki Estate Ltd (the **Applicant**) for a resource consent.

Description of activity: Land use consent for the operation of a clean fill site, including associated earthworks, at 1044 Coast road, Wainuiomata (Lot 5 DP 551868)

Trade competition: I am not a trade competitor for the purposes of section 308B of the Resource Management Act 1991

My submission relates to: The whole application

My submission is: I oppose the application in part.

The addendum

1. This addendum forms a part of the Director-General of Conservation's (**Director-General's**) submission sent to the Hutt City Council and the applicant on the 16th of October 2025. Since the Department of Conservation (**DOC**) lodged the submission on behalf of the Director-General it wishes to provide additional information. It is noted that the submission period for this application has been extended to the 31st of October 2025.
2. The Ecological Values report provided by the applicant states that "it is very unlikely that native lizards are present within the development footprint."¹ DOC disagrees.

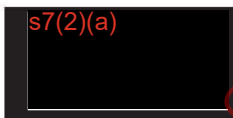
¹ RMA Ecology Ltd "1044 Coast Road, Wainuiomata: Ecological Values Report" (November 2024) at section 3.6, page 26.

3. DOC notes that Raukawa geckos have been captured and identified near the Catchpool Valley centre and the DOC staff accommodation. Copper skinks, green geckos, and Northern grass skinks have also been identified within 7km of the site. While the Ecological Values Report states a field survey included identification of habitats potentially occupied by native lizards, it appears this was a high-level assessment rather than a survey that followed appropriate methods to rule out their presence. These herpetofauna species are absolutely protected under the Wildlife Act 1953.
4. The Director-General requests the applicant undertakes a comprehensive herpetofauna survey to determine whether protected herpetofauna species are present within the works footprint. Depending on the outcome of the survey, the Director-General seeks the following relief:
 - a. If protected herpetofauna species are present, inclusion of resource consent conditions to require preparation of a lizard management plan to avoid, remedy, or mitigate adverse effects on the species and their habitat. The applicant may also have to apply to DOC for a Wildlife Act authority to relocate, disturb or incidentally kill protected herpetofauna.
 - b. If herpetofauna species are not present, inclusion of resource consent conditions to require an incidental discovery protocol in the event herpetofauna are found within the works footprint.

I do wish to be heard in support of my submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

s7(2)(a)



Angus Hulme-Moir

Manager Operations, Wellington

Lower North Island Region

Acting pursuant to delegated authority on behalf of the Director-General of Conservation.

Date: 31 October 2025

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011.

Address for service:

Attn: Christina Schipper, Resource Management Planner

cschipper@doc.govt.nz and cc to: RMA@doc.govt.nz

s7(2)(a)

Department of Conservation
Level 1, John Wickliffe House,
265 Princes Street,
Dunedin, 9016.

RELEASED UNDER THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

cschipper@doc.govt.nz and cc to: RMA@doc.govt.nz

s7(2)(a)

Department of Conservation
Level 1, John Wickliffe House,
265 Princes Street,
Dunedin, 9016.

RELEASED UNDER THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

From: s7(2)(a)
To: [Resource Consents](#)
Cc: s7(2)(a)
Subject: Submission on Resource Consent Application RM240334 – Proposed Cleanfill at 1044 Coast Road, Wainuiomata
Date: Monday, 20 October 2025 5:49:52 pm

s7(2)(a)

[Learn why this is important](#)

Submission on Resource Consent Application RM240334 – Proposed Cleanfill at 1044 Coast Road, Wainuiomata

To: Hutt City Council
From: Roger Pope
Address: s7(2)(a)
Date: 20th October 2025
Reference: RM240334

1. Position on the Proposal

I **oppose** the granting of Resource Consent RM240334 for the operation of a cleanfill at 1044 Coast Road, Wainuiomata.

2. Reasons for Opposition

a. Environmental Risks and Floodplain Vulnerability

The proposed site lies within a recognised **floodplain**, with a **river running through the property**.

Introducing large-scale cleanfill activities in such a location will alter natural drainage and flood-storage capacity, increasing both the **frequency and severity of flooding** downstream.

Past cleanfill operations on Coast Road have shown repeated **non-compliance and sediment discharge**, causing environmental harm and community concern. Allowing another cleanfill in a similarly vulnerable area risks long-term damage to soil and water quality, the loss of native vegetation, and further degradation of the river ecosystem.

Given the increasing frequency of extreme-weather events, permitting a cleanfill on flood-sensitive land conflicts with the **precautionary principles** of the **Resource Management Act 1991 (sections 5 and 7)**.

b. Traffic Safety and Road Infrastructure Impacts

Coast Road is **narrow, winding, and poorly maintained**, and is not designed to support the volume and weight of heavy-vehicle traffic associated with a commercial cleanfill.

The proposed operation would:

- Accelerate the **deterioration** of the road surface, verges, and drainage systems.
- Increase **safety risks** for residents, cyclists, school transport, and private vehicles.
- Raise **vehicle maintenance costs** for locals due to ongoing road damage.

The resulting burden on the transport network would fall on **ratepayers**, not the consent holder. Without a robust, independent traffic-impact assessment confirming that the road infrastructure can safely accommodate the proposed activity, consent should not be granted.

c. Transparency and Procedural Concerns

Significant **new documentation from Greater Wellington Regional Council** was released less than ten days before the submission deadline. This prevented residents from having adequate time to review, seek expert advice, or prepare fully informed submissions.

Such limited consultation erodes **public confidence** and is inconsistent with the intent of the Resource Management Act, which emphasises **meaningful community participation** in decisions affecting the environment.

d. Failure to Incorporate Lessons from Previous Cleanfills

The earlier Coast Road cleanfill was **frequently non-compliant** and poorly monitored. The current proposal is both **larger in scale and longer in duration**, yet appears to have **fewer operational controls** in place.

Until the Council can demonstrate stronger monitoring, compliance, and dust-and-sediment management systems than those applied historically, this proposal cannot be considered environmentally responsible or consistent with best-practice waste-management principles.

e. Limited Notification and Inadequate Community Consultation

A key concern is that this proposal was **not opened to the wider Coast Road community**—or at minimum, to **all residents within the 80 km zone** who use the same public road infrastructure and will be directly impacted by heavy-vehicle activity.

Although the application was **limited-notified** to a small number of neighbouring properties, the **impacts extend far beyond those boundaries**, affecting every household, commuter, cyclist, and service vehicle using Coast Road daily.

Restricting participation to a narrow group of submitters fails to recognise the **collective nature of the impact** on road safety, noise levels, dust generation, and public infrastructure.

Given that these effects are **community-wide and cumulative**, broader consultation and engagement should have been required to ensure that all affected parties had a fair opportunity to be heard.

3. Hearing Participation

I do not wish to speak at the Council hearing.
Please accept this written submission as my full statement of position.

4. Conclusion

For the reasons outlined above, I respectfully request that **Hutt City Council decline Resource Consent RM240334** for the proposed cleanfill at 1044 Coast Road.

The proposal presents enduring and unacceptable risks to the environment, infrastructure, and community safety, and the consultation process has not adequately reflected the scale of its impact.

Sincerely,
Roger Pope

s7(2)(a)

2

RELEASED UNDER THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

SUBMISSION ON A NOTIFIED APPLICATION FOR A RESOURCE CONSENT



To: Chief Executive, Hutt City Council

1. This is a submission from:

Full name	Last Foley First Christopher & Penney	
Company/organisation		
Contact <i>if different</i>		
Address	No.	s7(2)(a)
	Subu	
	City	Postcode s7(2)(a)
Address for Service <i>if different Postal/Courier</i>		
Phone	Day	s7(2)(a)
	Evening	
Fax		s7(2)(a)
Email		s7(2)(a)

2. This is a submission on an application from:

Name of applicant	Kakariki Estate Limited
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- For a
- Land use resource consent
 - Subdivision resource consent
 - Change or cancellation of a condition of a resource consent

3. The proposed activity and location of the application is:

If this is for a change or cancellation of a condition of a resource consent, please state the type and location of the resource consent, the relevant condition and proposed change.

Application to use 1044 Coast Rd, Wainuiomata Coast, as a cleanfill (class - 5)

4. The specific parts of the application that my submission relates to are:

Give details

Refer to submission attached.

Submission number

OFFICE USE ONLY

5. My submission is:

Include whether you support or oppose the specific parts of the application or wish to have them amended; and the reasons for your views (extra sheets maybe attached if you wish).

Refer to submission attached

6. I seek the following decision from the consent authority:

Give precise details, including the general nature of any conditions sought.

Decline application in its entirety. All requested conditions are found in the final section of attached submission document.

7. I wish do not wish to be heard in support of my submission.

8. If others make a similar submission, I will will not consider presenting a joint case with them at the hearing.

Signature of submitter:
(or person authorised to sign on behalf of submitter)

s7(2)(a)

Date 28 October 2025

Note to submitter: You must serve a copy of your submission on the applicant as soon as reasonably practicable after you have served your submission on the consent authority.

- Lodge your application online here: <https://kiteworks.huttcity.govt.nz/form/property#/>
- If you prefer to post or deliver: Hutt City Council, (Attention: Resource Consents), 30 Laings Road, Private Bag 31-912, Lower Hutt 5040.

**Submission in Opposition to resource consent Application – RM240334
1044 Coast Road Wainuiomata**

Christopher and Penney Foley
925 Coast Road, Wainuiomata

Christopher: s7(2)(a)

Penney: s7(2)(a)

To whom it may concern,

We are writing in opposition to the resource consent application for a clean fill at 1044 Coast Road Wainuiomata. Our property s7(2)(a) overlooks the proposed fill site, mainly proposed stages 4 and 5. Our reasoning for opposing the application is set out below:

1. Property valuation is a major concern as we intend to downsize and move.

Any movement from the current market valuation will greatly affect our retirement plans. *Although the Resource Management Act (RMA) does not explicitly require disclosure of potential property value loss, this clean fill consent application triggers other legal and ethical obligations. Rule 6.4 of the Real Estate Agents Act (Professional Conduct and Client Care Rules) dictates that licensees must not mislead clients or withhold material information. Therefore, the existence of such an application (and the possibility of consent being granted) must be disclosed to a Real Estate Agent and communicated to potential buyers.*

Failure to do so constitutes a breach of Rule 6.4, as illustrated in Complaint No. C17934 (October 2017), where a licensee was found in breach for withholding information about a proposed clean fill activity on an adjoining site. The sale of that property ultimately fell through, proving that such a proposal makes a property significantly less appealing to buyers once disclosed.

The affected parties identified by the Council as part of this resource consent process are likely to experience similar outcomes if they list their properties for sale in the upcoming years. This demonstrates that the effects of a clean fill activity are substantial enough to reduce the desirability and value of our property due to the significantly negative impact a clean fill will have on the amenity values of the area (RMA s7(c)(f)). This will greatly impact our retirement plans, as we intend to downsize and move. We therefore consider this to be a more than minor effect, as it directly affects our ability and right to sell our home.

-Real estate Authority - Te Mana Papawhenua - Code of Professional Conduct and Client Care 2012. <https://decisions.dotnous.com/reaa/v2/code-conduct-2012.aspx>

-Real estate Authority - Te Mana Papawhenua -Issues Beyond the Boundary 2019 <https://www.rea.govt.nz/assets/Uploads/Resources/REA-CPD-Issues-beyond-boundaries.pdf>

2. “No More Than Minor” Without Evidence

There is a comparison made in the email correspondence enclosed with the submission ref: Thornton/30246, E mail to Dan Kellow 15 May 2025. This comparison is fundamentally inaccurate and misleading. To characterise and consider the clean fill operation as similar to farming operations is unreasonable. The scale of the proposed clean fill activity is that of commercial earthwork operation involving ongoing earthworks, heavy machinery movement, and associated dust and noise intrusions. This consent is for an industrial scale operation that is incompatible with the General Rural Activity Area expectations under the Hutt City Council District Plan. The purpose of this section of the district plan was to protect the rural character and amenity of the area (8B 1.1 of District Plan, s7(c) of RMA). The landscaping assessment is done on assumption of view rather than fact. The application failed to use drone footage or ask for access to see the actual view from our property.



Figure 1: Farmland view that will become a Fill site

The planting on our property is predominantly native, and not of adequate density and height to mitigate adverse visual and noise effects from the proposed clean fill site. The claim that the mitigation planting will provide sufficient screening of the clean fill site does not acknowledge the long-term duration and changing elevation over the clean fill operation. The landscaping plan presented in the application uses plant species that will take years to develop. Further to this, several of the species in the proposed planting plan are not compatible with the Coast Road environment. The 3.5m high terrace will be taller than some of the species.

The scale of the proposed 30-year excavation and filling operation is therefore far beyond what can reasonably be described as a "minor" visual effect and is inconsistent with the District Plan's objective to maintain and enhance rural amenity values pursuant to section 7(c) of the Resource Management Act.

The AEE minimises our appreciation for the amenity values of the area by claiming, "While not fully screening the activities from view, most of these properties, if not all, have a planted frontage to Coast Road, preventing or minimising views across the site. This also suggests that this view is not of high value to their amenity as it appears that they have not maximised this outlook." (p. 41) in regard to the planting on our property. A fair amount of the planted footage was forced on us in order to cover "sight pollution" and possible erosion from when our home was constructed around 10 years ago. Our purchase of 925 Coast road and the placement of the dwelling was principally due to the pleasant farmland outlook.

When our dwelling was constructed approximately ten years ago, Council required us to implement mitigation planting to address visual effects regarding our dwelling location. The scale of the proposed 30-year excavation and filling operation is therefore far beyond what can reasonably be described as a "minor" visual effect and is inconsistent with the District Plan's objective to maintain and enhance rural amenity values pursuant to section 7(c) of the Resource Management Act.

3. Lack of Notification / Consultation.

The consent correspondence regarding the limited notification guidelines and submission process arrived in our mailbox missing key appendices. There are several updates' appendices, included appendix B - Acoustic Services Report, were not included in the mailed information. This means that the material provided to us was deficient and compromised our ability to make an informed submission.

While the Council's "Have Your Say" page provides all application material, the extensive volume and technical nature of the documentation make this method of review impractical and inaccessible for many residents. We are not experienced in navigating or downloading large technical files, and the short statutory timeframe for limited notification submissions has made it impossible to meaningfully assess the full scope of the proposal.

This process has therefore been inconsistent with the process of natural justice as required by section 39A of the Resource Management Act. This section of the act ensures all affected parties are treated fairly and without prejudice. Several immediately affected parties of the 1044 clean fill proposal, including ourselves, have been unreasonably constrained by our ability to access, comprehend, and respond to this application. Section 2 of the Resource Management Act also states the importance of effective consultation and participation that relies on clear, accurate and complete information.

4. Traffic Management

The main focus of the consent application is around the entrance to 1044 Coast road and the effect trucks will have on entering and exiting the site. There appears to be no consideration given to the effect trucks will have on the rest of Coast Road.

(a) The consent holder must prepare a Traffic Management Plan to be certified by Council, prior to commencement, addressing:

- vehicle entry and exit points,*
- sightline and visibility mitigation at 904D Coast Road,*
- measures to minimise congestion and dust on Coast Road,*
- driver behaviour and speed limits, and*
- restrictions on operating hours for heavy vehicle movements.*

(b) The consent holder must fund and undertake a pre- and post-operation road condition survey of Coast Road, including culverts, drainage, and roadside fencing adjacent to affected properties.

(c) The consent holder must provide a financial bond to the Hutt City Council, to be held for the duration of the consent period, for the purpose of remedying any damage to Council's Road infrastructure due to heavy vehicle movements associated with the clean fill activity.

The traffic Management Plan has taken no consideration of what extra truck traffic will do to our ability to exit and enter our property. There are "blind corners" within a few meters in both directions to our driveway. Raising the paddocks and additional screen planting is likely to diminish our visibility further. 935 and 925 mail boxes have to be located at 915 entrance due to the safety issues with the postal courier.



Figure 2: Mailboxes some distance from 925 and 935 entrances



Figure 3: Left view from 925 entrance to fill site

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Figure 4: Right view from 925 entrance to fill site



Figure 5: Impossible road sign for sizeable vehicles

5. Monitoring and Compliance Reporting

Prior to operations, the consent holder must submit independent quantitative assessments where the data is based on fact, not assumption.

Quantitative assessments must cover:

- *Operational noise level*

- *Dust generation and deposition rates*
- *Vehicle movement volumes and rates*

The assessments must demonstrate compliance with the Hutt City Council District Plan and National Environmental Standards for Air Quality.

6. Dust and contaminants

(a) Prior to acceptance of any material, the consent holder must provide evidence that all fill material complies with the definition of Class 5 clean fill as per MFE Clean fill Guidelines (2002) and is free of contaminants including asbestos, heavy metals, hydrocarbons, or other hazardous substances.

(b) The consent holder shall undertake regular testing and certification of imported fill material in accordance with the National Environmental Standard for Assessing and Managing Contaminants in Soil (NESCS 2012).

(c) Dust management measures shall be always implemented to ensure that particulate matter does not settle on neighbouring properties' roofs or adversely affect private roof water collection systems.

(d) Should contamination of roof-collected water supplies be identified, the consent holder shall immediately cease operations and implement remedial and mitigation measures to Council's satisfaction.

All the above requests are pursuant to RMA s15, s17, s104(1)(a), s108(1)(c); NESCS 2012; Health and Safety at Work (Asbestos) Regulations 2016

7. Pre-existing conditions

There are three culverts that run under the road from our property. One is the run off from wetlands on 915 and the other two are fed by creeks from the surrounding hillside. These run-offs are full of water and drain into the wetlands at the proposed site at a very slow rate. Any heavy rain and they flow across the road causing traffic hazards and erosion.

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Figure 6: Culvert feeding Wetlands from 915 with Fill site in background



Figure 7: Cones showing Culverts fed by streams on hillside with 925 entrance in between

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The three culverts are blocked or provide insufficient storm water run-off and the road floods during heavy rain. The streams have a constant water flow from natural springs on the adjacent hill properties. The wetlands at the proposed site do not drain the water efficiently.



Figure 8: Blocked culverts going under Coast Road



Figure 9: Flooding from 915 Wetlands

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8. **Summary**

Based on the information provided above, we request that the Council decline the 1044 clean fill application in its entirety. If the council chooses to approve the application despite this request, we ask that the consent be approved with the following conditions:

Monitoring and Compliance Reporting

Prior to operations, the consent holder must submit independent quantitative assessments where the data is based on fact, not assumption.

Quantitative assessments must cover:

- *Operational noise level*
- *Dust generation and deposition rates*
- *Vehicle movement volumes and rates*

The assessments must demonstrate compliance with the Hutt City Council District Plan and National Environmental Standards for Air Quality.

Assessments and their results should be submitted to Council on 6-monthly intervals or upon request of immediately affected parties. If monitoring identifies non-compliance with the District Plan noise limits or other relevant standards, clean fill operations must immediately cease until Council is satisfied that remedial measures have been implemented to achieve compliance in alignment with RMA s17.

Provide a management plan to repair the existing flood and traffic conditions leading into the proposed fill site, principally around the entrances to 925 and 935.

Consider some compromise with the reduction of cubic metres, reduction of the 30 year consent period, reduction of size and volume of truck traffic, and reduction of hours of operation.

The notion that the positive effects of a clean fill will benefit the wider community are valid, however it is clear that the principal beneficiary will be Friday Homes. A contribution to upgrading the drainage and the narrow road would ease the more than minor intrusion of having a clean fill next door.

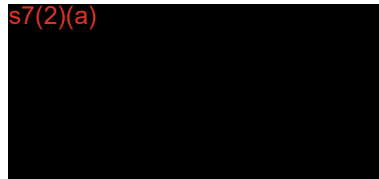
Sincerely,
Christopher Foley

s7(2)(a)



Penney Foley

s7(2)(a)



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SUBMISSION ON A NOTIFIED APPLICATION FOR A RESOURCE CONSENT



To: Chief Executive, Hutt City Council

1. This is a submission from:

Full name	Last Johnson		First Amy		
Company/organisation					
Contact <i>if different</i>					
Address	No.	s7(2)(a)			
	Subu				
	City		Postcode	s7(2)(a)	
Address for Service <i>if different Postal/Courier</i>					
Phone	Day	s7(2)(a)		Evening	s7(2)(a)
	Fax			Mobile	
Email	s7(2)(a)				

2. This is a submission on an application from:

Name of applicant	Kakariki Estate Limited
-------------------	-------------------------

- For a
- Land use resource consent
 - Subdivision resource consent
 - Change or cancellation of a condition of a resource consent

3. The proposed activity and location of the application is:

If this is for a change or cancellation of a condition of a resource consent, please state the type and location of the resource consent, the relevant condition and proposed change.

Application to use 1044 Coast Road, Wainuiomata Coast, as a cleanfill (class - 5)

4. The specific parts of the application that my submission relates to are:

Give details

Refer to submission attached.

Submission number

OFFICE USE ONLY

5. My submission is:

Include whether you support or oppose the specific parts of the application or wish to have them amended; and the reasons for your views (extra sheets maybe attached if you wish).

Refer to submission attached.

6. I seek the following decision from the consent authority:

Give precise details, including the general nature of any conditions sought.

Decline application in its entirety. All requested conditions are found in final section of attached submission document.

7. I wish do not wish to be heard in support of my submission.

8. If others make a similar submission, I will will not consider presenting a joint case with them at the hearing.

Signature of submitter:
(or person authorised to sign on behalf of submitter)

s7(2)(a) [Redacted Signature]

Date 29/10/2025

Note to submitter: You must serve a copy of your submission on the applicant as soon as reasonably practicable after you have served your submission on the consent authority.

- Lodge your application online here: <https://kiteworks.huttcity.govt.nz/form/property#/>
- If you prefer to post or deliver: Hutt City Council, (Attention: Resource Consents), 30 Laings Road, Private Bag 31-912, Lower Hutt 5040.

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Submission in Opposition to Resource Consent Application – RM240334

1044 Coast Road, Wainuiomata

Darren and Amy Johnson
904D Coast Road, Wainuiomata

Darren: s7(2)(a)

Amy: s7(2)(a)

To whom it may concern,

We are writing in opposition to the resource consent application for a cleanfill at 1044 Coast Road, Wainuiomata. Our property, s7(2)(a) is directly adjacent to the proposed site and we have serious concerns about the environmental effects of this proposal. Our reasoning for opposing this application is set out below:

1. Health and Safety

Dust (RMA s7(f) and RMA s106A(2)(d))

The location of our property, and the proposed cleanfill site, are in an extreme wind zone. This means that any relocated dirt and fill is subject to extreme wind conditions.

As stated by Quality Planning.org, managed by the Ministry for the Environment, “When imposing conditions on resource consents, it is important to recognise that no sediment control techniques are 100 percent effective. These techniques minimise, but do not avoid, the sediment load discharges to the receiving environment.”¹ This highlights that while the proposed control measures for dust erosion in Appendix F may mitigate the full impact, the statement, “Cleanfill activities will be managed such that there shall be no dust nuisance at or beyond the boundary of the site.” (p. 17) within the AEE is inaccurate to the reality of earthwork operations. For this reason, our concerns are as follows:

- Dust contamination to drinking water and pasture.
 - Our home water supply is via roof collection. With the facade of our home being approximately 30 meters away from the proposed cleanfill site, cleanfill sediment catching on our roof and then being fed into our water supply is of serious concern.
 - As recorded by Ministry of Health, “Water contamination can cause serious illness (for example, diarrhoea and vomiting), which can be particularly dangerous for infants, the elderly, and people with compromised immune systems. Contamination of a tank water supply can be caused by:

¹ Quality Planning, *Managing Effects of Earthworks* (web page, 2017) <https://www.qualityplanning.org.nz/node/735>

- Viruses and germs (such as *Cryptosporidium*, *Giardia*, *Campylobacter*, *Salmonella*, *E. Coli 0157*) from animal or bird faeces entering the source of the supply,
 - Bird or animal droppings on the roof, dead animals or insects in the gutters or in the tank itself,
 - Leaves, soil, or other debris entering the tank,
 - Lead flashing on the roof causing high lead levels in the collected water,
 - Volcanic and wood ash, agricultural spray drift, and chemical residues from road vehicle emissions,
 - Cracks or holes in partially buried tanks.”²
- The conditions to monitor the toxicity of the fill is of too limited scope. The application states that the conditions of the proposed class 5 cleanfill are, “industry best practice, and adherence is anticipated.” (p. 13) The proffered conditions state the scope of monitoring is limited to lesser of 1 in 50 or 1 in 500m³; however, such infrequent testing is neither sufficient nor acceptable to ensure contaminants are not entering the environment and our drinking water. Due to the scale of the proposed operations, the potential variable material quality, and human error in acceptance, the current compliance strategies and “anticipated” adherence are not robust enough to ensure compliance, given the prospective health risks.

Heavy Vehicle Traffic – Traffic Safety (RMA s104(1)(a))

- Accident risk for road users

Many parts of the Coast Road are narrow with minimal shoulder for cyclists and horse riders to share the road with vehicles. There are areas of the road where standard cars often use the shoulder when passing oncoming vehicles.

 - There is no assessment done for heavy vehicles and vulnerable road users such as cyclists (considering Coast Road is an official cycle path for the Remutaka Cycle Trail called, “Wainuiomata Connector Ride”³), horse riders, and children waiting for their school bus.
 - The Traffic Assessment provided in the application is limited. It only considers other motor vehicles between the start of Coast Road and the 1044 site.
 - We moved to this area knowing it would be where we raise our family and eventually send our children to the local primary school via the school bus that travels down Coast Road. Considering this, I contacted Wainuiomata Primary School and asked what safety measures they may consider for this school bus route given the increased heavy vehicle movement past the school, and along the school bus route. The Board of Trustees sent a Statement of Response, which has been attached as a supporting document to this submission.

² HealthEd, *Water Collection Tanks and Safe Household Water – HE10148* (web page, January 2022)

<https://healthed.govt.nz/products/water-collection-tanks-and-safe-household-water>

³ NZ Cycle Trail, *Wainuiomata Connector Ride* (web page) <https://www.nzcycletrail.com/find-your-ride/heartland-rides/wainuiomata-connector-ride/>

2. Flooding risk (RMA s6(h))

The river and flood water conveyance:

The landscape and flooding assessment in the application relies primarily on assumption, rather than substantive data and site-specific evaluations of neighbouring properties.

Our property was established October 2020 as part of a subdivision. As a condition of consent, the Hutt City Council imposed site-specific minimum floor level requirements within the subdivision to mitigate flood risk and ensure compliance with applicable hazard management standards (as seen in supporting document – Title Consent Notice – provided with submission). The proposed fill site, which currently functions as a natural flood spillway, will displace floodwaters if approved. While the Flood Assessment in Appendix A estimates a marginal increase in flood levels of up to 5mm, in modelled conditions, it does not fully consider the consequences of removing a natural flood conveyance path on adjacent properties. Therefore, the proposed cleanfill site has the potential to undermine the integrity of previously established minimum floor levels, resulting in increased flood risk to existing properties and dwellings. The photos below show how the area floods with the current ground levels and the spillway under real flood conditions.

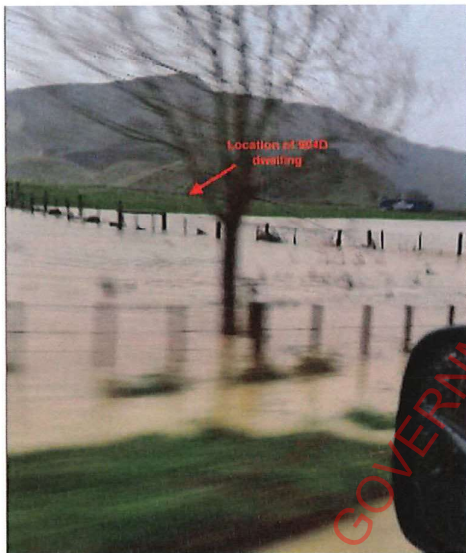


Above: Photo taken March 1988 from 977 Coast Road, looking north, across sections of the proposed fill site.

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Above: Photo taken February 2004, looking north. Water crossing road from 919 Coast Road and 865 Coast Road into spillway that runs along the road and proposed fill area.



Above: Photo taken July 2021. From vehicle heading north, looking at fence between proposed fill site s7(2)(a) Spillway flooded, which demonstrates the critical elevation of s7(2)(a)

The photos above show the importance of the current ground levels regarding the safety and protection of the s7(2)(a). Our house site was approved by Council for this reason. The dates of the above flood events are of particular importance, as it demonstrates flooding intervals of a 20-year timeframe. As such, a 30-year fill period becomes unjustifiable. Elevating the ground in the flood conveyance next to s7(2)(a) (the fill zone) will have devastating effects on our property and dwelling during extreme weather events. These photos demonstrate the inaccuracy of the predicted flood mapping that is included in the consent application.

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The spillway:

While the flood report considers flooding from the river, it does not account for hillside water run-off that enters the spillway. The photos provided, and the flood map below, demonstrate that the spillway is critical in directing floodwaters. Filling this area, as proposed, will accelerate the speed in which floodwaters fill the spill way behind s7(2)(a) and then flood across the road into 915 and 897 Coast Rd, which is seen from the image taken during the 2004 storm. Despite this, the AEE does not acknowledge the spillway function, and Figures 8 and 9 of Appendix A lack consideration of how the cleanfill will compromise the effectiveness of the spillway.

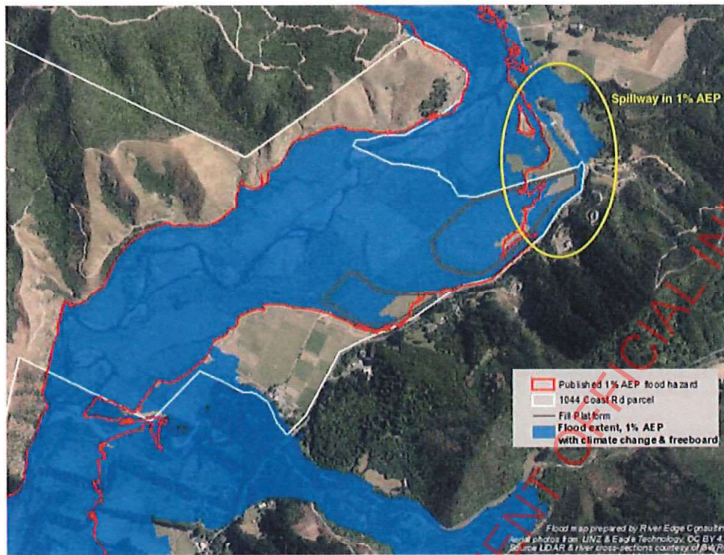


Figure 7 1% AEP flood, with climate change and with freeboard: new model predictions and published hazard map based on 2011 GWRC model

The paddock adjacent to our property (the proposed fill site) is prone to surface flooding. There are often ponds of water on this paddock throughout winter months. It is noted in the Hydrological Assessment Appendix H, that while assumed minor, "an increase in run-off is expected from the batter slopes at the edges of the fill zones" (p. 6). This is of particular concern with our property being directly against the boundary of the proposed fill zone.

We are concerned that the scope of the Flood Assessment provided is too limited to give sufficient confidence in the actual flood risks to neighbouring properties. The current assessment does not adequately address:

1. The expected run-off to the edges of the fill site (creating risk to our property) as addressed in the Hydrological Assessment (Appendix H)
2. The cumulative effects of fill in the floodplain and how this will impact the effectiveness of the spillway, and the approved minimum floor levels of the dwellings of 904A, 904B, 904C, 904D

3. Long-term floodplain changes
4. The limitations of the model inputs (e.g., roughness assumptions, fill extent, or climate conditions) that may underestimate the actual effects in extreme weather events
5. Downstream sediment transport during extreme weather.

Given that our property is so close to the proposed fill zone, any increased flood risk, even if described as "trivial", is unacceptable, and more than minor.

The general area is already vulnerable to flood risk; therefore, this matter is of substantive concern with respect to the ongoing protection of property and the maintenance of residential amenity and safety, pursuant to section 6(h) of the Resource Management Act. These reasons also demonstrate how the cleanfill application is in contradiction to the Hutt City Council District Plan (Natural Hazards section) objectives.

3. Rural Amenity Character and Natural Environment (RMA s7(c)(d)(f))

The Hutt City Council District Plan notes that, "There are few opportunities for intensive agricultural use of the land [within Hutt City] due to the constraints of the topography and soil quality." The location of s7(2)(a) and the proposed fill site, is zoned as a General Rural Activity Area, in regard to this, the District Plan states, "The Activity Area includes land adjoining the coast with high amenity values which should be protected from inappropriate subdivision, use and development." (Chapter 8(b)). The District Plan thus recognises the high amenity value of the proposed fill site and surrounding area.

Noise (RMA s7(c)(f))

The 'Land Use Application, Assessment on Environmental Effects' (AEE) states, "the acoustic assessment from NDY has not considered the effects on these s7(2)(a) properties." This statement is inaccurate.

The NDY Assessment (Appendix B) states, "Based on the current proposed layout of the cleanfill operation, noise levels at the notional boundary during a 60-minute period are expected to exceed the proposed District Plan, day-time noise limits for the following residential properties during typical cleanfill operation at the worse-case location: s7(2)(a) (p. 14) This shows that our property s7(2)(a) will experience the highest level of daytime noise due to the proposed fill site. These noise levels are unacceptable.

Based on these acoustic findings, the Acoustic Assessor, NDY, (Appendix B, pp. 14-15) recommended reducing the fill zone size. This recommendation was not addressed in the AEE and was instead discussed inaccurately as noted above.

- When purchasing this property in 2020 our purchase agreement specifically acknowledged and prohibited "noisy activities" that are not related to horticulture or farming. The noise currently produced from the operating farm at 1044 features that of stock and farm machinery, which are

typical of the area and character of the rural zone. Farm machinery is often only heard from afar and intermittently. In contrast, the continuous and prolonged noise created from operating a cleanfill is intrusive and incompatible with the character of this rural-residential area and negatively impacts the amenity values pursuant to section 7(c) of the Resource Management Act. Based on the zoning outlined in the District Plan, the proposed cleanfill site is considered inappropriate use and development, especially regarding how the noise will alter the character of this area and impact these high amenity values for 30 years.

- One of the s7(2)(a) occupants works from home three days a week. The scale, frequency, and duration of the noise expected from a cleanfill site (operating from 7:30am for 6 days of the week) will interfere with work productivity and general wellbeing when working from home. This operation would have a maximum lifetime of 30 years, meaning there is no isolated timeframe in the foreseeable future that we would have our peaceful rural-residential lifestyle back. This again is incompatible with the character of the area and minimizes the lifestyle appeal of our property, which again, significantly impacts the rural amenity character of the area.
- The operating hours proposed are that of a commercial operation, not private land use. 7:30am-5:30pm Monday-Friday, followed by 7:30am-1pm Saturdays greatly exceed what is reasonably expected for private land use, again negatively effecting amenity values.
- These reasons demonstrate how the cleanfill application is in contradiction to the Hutt City Council District Plan rural amenity objectives.

Visual (RMA s7(c))

The Landscape Visual Assessment Appendix D has based its visual findings on the assumption that the indoor and outdoor living spaces of our property will likely be "oriented away from the cleanfill activity" (p. 16). The report continues to state regarding s7(2)(a) "the visual and amenity effects will be temporarily moderate during the operation stages 4 & 5, reducing to low as the cleanfill activity is undertaken in other stages and eventually closed" (p. 16). These amenity effects are predicted based on an inaccurate assumption of our dwelling's orientation. Our indoor and outdoor living spaces look directly out to the proposed fill site, which will result in a greater amenity effect than what is suggested in this assessment.

The planned visual screening, trees, will take over 5 years to become effectively established, as witnessed with the trees planted when we purchased s7(2)(a) in 2020.

The suggestion that there will be no amenity effects once the fill is closed is wholly unreasonable, considering this would not be for 30 years, and considering the original prediction is based on an incorrect understanding of our dwelling's orientation. Beyond the time of the proposed cleanfill, we will be left with an intrusive 3.5 metre high platform of earth.

Our current outlook is that of an operating farm, with pastures and grazing stock. Changing this outlook to an operating earthwork site, a cleanfill, significantly undermines both the rural amenity character of the area and the purpose of section 7(c) the Resource Management Act. See photos on next page of outlook from lounge, dining, and outdoor living space.

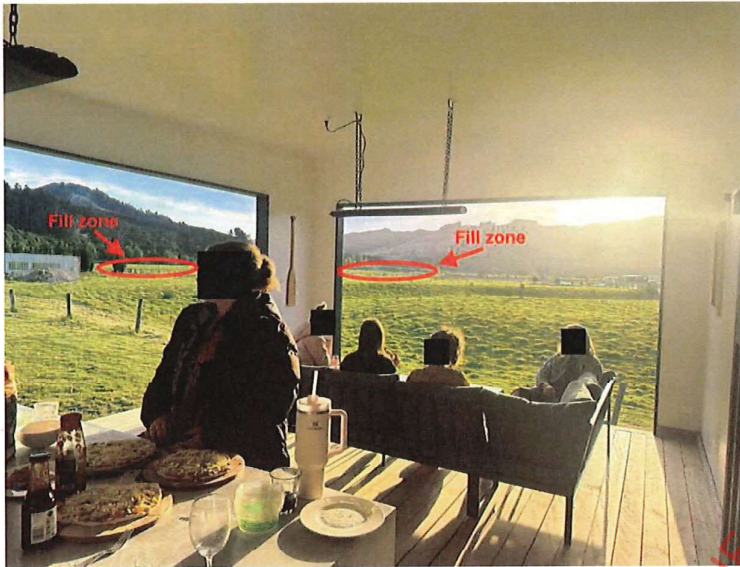


Above: Photo taken from sitting at dining table. Direct view of cleanfill site.



Above: Photo taken from outside lounge (3m sliding door) with firepit. Direct view of cleanfill site.

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Above: Photo taken from outdoor living space. Direct view of cleanfill site.

The NZ Institute of Landscape Architects 7-scale model below shows that even to conclude the effects as moderate are, “more than minor”. As mentioned, this already “more than minor” amenity effect is based on inaccurate assumptions. Regardless of the period of time these effects are present, a more than minor effect is unacceptable.

Negligible	Very Low	Low	Low-Moderate	Moderate	Moderate-High	High	Very High
Less than minor			Minor	More than minor		Significant	

River, streams, and wetlands (RMA s7(d)(f))

The Ecological Effects Assessment Appendix D states that, “Water quality was not tested, although is very likely that stock access to the wetlands and watercourses has resulted in elevated suspended sediments, elevated faecal coliform counts, and degraded water quality overall within the site, and will be a contributor to degraded downstream catchment areas as well.” (p. 12) This means that there is no original water quality reading to help monitor the actual ecological impacts the proposed cleanfill will have. Section 5(2) of the Resource Management Act outlines the purpose of the Act is to regulate sustainable management regarding use, development, and protection of natural and physical resources. While the report continues to state, “There will be no direct adverse effects to the streams and wetlands.” (p. 41), there is no way to sustainably manage this predicted outcome due to there being no initial water quality reading.

We, along with our neighbours, have sighted multiple lizards during our time living at [redacted s7(2)(a)] which is of particular concern considering there has been no trapping done to determine the presence of native skinks or geckos, protected under the Wildlife Act 1953. The Ecological Effects Assessment concludes that the site is unsuitable for lizards, based solely on visual observation and without undertaking field surveys. This assumption lacks scientific evidence and is inconsistent with best ecological practice. As pointed out by Department of Conservation, native lizards are cryptic and often occupy sites of

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seemingly low ecological value⁴. The presence of native geckos has been confirmed by Greater Wellington Regional Council in their reptile status report (p. 18)⁵.

Under s6(c) and s7(d) of the Resource Management Act 1991 and the Wildlife Act 1953, significant habitats of indigenous fauna must be protected. Clearance of vegetation for the proposed truck entrance (acknowledged in the assessment as potential skink habitat) cannot proceed without appropriate ecological verification.

Until comprehensive surveys by a qualified herpetologist are undertaken, the application lacks sufficient information to determine ecological effects and cannot reasonably be considered to have effects that are "less than minor."

4. Trucks (RMA s104(1)(a))

There are no clear provisions made for road maintenance or cumulative impacts on road infrastructure in the application.

- Trucks often use the roadside next to our property to allow faster vehicles to pass. As a result of this, a truck has damaged a large section of our roadside fence, illustrating the direct impacts of heavy vehicle behavior on adjoining properties. Increased heavy vehicle traffic has already impacted us personally at current levels, therefore a further increase to heavy vehicle movements, associated with the proposed cleanfill, will exacerbate these existing issues.
- As noted in the Transport Assessment, only 7.5% of current traffic is caused by heavy vehicle movement down Coast Road. Despite this relatively low proportion, the existing road infrastructure is showing signs of deterioration, evidenced by recurring potholes and subsidence over culverts. The current road was not constructed to a standard capable of supporting the present volume of heavy vehicle movements. Therefore, increasing the number of heavy vehicles on the road seems unjustifiable. As such:
 - The traffic assessment is of limited scope and does not consider impact on bridges, intersections, pedestrian crossings, or the Wainuiomata Hill.
 - These omissions mean the cumulative effects of the proposal on road safety, maintenance requirements, and network resilience have not been appropriately considered, undermining the requirements of section 104(1)(a) of the Resource Management Act.

⁴ Department of Conservation. (2023). "Reducing the impacts of development on New Zealand lizards." <https://www.doc.govt.nz/globalassets/documents/about-doc/concessions-and-permits/wildlife-research-permits/guidance-on-impacts-of-vegetation-clearance-on-lizards-nz.pdf>

⁵ Greater Wellington Regional Council, *Conservation status of reptile species in the Wellington region* (Wellington, 1 March 2023) <https://www.gw.govt.nz/assets/Documents/2023/03/Conservation-status-of-reptiles-in-the-Wellington-region.pdf>

We have engaged the services of an independent Transport Engineer. Report pending.

5. Consultation with Iwi and Hapū (RMA s6(e) s7(a))

The application fails to involve consultation with local Iwi and Hapū regarding the proposed cleanfill. The application states, "The Wainuiomata River is not subject to statutory acknowledgement" (p. 38). However, as stated in Chapter 2 of the Hutt City Council District Plan, "*Within the domains of Atua there are a variety of sites, resources, environmental phenomena and cultural institutions that are of particular significance to iwi. The term taonga is used in s.6(e) of the Act and in Article 2 of the Treaty of Waitangi. It is an important institution, as it defines things of value to tangata whenua and also symbolises a different philosophical approach to environmental management.*" The District Plan continues to point out that Nga Wai (water), Nga Awa (rivers), and Nga Kai (traditional food, such as eels – the Ecological Effects Assessment points out that eels are a prominent species in the Wainuiomata River) are examples of taonga. Hutt City Council have also acknowledged that all waterways have significance to mana whenua in its District Plan, and that the Council must manage the work that takes place along the margins on these waterways, in consideration of their significance to mana whenua⁶.

The section 6(e) of the Resource Management Act makes explicit emphasis regarding partnership and acknowledgement of the Treaty of Waitangi. Not consulting with Iwi and Hapū undermines this section of the Resource Management Act, as well as undermines the Hutt City Council's own District Plan objectives, "Partnership needs to be maintained throughout all functions and activities of the Council. The tangata whenua are not merely an interest group in this instance, but are the Council's partner." (2.2.i).

Iwi and Hapū must therefore be consulted and have decision making influence, as outlined in both the Resource Management Act, and Hutt City Council District Plan, particularly considering the impact this cleanfill proposal will have on taonga.

6. Monitoring compliance

- Past compliance issues associated with the cleanfill site at 126–196 Coast Road demonstrate that, once consent is granted, the burden of compliance enforcement often falls to neighbouring residents. Persistent intrusive noise, including truck movements, tailgates banging, and associated impacts, have a demonstrable effect on the amenity and quality of life of nearby properties. However, such noise events are typically intermittent and of insufficient duration for effective intervention under standard Noise Control procedures.

⁶ Hutt City Council, *Sites and Areas of Significance to Māori Information Sheet – Proposed Lower Hutt District Plan* (PDF, 2025)
https://hccpublicdocs.azurewebsites.net/api/download/587890ba7b2542ef8532867346c3a343/_extcomms/471e4a2c86298e5546c89075f71211bd54bf

- The current application does not mention the history of previous cleanfills in Wainuiomata. These previous cleanfills were subject to various breaches and monitoring issues. This is recorded in Hutt City Council compliance dashboards for the former Coast Road cleanfill.
- There is no independent monitoring requirements mentioned in the application.
- These facts raise legitimate questions regarding compliance history and the operator's ability to follow consent conditions if a new, larger, cleanfill were approved.

7. Hutt City Council District Plan

- 1044 Coast Road is zoned as General Rural under the Operative District Plan. The proposed District Plan (that is under review) is continuing to identify Coast Road as a rural environment.
- The District Plan includes objectives to:
 - Protect rural character and amenity values
 - Manage land use to avoid or mitigate natural hazard risk
 - Ensure infrastructure is sustainable and fit for purpose.
- This application for a cleanfill site contradicts all rural objectives within the Hutt City Council's District Plan.
- Under NPS – Freshwater Management 2020, every regional council must include the following policy (or words to the same effect) in its regional plan: "The loss of river extent and values is avoided, unless the council is satisfied that: (a) there is a functional need for the activity in that location (p.28).⁷ The Wellington Region already has the appropriate cleanfill capacity, particularly with the recent opening of a cleanfill on Fergusson Drive in Upper Hutt. This cleanfill proposal conflicts with many statements within the NPS – Freshwater Management 2020.
- Attached to this submission is a Consent Notice Pursuant to Section 221 of the Resource Management Act regarding 1044 Coast Road, which is a legally binding document. The consent notice was issued during the final stages of the 904A, B, C, D subdivision. Points of notable value within the notice are: 6, 7, and 8 (p. 2). These points align with the objectives of the Hutt City Council District Plan, and highlight several issues addressed in this submission regarding Council approved minimum floor heights, and land use regarding amenity values.

Summary

We believe the negative effects of this proposal, particularly regarding health and safety, flooding risk, amenity value effects, and heavy vehicle traffic, are serious enough that the application should not proceed. These adverse effects are more than minor, and contrary to the purposes of the Resource Management Act, and the Hutt City Council District Plan.

⁷ Ministry for the Environment, *National Policy Statement for Freshwater Management 2020 (amended October 2024)*(NZ) <https://environment.govt.nz/assets/publications/Freshwater/NPSFM-amended-october-2024.pdf>

Notwithstanding our opposition, should the Hutt City Council determine to approve the application, we request the following conditions be applied to the approval to minimise the adverse effects on neighbouring residents and the environment:

1. Flood risk mitigation:

1. No net increase in ground levels. Filling limited to in-filling natural hollows after flood-mitigation and drainage design approval.
2. Under section 92 of the Resource Management Act, we request Council to obtain a revised flood and hydrological assessment using site-specific data to confirm actual flood impacts on neighbouring properties. If results show flood risk is increased, river control works must be completed prior to commencement (along with any required consents) at the cost of the cleanfill consent holder. The river control works must be planned by a Chartered Professional Engineer (CPEng) and are maintained for the duration of the consent period.
3. The spillway from s7(2)(a) that runs between the road and proposed fill zone must be re-engineered by a technical expert (CPEng) to increase discharge capacity, and erosion resistance. This work must also be completed prior to commencement of operations.
4. Storm water management must ensure that all runoff from fill slopes does not enter neighbouring properties.
5. All designs, calculations, and as-built documentation for the above measures must be independently reviewed and certified by a suitably qualified engineer and provided to Hutt City Council prior to the commencement of operations.

2. Water quality protection:

1. Reduce the area of exposed earth at any one time to 1000m² to reduce dust impact on neighbouring properties and entering their drinking water.
2. The consent holder must provide and pay for real-time dust monitoring solutions at all neighbouring properties.

3. Noise management:

1. Noise limits must comply with zone standards at the notional boundary of s7(2)(a) Coast Road, which may require reducing the approved size of the fill site.
2. Hours of operation be reduced to 9am – 2pm Monday to Friday only, no Saturday operations.
3. A “No Engine Breaking for next 1km” sign must be placed 1km before the entrance to the cleanfill site.

4. Visual and Amenity Mitigation:

1. Only fill in hollows, do not raise ground levels.
2. Limit consent period to 3 years.
3. Landscape screening must be established prior to the commencement of operations using mature planting (minimum 2.5m height) and maintained throughout the duration of activity.
4. A 10m wide shelter belt is planted along the northern boundary. The shelter belt plan is designed by a horticultural expert with area-specific guidance.

5. Trucks

1. Limit maximum truck size to 4T to support road safety and mitigate road damage.
2. All trucks have covered trays/beds when transporting fill.

6. Consultation with Iwi and Hapū:

1. Initial and ongoing consultation and partnership with Iwi and Hapū representatives to ensure potential effects on taonga, or culturally significant sites are identified, monitored, and appropriately managed.

7. Independent monitoring and reporting:

1. All environmental monitoring (including noise, dust, and water quality) must be undertaken by an independent and qualified environmental consultant, with reports submitted to Council regularly and made publicly available.

We reiterate that, due to the significant environmental and amenity effects outlined in this submission, the proposal for a cleanfill at 1044 Coast Road should be declined in its entirety. However, if granted, the above measures are a necessity to mitigate adverse effects on neighbouring properties, community wellbeing, and the environment pursuant to sections 5, 6, and 7 of the Resource Management Act.

If we had known 5 years ago that we would be building our home next to a cleanfill site of one of the largest development companies in the Wellington Region, we would not have purchased s7(2)(a) Road. The land, and area, is not appropriate for this kind of work.

Sincerely,

Darren Johnson

s7(2)(a)

Amy Johnson

s7(2)(a)

RELEASED UNDER THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

**HUTT CITY COUNCIL
CONSENT NOTICE PURSUANT TO SECTION 221
OF THE RESOURCE MANAGEMENT ACT 1991**

IN THE MATTER of Lots 1 - 6 DP551868

AND

IN THE MATTER of Subdivision Consent
pursuant to sections 104, 108, 220 and 221
of the Resource Management Act 1991.

Pursuant to sections 104, 108, 220 and 221 of the Resource Management Act 1991 the Hutt City Council, by resolution passed under delegated authority on 10 September 2020, imposed the following conditions on the subdivision consent for Lots 1 – 6 being a subdivision of LOT 2 DP 380969.

The owners and occupiers of Lots 1 – 4 inclusive note and comply with the following requirements:

1. Planted landscaping in accordance with the approved plans of RM190236 is maintained for the duration that these lots contain residential dwellings in order to provide ongoing screening and softening of the buildings. Should plants need replacing, they shall be replaced like for like in accordance with the species detailed in the approved landscaping scheme, or variations may be approved in writing from Team Leader Resource Consents and thereafter maintained. Any variations to species already approved shall be chosen to provide a high degree of screening of building bulk when viewed from Coast Road. It is recommended species are chosen that are appropriate for local weather conditions and soil type.
2. Ensure future owners are made aware that council water, stormwater and sewer services are not available to these properties and that owners must collect water and dispose of stormwater and sewage on site and in an approved manner.
3. Owners need to commission a chartered professional engineer to submit the construction details and location of the septic tank, along with the effluent disposal method, at the time of applying for a building consent for the site. (The design must meet AS/NZS 1547:2012).
4. Owners need to fit a fire sprinkler system in any future dwelling which complies with standard NZS 4517:2010 (Fire Sprinkler Systems for Houses), or alternatively to fit a fire-

fighting capability that meets the approval of the New Zealand Fire Service or Rural Fire Authority.

5. Ensure future owners are aware that telecommunication reticulation has not been provided to these allotments and is to be provided by the owners at building consent stage.

The owners and occupiers of Lots 1 – 5 inclusive note and comply with the following requirements:

6. The construction of any buildings to be outside of the Wainuiomata River 'potential erosion hazard area' as identified by Greater Wellington Regional Council (GWRC). The consent holder may have a suitably qualified professional carry out a site specific review to determine a more accurate location of erosion setback lines than is identified by GWRC. If a site specific review is carried out, for the purpose of this condition the erosion setback identified by the suitably qualified professional would supersede that identified by GWRC. The site specific review, accompanied by a resume from the suitably qualified professional, is to be provided to the Team Leader Resource Consents for approval prior to application for building consent.

Please note: For the purposes of this condition a 'suitably qualified professional' means a qualified engineer with expertise in the field of morphodynamics.

7. Any dwelling constructed within the identified 1% Annual Exceedance Probability flood event from the Wainuiomata River shall be built to the recommended building level (RBL) obtained from GWRC.

Please note: The recommended building level is given to the underside of the floor joists or to the base of the concrete slab floor, and shall take into consideration the effects from climate change.

The owners and occupiers of Lot 5 only note and comply with the following requirements:

8. That further residential development of this lot is restricted to yield a total of eight allotments or dwellings (including the existing).
Note: The above conditions are required to address a number of matters including essential administrative, the provision of adequate servicing (including water, telecommunication, power and vehicular access), mitigation of amenity and character effects, mitigation of hazard effects, and protection of watercourses from sedimentation.

Dated at Lower Hutt this 10th of September 2020.

For and on behalf of the Hutt City Council

Authorised Officer

s7(2)(a)

Parvati Rotherham
Team Leader Resource Consents



Wainuiomata Primary School

P O Box 42-054 Homedale
Wainuiomata
Ph 04 939 8677
Email: admin@wainuiomata.school.nz

Statement from the Wainuiomata Primary School Board

As the Board of Trustees for Wainuiomata Primary School, our foremost duty is to ensure the safety, health, and wellbeing of our tamariki. The proposed cleanfill operation at 1044 Coast Road, involving up to 196,500 m³ of fill over 30 years and 18 truck movements per day (36 trips total), poses significant risks to our students, their whānau, and the wider school community.

Although our school is not one of the nine properties formally deemed “affected parties,” the daily operation of our school and the safety of our children will be directly impacted. We therefore submit the following concerns and requests for conditions.

1. Student Safety at the Main Road Crossing

- Our zebra crossing on Main Road is staffed by Year 6 students (10–11 years old) as part of the school patrol programme. These children, while trained and supervised, are still developing judgment and reaction times.
- Heavy trucks passing during drop-off (8:30–9:00am) and pick-up (2:45–3:15pm) create unacceptable risks.
- This is inconsistent with Section 5 of the RMA, which requires enabling communities to provide for their health and safety.
- The applicant’s traffic report does not reference Wainuiomata Primary School, despite its location directly on the trucking route. It fails to assess the safety of children operating the zebra crossing patrol, the concentration of pedestrian activity during school drop-off and pick-up times, or the school’s active transport programmes which increase walking and cycling along the road. These omissions mean the report does not adequately consider vulnerable road users, as required by national transport safety guidance. We request that these matters be addressed through independent expert review.

2. Active Transport and School Travel

Wainuiomata Primary School actively promotes active transport as part of our health and wellbeing strategy:

- Drop-off points in the village and at Burden Avenue encourage families and students to be dropped off away from school and walk the final distance.
- Pedal Ready (funded by GWRC and Waka Kotahi) trains our senior students in cycle safety, requiring them to bike across Wainuiomata.

- Movin' March (a GWRC initiative) encourages walking and biking to school each March.
- In summer, students walk along the Main Road to the Wainuiomata Pool for curriculum mandated swimming lessons.

All of these activities rely on safe, predictable road conditions. Increased truck traffic undermines national and regional policy goals around active transport and directly conflicts with Section 7(c) and 7(f) of the RMA, which require particular regard to amenity values and the quality of the environment.

3. Educational and Community Impacts

- **Noise:** We understand that classrooms are not always quiet environments! WHO guidelines recommend classroom noise levels below 35 dB for effective learning. With 36 truck passes daily, cumulative noise will disrupt concentration and learning. This engages Section 16 of the RMA, which imposes a duty to avoid unreasonable noise.
- **Air quality:** Dust and particulate matter from uncovered or poorly managed truck loads pose health risks, particularly for children with asthma. This is an adverse effect under Section 17 of the RMA, which requires avoiding, remedying, or mitigating such impacts.
- **Community events:**
 - The Tough Guy and Gal Challenge at Camp Wainui attracts nearly 1,000 students from across the region.
 - Wainuiomata Intermediate and other schools hold camps at Camp Wainui, requiring bus and pedestrian movements along Coast Road.
 - Many schools, including ours, take trips to the Remutaka Forest Park. All of these involve large groups of children travelling along Coast Road, where increased truck traffic heightens risk.

4. If the Proposal Proceeds: Minimum safety requirements

Should consent be granted, we strongly urge the following conditions:

- **Time-based restrictions:**
 - No truck movements past the school between 8:30–9:30am and 2:30–3:30pm.
 - No truck movements along Coast Road until the school bus has passed and children have been safely picked up or dropped off.

- **Event coordination:**
 - A designated contact person must be available for the school to liaise with regarding localised events (e.g. Pedal Ready sessions, walking to the pool, sports days). This would allow temporary suspension of truck movements during times when large groups of children are on the road.
- **Dust and debris control:**
 - All trucks must be fully covered to prevent dust and debris.
 - Dust suppression measures must be applied along haul routes, particularly near schools and residential areas.
- **Independent monitoring:**
 - Compliance with noise, dust, and traffic conditions must be independently monitored, with results publicly available.

The RMA requires decision-makers to enable communities to provide for their health and safety (s5), to have regard to amenity values and environmental quality (s7), and to ensure unreasonable noise and adverse effects are avoided or mitigated (s16, s17).

Allowing 36 heavy truck movements daily past a primary school crossing patrolled by 10- and 11-year-olds is inconsistent with these duties. The risks to child safety, active transport, learning, and community wellbeing are too significant to ignore.

We respectfully request that these concerns be given full weight in decision-making, and that, at a minimum, the safety conditions outlined above be imposed should the proposal proceed.

Ngā mihi,

Wainuiomata Primary School Board of Trustees.

Lisa Preston (Presiding Member), Allison Burden (Principal), Michelle Snyman, Nicky Smith, Melanie Jiang, Nicole Jordan, Georgia Morgan, Mark Haakma.

RELEASED UNDER THE OFFICIAL INFORMATION AND MEETINGS ACT 1987

SUBMISSION ON A NOTIFIED APPLICATION FOR A RESOURCE CONSENT



To: Chief Executive, Hutt City Council

1. This is a submission from:

Full name	Last Gloag & Wilson		First Nathan & Fiona		
Company/organisation					
Contact <i>if different</i>					
Address	No.	s7(2)(a)			
	Sub				
	City		Postcode	s7(2)(a)	
Address for Service <i>if different Postal/Courier</i>					
Phone	Day	s7(2)(a)		Evening	s7(2)(a)
	Fax	s7(2)(a)		Mobile	
Email	s7(2)(a)				

2. This is a submission on an application from:

Name of applicant	Kakariki Estate Limited
-------------------	--------------------------------

- For a
- Land use resource consent
 - Subdivision resource consent
 - Change or cancellation of a condition of a resource consent

3. The proposed activity and location of the application is:

If this is for a change or cancellation of a condition of a resource consent, please state the type and location of the resource consent, the relevant condition and proposed change.

Application to use 1044 Coast Road, Wainuiomata Coast, as a cleanfill (class - 5)

4. The specific parts of the application that my submission relates to are:

Give details

Refer to submission attached.

Submission number

OFFICE USE ONLY

5. My submission is:

Include whether you support or oppose the specific parts of the application or wish to have them amended, and the reasons for your views (extra sheets maybe attached if you wish).

Refer to submission attached.

6. I seek the following decision from the consent authority:

Give precise details, including the general nature of any conditions sought.

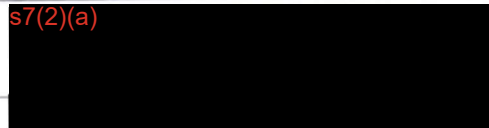
Decline application in its entirety. All requested conditions are found in final section of attached submission document.

7. I wish do not wish to be heard in support of my submission.

8. If others make a similar submission, I will will not consider presenting a joint case with them at the hearing.

Signature of submitter:
(or person authorised to sign on behalf of submitter)

s7(2)(a)



Date

31/10/25

Note to submitter: You must serve a copy of your submission on the applicant as soon as reasonably practicable after you have served your submission on the consent authority.

- Lodge your application online here: <https://kiteworks.huttcity.govt.nz/form/property#/>
- If you prefer to post or deliver: Hutt City Council, (Attention: Resource Consents), 30 Laings Road, Private Bag 31-912, Lower Hutt 5040.

RELEASED UNDER THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Submission in Opposition to Resource Consent Application: RM240334 Proposed Cleanfill at 1044 Coast Road, Wainuiomata

Submitted by:

Nathan Gloag & Fiona Wilson

904C Coast Road, Wainuiomata

Nathan: s7(2)(a) Fiona: s7(2)(a)

1. Introduction

1.1 Our Interest in the Proposal

We, Nathan Gloag and Fiona Wilson, reside at s7(2)(a), a property that directly adjoins the northwestern boundary of the proposed cleanfill site. We purchased this property in 2021 for its peaceful rural setting and the natural character of the Wainuiomata River corridor, choosing to live away from the noise, congestion, and environmental stress of urban life.

Since settling here, we have actively partnered with Greater Wellington Regional Council to restore wetland areas and undertake riparian planting along the river, enhancing biodiversity, improving water quality, and contributing to regional conservation objectives.

The proposed cleanfill site borders land adjacent to East Harbour Regional Park, an area of high ecological and recreational value. The application fails to acknowledge this broader context or the environmental work being undertaken by both private landowners and public agencies along Coast Road.

A development of this scale, operating six days a week for up to 30 years, would permanently alter the environment, jeopardise ecological restoration efforts, and seriously diminish the amenity of our property and surrounding community. We urge Council to consider the long-term environmental stewardship underway here and to uphold the principles of the Resource Management Act 1991 (RMA) and the Hutt City District Plan, both of which seek to protect rural character and amenity.

1.2 Our Position

We strongly oppose this application on the basis that:

- There is no demonstrated public need for another cleanfill in the region.
- The proposal fails to adequately assess, avoid, or mitigate its environmental and social impacts.
- Its effects on nearby residents, the broader community, rural amenity, and the natural environment are more than minor.

Currently operational and consented cleanfills in the region, such as Silverstream (Upper Hutt), Kiwi Point (Wellington), TNT landfill (Happy Valley) and HCL Cleanfill, already provide sufficient capacity. These sites are regionally distributed, accessible, and integrated into the existing waste management network. This proposal offers no wider public benefit and

appears driven primarily by private commercial interests, with negative impacts borne by the surrounding community and environment.

We also speak in support of neighbouring properties s7(2)(a) Coast Road, both of which were excluded from limited notification despite being identified as affected in prior consents. For the sake of any future hearing, we wish this matter to be formally recorded and raised.

We request that independent experts, not engaged by the applicant, be required to undertake updated, evidence-based reports on flooding, hydrology, noise, vibration, dust, and ecological effects, reflecting current site conditions. Establishing a transparent and scientifically verified environmental baseline is essential to ensure that any drastic or measurable changes arising from cleanfill operations can be clearly attributed to the activity and independently monitored over time.

These reports should include updated flood modelling, water quality testing, and ecological surveys assessing the health of fish, eels, and native reptiles, undertaken by professional and peer-reviewed standards.

We also raise concerns on behalf of Fish & Game New Zealand regarding potential adverse effects on freshwater species that rely on the Wainuiomata River's clean water and natural flow patterns.

2. Rural Amenity, Character, and Natural Environment (RMA s7(c), (d), (f))

Incompatibility with Rural Character

The District Plan recognises the rural zone as an area of high amenity value that should be protected from incompatible activities. A large-scale cleanfill is fundamentally at odds with this objective.

The introduction of industrial-scale earthworks, continuous truck movements, and machinery noise into a quiet, natural setting is incompatible with the rural character of Coast Road. This would permanently disrupt the area's landscape and undermine its recreational, visual, and ecological values.

Impacts on Recreation and the Natural Environment

The Wainuiomata River and esplanade reserve provide vital public space for recreation, fishing, walking, and ecological restoration. Ongoing dust, noise, and visual intrusion from cleanfill operations would diminish the amenity of this area and disrupt ongoing native planting and habitat recovery.

The river supports populations of native eels (tuna) and introduced trout, both of which rely on clean, oxygen-rich water and stable riparian margins. Increased sedimentation, runoff, and reduced water quality from cleanfill activity would directly threaten these species and the wider aquatic ecosystem.

The area also supports native geckos and lizards and frogs, which are highly sensitive to vibration and habitat disturbance. Large-scale earthworks and vegetation removal would further endanger these species and reduce local biodiversity.

Additionally, increased high-density development upstream has already caused the river to rise and flood more rapidly, resulting in the annual loss of productive land and fencing on our and neighbouring lifestyle properties. Further land disturbance and filling at 1044 Coast Road will exacerbate this problem by reducing floodplain capacity and increasing both erosion and flood risk.

2.1 Noise Effects (RMA s7(c), (f))

Existing noise levels along Coast Road are typical of rural life, intermittent and low intensity. The cleanfill would introduce continuous heavy-vehicle and machinery noise for decades.

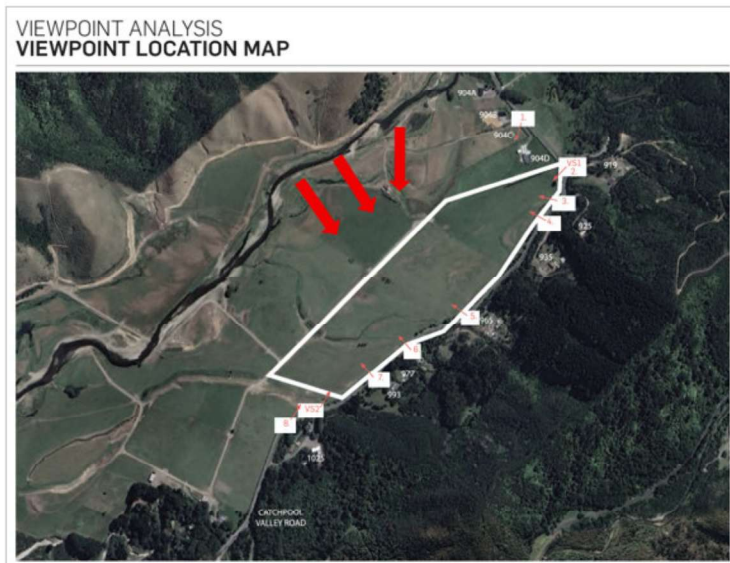
One of us works from home, and we both spend a great deal of time outdoors. The proposed operating hours (7:30 am – 5:30 pm weekdays, 7:30 am – 1:00 pm Saturdays) are industrial in nature and out of step with the expectations of rural living. Such long-term disruption would erode the acoustic character and amenity values protected under RMA s7(c).

2.2 Visual Impact (RMA s7(c))

The applicant's Landscape and Visual Assessment (Appendix D, p. 21) significantly understates the impacts on neighbouring properties. Specifically:

- No planting is proposed along the northwestern boundary, despite our property being directly adjacent.
- Where screen planting is proposed, it would take five years or more to reach effective height, as we have observed with our own plantings.
- River-facing views were not assessed, even though both residents and visitors use the river corridor daily.

Picture from applicants Appen4: 1, pg. 4: Viewpoint Analysis



For those of us who live here, the visual impact of six-day-a-week earthworks would be profound and incompatible with the rural setting.

3. Waterways and Wetlands (RMA s7(d), (f), (h))

3.1 Water Quality and Aquatic Habitat

The proposed cleanfill is approximately 220 metres from the Wainuiomata River, a significant brown-trout fishery, and near Catchpool Stream, an important trout-spawning habitat listed in Schedule I of the Greater Wellington Natural Resources Plan.

The applicant's own conditions (Condition 54) acknowledge that floodwaters may scour the site, indicating a real risk of contaminants reaching the river.

Moreover, the Ecological Effects Assessment concedes that **no baseline water quality testing was undertaken**. This undermines claims of "*no adverse effects*" and falls short of both RMA s5(2) and NPS-FM 2020 Policy 10, which requires the protection of trout habitat.

4. Health and Safety

4.1 Dust (RMA s7(f) and RMA s106A(2)(d))

The site lies within an extreme wind zone. Airborne dust will be difficult to contain, despite proposed mitigation. The claim that "*there shall be no dust nuisance beyond the boundary*" (AEE, p.17) is unrealistic given the site's exposure and scale.

Dust generated by heavy machinery, truck movements, and exposed fill material poses a significant risk to the health and wellbeing of nearby residents and livestock. Fine particulate matter can travel considerable distances, especially during dry or windy conditions, settling on homes, pasture, gardens, and water supplies.

There is also a credible risk of water contamination, as dust and runoff from fill operations may contain silt, metals, or other contaminants that can enter the Wainuiomata River or

private rainwater collection systems used by rural properties. Such contamination could harm human health, animal welfare, and stock productivity, particularly for properties relying on river access or tank water for domestic or agricultural use.

No adequate or independent assessments have been supplied to confirm these risks are minor or manageable. Given the site's proximity to multiple dwellings, the river, and productive grazing land, these effects are more than minor and require independent verification.

The proposed use of Wainuiomata River water for dust suppression is a material change to the existing water take consent, which is restricted to irrigation.

Testing frequencies proposed, the lesser of 1 in 50 or 1 in 500 m³, are insufficient to reliably detect contamination. For those living in proximity, such oversight gaps pose genuine health concerns.

4.2 Heavy Vehicle Traffic – Traffic Safety (RMA s104(1)(a))

Coast Road is narrow and winding, with limited visibility and no shoulders. It is used regularly by cyclists (as part of the Remutaka Cycle Trail), horse riders, and school buses.

The applicant's traffic assessment fails to consider the full spectrum of road users, cumulative wear, or maintenance responsibilities. The road already shows signs of structural degradation, and increased heavy-vehicle traffic will worsen safety risks for all users.

We have engaged an independent traffic report to provide an alternative assessment to that submitted by the applicant. Findings are pending.

5. Flood Risk and Hydrological Effects (RMA s6(h); s104(1)(a))

The flood risk assessment provided is inadequate and fails to evaluate:

- Potential cumulative impacts on nearby dwellings
- Long-term climate-related storm intensification
- Sediment transport and downstream effects

Given our property's proximity, even minor changes in flood behaviour pose unacceptable risks. The proposal is inconsistent with the District Plan's approach to managing natural hazards.

6. Iwi and Hapū Engagement (RMA s6(e) s7(a))

No evidence of meaningful consultation with local iwi or hapū has been provided, despite the cultural and ecological significance of the Wainuiomata River.

Council policy recognises that tangata whenua are partners in environmental management, not merely stakeholders. The failure to engage meaningfully breaches both RMA s6(e) and Council's own partnership commitments.

7. Compliance and Monitoring

7.1 Past Non-Compliance

Instances such as the *Stuff.co.nz* article “*Neighbours take on developer over illegal dumping, and win*” highlight that poor compliance is not hypothetical. Even with enforcement, environmental damage persisted until legal action was taken.

7.2 Risk of Contamination

Past “cleanfills” have accepted contaminated materials, including asbestos and plastics. This application relies heavily on self-reporting and infrequent testing, which we believe is inadequate. Without robust, independent oversight, the risks of non-compliance are high.

8. Relief Sought and Recommended Conditions

- **Scale Reduction:** Limit the operational footprint to minimise noise, dust, and visual impacts.
- **Flood Risk Mitigation:** Require independent flood modelling and implement river-control works at the applicant’s cost.
- **Water & Dust Controls:** Limit exposed earth to $\leq 2,000$ m², install real-time dust monitoring, and prohibit use of river water without a new consent.
- **Noise Management:** Enforce rural noise limits, reduce operating hours to 8am–4pm weekdays, and prohibit Saturday operations.
- **Visual Screening:** Require 4m-high planting along all site boundaries.
- **Truck Size:** To be no more than 4 ton.
- **Traffic and Road Safety:** Applicant to contribute to Coast Road maintenance and create safe pull-off areas.
- **Truck Count Monitoring:** Install automatic truck counters at the site entrance to record daily vehicle numbers. Data to be reviewed monthly by Council and made publicly available.
- **Independent Monitoring:** Quarterly independent monitoring of noise, dust, and water quality, publicly available.
- **Material Verification:** Independently inspect fill material; suspend operations if contamination detected.
- **Stormwater Controls:** Maintain 40m vegetated buffer to river, with best-practice sediment and stormwater controls.
- **Consent Duration and Review:** Limit consent duration to no more than 5 years, with a mandatory independent review after the first year of operation and annually thereafter. Each review must assess compliance with all consent conditions, including noise, dust, water quality, flood risk, ecological impacts, and truck traffic.
- **Financial Assurance** : Remediation bond: Money held in trust for future remediation if required.
 - Long-term provision: Recognising that adverse environmental effects may not manifest for years or decades.

- Adequate quantum: Bond amount sufficient to cover full remediation of potential contamination.

9. Summary

There is no demonstrable need for this development. Its benefits are overstated and largely private, while its adverse effects, on health, safety, flooding, amenity, and the rural environment, are significant and more than minor. The proposal conflicts with the purpose and principles of the Resource Management Act and the Hutt City District Plan.

Accordingly, we respectfully request that consent be declined. If granted, the conditions listed above must be imposed to safeguard neighbouring residents, public safety, and the natural environment.

We further submit that, if consent is granted, its duration must be significantly reduced to a maximum of five years, with mandatory annual independent reviews to ensure compliance. Truck numbers must also be monitored continuously and transparently reported. This ensures the community is protected from long-term environmental harm and that the operator remains fully accountable for site performance.

Sincerely,

s7(2)(a)



Nathan Gloag & Fiona Wilson

s7(2)(a)

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SUBMISSION ON A NOTIFIED APPLICATION FOR A RESOURCE CONSENT

HUTT

31.10.25

(RM 240334)

To: Chief Executive, Hutt City Council

1. This is a submission from:

Full name	Last	Mitchell	First	Kenneth John	
Company/organisation	Magdalena Jacqueline				
Contact if different					
Address	No.	s7(2)(a)			
	Street	s7(2)(a)			
	Suburb	s7(2)(a)			
	City		Postcode	s7(2)(a)	
Address for Service if different Postal/Courier					
Phone	Day	s7(2)(a)		Evening	s7(2)(a)
	Fax			Mobile	
Email					

2. This is a submission on an application from:

Name of applicant	Kakariki Estate Limited.
-------------------	--------------------------

- For a
- Land use resource consent
 - Subdivision resource consent
 - Change or cancellation of a condition of a resource consent

3. The proposed activity and location of the application is:

If this is for a change or cancellation of a condition of a resource consent, please state the type and location of the resource consent, the relevant condition and proposed change.

1044 Coast Road
Wainuiomata

4. The specific parts of the application that my submission relates to are:

Give details

Land use consent for cleanfill and associated earthworks for duration of 30 years.

Please refer to submission attached.

Submission number
OFFICE USE ONLY

--

5. My submission is:

Include whether you support or oppose the specific parts of the application or wish to have them amended; and the reasons for your views (extra sheets maybe attached if you wish).

Please refer to the attached submission

6. I seek the following decision from the consent authority:

Give precise details, including the general nature of any conditions sought.

Decline application in it's entirety.
Please refer to the attached submission

7. I wish do not wish to be heard in support of my submission.

8. If others make a similar submission, I will will not consider presenting a joint case with them at the hearing.

Signature of submitter:
(or person authorised to sign on behalf of submitter)

s7(2)(a)

29/10/2025

Note to submitter: You must serve a copy of your submission on the applicant as soon as reasonably practicable after you have served your submission on the consent authority.

- Lodge your application online here:
- If you prefer to post or deliver: Hutt City Council, (Attention: Resource Consents), 30 Laings Road, Private Bag 31-912, Lower Hutt 5040.

TO: Hutt City Council
Consent Department

SUBJECT: Land use consent clean fill application and associated earthworks by Kakariki Estate Limited
1044 Coast Road, Wainuiomata
For the duration of 30 years

DATE: 16 October 2025

FROM: Kenneth John and Magdalena Jacqueline Mitchell
s7(2)(a)

INTRODUCTION

Ken and I bought s7(2)(a) in 1989, mainly to enjoy the rural lifestyle, the peace and tranquility, the surrounding natural reserve and the view the place has to offer. I can remember when part of the Coast road is on gravel and would be lucky to see one car on the road. We take the kids swimming in the Wainuiomata river and enjoy the and walk to the Remutaka Forrest Park.

We are writing to formally **OPPOSE** the resource consent land use application as stated in the above subject.

INCLUSION

In my application, since the council decided to have a limited submission.

Many directly affected neighbours were excluded, even though the planner admits there will be "minor nuisances." Which meets the test for limited notification.

The following resident of Coast Road who asked to be included and be heard.

- Bruce Jackson Appendix 3 Exhibits
Wainuiomata Rural Association -Statement of Evid Appendix 4 https://drive.google.com/drive/folders/1sFiT28T0axeeeMQhMd_k6uig5fBn?usp=sharing

RMA ss95A-95E: Councils must notify all affected persons if adverse effects are minor or more.

I have also included on separate attachments photos from locals for the council to see the effects of flooding in the area down the Coast Road.

GROUNDS FOR OPPOSITION

- 1) **Loss of natural character and amenity** -the Wainuiomata river and its surrounding are important natural and recreational asset . The river host the game and fishing and regarded as one of the best trout fishing in the area, the surrounding area provides the natural aesthetic value of the area. The Clean fill and the earthworks **will** diminish

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natural amenity values and environmental quality of the area and I refer you to section 7(c) and (f) of the RMA.

Under the Resource Management Act 1991, councils must consider **adverse effects on people and communities** — including social, economic, and cultural wellbeing section 5(2)).

Major concern for us is loss of property value which directly affects our **economic wellbeing** and **community amenity**, which are both protected under the Act's purpose.

Page 13 of the application the clean fill is intended for use by or on behalf of contractors working for Friday Homes – a massive financial gain to the applicant, savings millions of dollars on tip fees at the expense of the neighbouring properties and expense to the rate payers.

The proposed clean fill is **inconsistent with the rural landscape character** of the area.

Industrial-scale earthworks and truck movements are incompatible with the natural environment or rural landscape of the area.

Please refer to page 31 of the application Noting the temporary Landscape and Amenity effects. The consent is for 30 years, How can this be temporary?

On page 31 Cuttris report , paragraph 6 “ notwithstanding this change in character it will be partly mitigated by the screen planting that has already been planted along the Coast Road “

From where we are, no plants are visible apart from gorse, or may have been planted by have died since.



Photo 1

- 2) **The duration of the project which is 30 years** will adversely impact the future generation. the *Resource Management Act 1991*. Under **section 5(2)(a)**, the Act requires that natural and physical resources be managed sustainably to ensure they can meet the reasonably foreseeable needs of future generations. This proposal risks long-term and possibly irreversible harm to the Wainuiomata River and its surrounding and affected residents. We will not see the end of this in our lifetime.

We have live here for over 30 years and our point of view should count and be heard by the council.

- 3) **Meandering River-** The Wainuiomata River is naturally a meandering system , please refer to **Appendix A GRWC website** “ The Wainuiomata River meandering pattern has changed”

The is forever changing nature of the river makes it prone to flooding and the application contains no assessment on the following

- Geotechnical reports (**soil stability, slope safety**)
- Hydrological reports (**groundwater, surface water flow, flood risk**)
- Environmental impact
- Engineering assessments

Under **section 35 of the RMA**, councils are required to gather and make available environmental information. The application, doesn't provide us information, that the clean fill is **SUITABLE** for the propose site which is so important in considering the application

The Wainuiomata River is a **naturally meandering system**, which means its course and banks are dynamic and prone to erosion and flooding.

A meandering river **naturally changes course over time** — eroding its outer banks and depositing sediment on the inner bends.

This process can cause **bank collapse and land loss**, especially during heavy rain or flood events.

I refer to page 12 and 13-2.3 DESCRIPTION OF PROPOSAL

“ Extensive characterisation of the local geology and hydrogeology is not usually required”

Please refer to below report from NIWA in 2007

Hydrological and Geomorphological Context – Meandering Nature of the Wainuiomata River

The proposed clean fill site lies in close proximity to a **meandering reach of the Wainuiomata River**, a dynamic river system characterised by lateral movement and periodic channel migration. According to **NIWA (2007)**, “a meandering river is one that has a single channel with a series of broad curves or bends (meanders) that migrate laterally across the floodplain through erosion on the outer bank and deposition on the inner bank.”

This natural meandering process results in ongoing **bank erosion, sediment deposition, and changes to the river's alignment**, particularly during high-flow or flood events. Any land use activity in this area must therefore account for the **instability of river margins** and the **potential for increased erosion and flooding impacts**.

The establishment of a clean fill operation within this dynamic river environment presents several concerns:

- **Erosion and loss of containment:** The lateral movement of the river could undermine fill stability and result in material entering the waterway.
- **Sediment and water quality effects:** Increased sediment load could adversely affect aquatic habitats and downstream users.
- **Natural character and amenity:** The activity risks degrading the river's natural form and visual landscape values.
- **Infrastructure vulnerability:** Any alteration to natural drainage or bank structure could impact nearby roads and properties, particularly following heavy rain events.

In accordance with **sections 5, 6(a), and 7(f) of the Resource Management Act 1991**, the natural character, physical stability, and amenity values of the Wainuiomata River must be protected. It is therefore recommended that a **comprehensive geological and hydrological assessment** be undertaken before any resource consent is granted, to ensure the proposal does not compromise the river's natural processes or pose long-term risks to the surrounding environment.

Reference:

NIWA. (2007). *River channel forms and processes in New Zealand*. NIWA Science and Technology Series No. 68. National Institute of Water and Atmospheric Research, Wellington.

Meandering rivers are often connected to shallow **groundwater systems**. If contaminants from cleanfill leach through the soil, they can **migrate into groundwater** or **seep into the river**, affecting water quality for ecosystems and communities. The shifting nature of a meandering river means the surrounding land is **geologically unstable**. Building or depositing waste in such areas increases the risk of **subsidence, erosion, or slope failure**.

I also challenge the decision made by GRWC granting consent yet it is clear on their report below 1044 is identified as a potential erosion area.

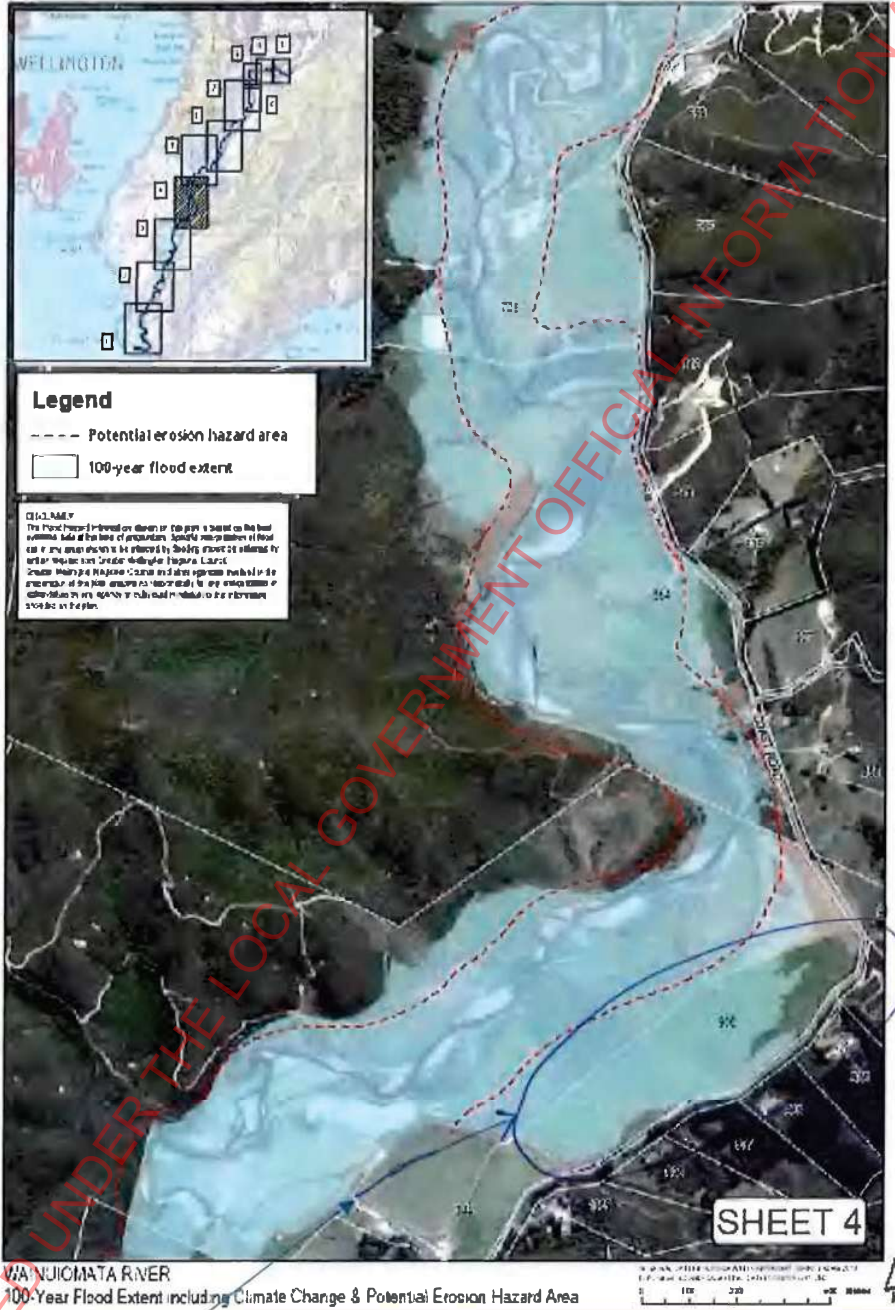
FULL REPORT AS APPENDIX 1

Below shows the report from GRWC which identifies 1044 Coast Road as a potential erosion area shown in Sheet 4

Report 12.245
Date 12 June 2012
File N/04/09/01

Committee Hutt Valley Floodplain Management Subcommittee
Author Sharyn Westlake, Senior Engineer, Strategy and Advisory Specialist

The Wainuiomata River Flood Hazard Information Update



RELEASE UNDER THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

The site is identified in the potential erosion hazzard.

In particular meandering and erosion-prone nature of the Wainuiomata River, base on reports from NIWA and GWRC , that the proposed clean fill site presents an unacceptable risk to the surrounding environment, water quality, and nearby infrastructure.

The activity is inconsistent with the principles of **sustainable management under section 5 of the Resource Management Act 1991**, and fails to adequately protect the **natural character and amenity values** of the river environment as required by **sections 6(a) and 7(f)**.

Over the years flooding occurs so often and the road gets flooded the effect of the changing river cause flooding near the proposed cleanfil as shown in this picture taken on May 2025.

Climate change will certainly make it worse. The photo demonstrate that during heavy rains the river will flood.

Taken from s7(2)(a)

Photo 1





The road gets flooded as well as shown in photo 2

- 4) **The proposal poses significant road safety risks** due to increased heavy vehicle movements 36 truck movements 5 and ½ days a week., on Coast Road area. The road is not designed to accommodate frequent heavy truck traffic. It also raises serious **road safety concerns**. These risks are not only a matter of amenity and community wellbeing under the *Resource Management Act 1991* but also fall within the requirements of the **Land Transport Act 1998** and related rules, including the **Land Transport (Vehicle Dimensions and Mass) Rule 2002** and the **Land Transport (Road User) Rule 2004**. The roads in this area are narrow and not designed for frequent heavy vehicle use, which may compromise compliance with these rules and create hazards for the public. The council must consider their statutory obligations to ensure safe road use and protect the community from unnecessary risks.

We use the road on a daily basis to get to work and do our daily business. It is often hard to get out of the driveway

We are already experiencing flooding in the area during heavy rains. Wellington Water records will show how many times we have requested for this to be fix.

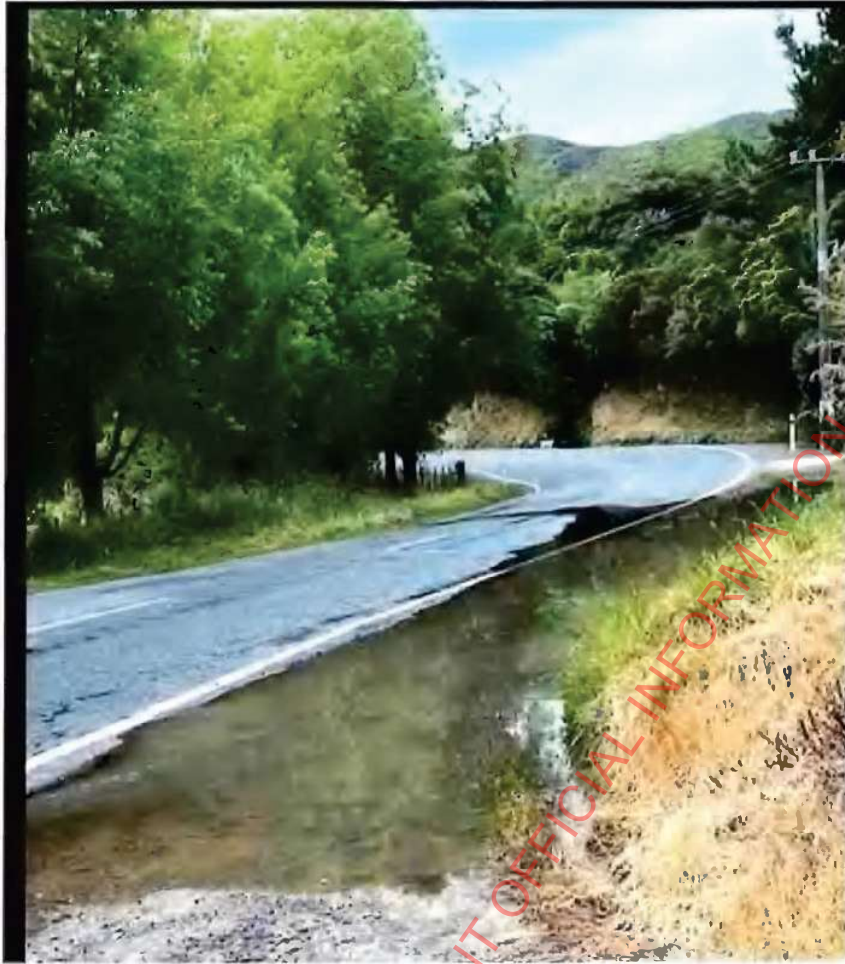


photo 2

The 34 truck movements each day, 5 1/2 days a week would have significant risk to the cyclist and it is only a matter of time before a serious accident happens.

The road condition which in most areas are winding, narrow and areas are often flooded. The above photo highlights the safety aspect of the road. The photo is taken from the driveway of the affected property s7(2)(a) taken in 2025. The trucks will be passing here everyday. The visibility of oncoming traffic is impaired with the overgrown tree and the overflow of the flood water, the contour of the road, makes it dangerous. During flooding access to the mail box makes it difficult as the flooding extends to s7(2)(a).

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5) Road Damage from Heavy Vehicles



Photo just at the bottom of the driveway s7(2)(a)

Increased Wear and Tear

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The above photo is taken and located between s7(2)(a) two of the affected properties. It clearly shows the road deterioration.

Heavy trucks transporting cleanfill materials **accelerate deterioration** of road surfaces, particularly on **rural or local roads** not designed for frequent heavy loads.

- Effects include:
 - Cracking or rutting of asphalt
 - Erosion of unsealed road edges
 - Formation of potholes
 - Damage to culverts

Safety Implications

- Damaged roads increase the **risk of vehicle accidents**, particularly for:
 - Cars navigating potholes or ruts
 - Cyclists and pedestrians
 - School buses or emergency vehicles



We also share the road with the cyclist, at the bottom of our drive shows the above sign, major concern for the safety of the cyclist.

Erosion and rutting may also cause trucks to **veer off the road**, increasing risk of spills or environmental contamination.

The economic cost to the ratepayer is huge, repair and maintenance often falls on the ratepayers not the operator, creating an unjust economic burden on the community as a whole.

Rates have been going up and I oppose any additional cost to the ratepayers in terms of Road maintenance.

5) Noise and Dust Implications will adversely affect us

Dust Effects

As Coast Road residents including us, have no reticulated water network and we collect water either from the roof or nearby stream.

Cleanfill operations generate significant dust from, truck movements on unsealed roads, uncovered loads of soil or rubble, excavation, dumping, and wind-blown material from open sites, dust can affect air quality and public health, particularly for people with asthma or respiratory conditions, settle on homes, vehicles, gardens, and waterways, creating nuisance and contamination, reduce visibility on nearby roads, increasing safety risks

Under section 15 of the RMA, discharges to air (including dust) are regulated, and councils must ensure such discharges avoid, remedy, or mitigate adverse effects.

Impact on Roof-Collected Water

Dust settling on roofs and gutters can lead to contamination of stored water with soil, cement, heavy metals, or other health risks, particularly for children, elderly residents, or those with respiratory issues. Increased maintenance costs to clean and replace filters and tanks

Under section 15 of the RMA, discharges of contaminants into air (such as dust) are **not permitted** unless they meet regional plan standards or consent conditions.

Section 5(2) also requires that resource use protect **human health and safety** and maintain the **life-supporting capacity of water**.

Dust affecting roof water supplies constitutes an **adverse effect on the environment** and on **community wellbeing**.

It is noted that the applicant has no Dust Management plan and important under this application.

It is also noted that the applicant has a permit from GWRC to extract water from the Wainuiomata river.

The Ministry for the Environment <https://environment.govt.nz/facts-and-science/air/air-pollutants/airborne-dust-effects-health/>

Environmental and health effects of dust Typically, the particles from dusty activities are larger than 10 micrometres in diameter. Dust can irritate your eyes and make them itchy and watery and can be a nuisance (eg, when it settles on windowsills and washing making things dirty). Dust can also affect the health of plants. When dust settles on leaves it affects photosynthesis and the amount that plants grow.

Noise Effects will adversely affect us and the wildlife that lives in the property.

- Truck movements, reversing beepers, loading, and machinery operation can create **continuous or intermittent noise**, particularly early in the morning or late in the evening.
- Prolonged exposure can cause **stress, sleep disturbance, and reduced quality of life** for nearby residents.
- Noise and vibration also diminish **amenity values** and the **tranquillity** of rural or natural areas.

Noise is managed under **district plan noise limits** and linked to *section 16 of the RMA, which imposes a duty to avoid unreasonable noise.*

We can hear the trucks passing through and vibrations is also an issue. The application provided a very little assessment on the noise and failed to include **s7(2)(a)** which one of the affected properties.

Noted that the applicant did noise assessment and found that in some cases it exceeds the permitted standard. The assessment is not comprehensive and does not allow for the 36 truck movements per day 5 1/2 days a week.

These are adverse effects that can not be ignored and affects the quality of our life and the neighbourhood.

INCLUSION Appendix 5

I have included a report from Paddle Delamore Partners Limited prepared for the applicant this was not included in the documents we have received. Doc should have been involved in this application as affected parties.



The Ministry for the Environment <https://environment.govt.nz/facts-and-science/air/air-pollutants/airborne-dust-effects-health/>

Environmental and health effects of dust Typically, the particles from dusty activities are larger than 10 micrometres in diameter. Dust can irritate your eyes and make them itchy and watery and can be a nuisance (eg, when it settles on windowsills and washing making things dirty). Dust can also affect the health of plants. When dust settles on leaves it affects photosynthesis and the amount that plants grow. **Appendix 2**

Noise Effects will adversely affect us and the wildlife that lives in the property.



- Truck movements, reversing beepers, loading, and machinery operation can create **continuous or intermittent noise**, particularly early in the morning or late in the evening.
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These are adverse effects that can not be ignored and affects the quality of our life and the neighbourhood.

CONCLUSION AND RELIEF SOUGHT

Given the following grounds:

- Loss of Natural Character and Amenity
- Duration of the propose project
- Meadering River
- Significant road safety concerns
- Dust and Noise

The adverse effect to our quality of life and the neighbourhood

I therefore **oppose the granting of resource consent** for the proposed clean fill in its current form. I request that the council either:

1. **Decline the application**, or
2. **Defer any decision** until an independent **geological and hydrological assessment** is completed, confirming that the activity will not exacerbate erosion, flooding, or contamination risks associated with the meandering Wainuiomata River
3. **Allow the wider Wainuiomata community to be heard not just the nine affected properties as we are all affected.**

The proposal has **potentially significant environmental and social impacts** on the wider Wainuiomata community, including effects on **water quality, road safety, dust, noise, and local amenity values**. These effects extend beyond the immediate site boundary and should be subject to **comprehensive public consultation**.

There is a concern that **adequate engagement and notification** is limited, preventing Wainuiomata residents, iwi, and community groups from being properly informed or having a fair opportunity to respond.

Under the principles of *sections 8 and Part 2 of the Resource Management Act 1991*, decisions should reflect **community participation and the kaitiakitanga (guardianship)** responsibilities of tangata whenua. For transparency and fairness, the Council should require **broader public consultation**, including notification of nearby residents and stakeholders, consultation with iwi and hapū with mana whenua over the Wainuiomata River and an opportunity for the wider community to provide input before any consent decision is made by the council.

HEARING

I do not wish to speak at the hearing

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COAST ROAD RESIDENT PHOTOS SHARED IN REFERENCE TO THE APPLICATION



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submitted by:

s7(2)(a) [Redacted]

2011/07/25



Report 12.245
Date 12 June 2012
File N/04/09/01

Committee Hutt Valley Floodplain Management Subcommittee
Author Sharyn Westlake, Senior Engineer, Strategy and Advisory Specialist

The Wainuiomata River Flood Hazard Information Update

1. Purpose

To advise the Subcommittee of outcomes from the community consultation regarding the Wainuiomata River flood hazard, and seek endorsement of the final Flood and Erosion Hazard Information Sheets for the Wainuiomata River floodplain.

2. The decision-making process and significance

The matter requiring decision in this report has been considered by officers against the requirements of Part 6 of the Local Government Act 2002 (the Act).

2.1 Significance of the decision

Officers have considered the significance of the matter, taking the Council's significance policy and decision-making guidelines into account. Officers recommend that the matter be considered to have low significance.

Officers do not consider that a formal record outlining consideration of the decision-making process is required in this instance.

In making this assessment Officers are not seeking to assess the importance placed on the issue by specific individuals, groups or agencies in the community. Officers acknowledge that the matters referenced in this report may have a high degree of importance to affected or interested parties.

3. Background

On 23 June 2011 options for updating the Wainuiomata River flood hazard were put to the Hutt Valley Floodplain Management Subcommittee (Report 11.228).

The Subcommittee subsequently recommended to Council that budget was made available for Option 2 in the 2011/12 Annual Plan. Option 2 is detailed as follows:

Plot current flood levels into LiDAR to get refined flood extents and depths, Re-publish the information sheets with the updated information, mail out to all affected landowners, and make available for HCC LIMS.

- *Plot current flood hazard extent over LiDAR using 2000 hydraulic model levels.*
- *For missing LiDAR area use the historic terrain from the original model.*
- *Use existing erosion hazard and structural damage lines, with minor refinements.*
- *Present the information as the more accurate flood hazard area and without the water depth classes shown.*
- *Re-publish the information sheets with the updated information, mail out to all affected landowners, and make available for HCC LIMS.*

Council approved additional funding for this work along with other hazard mapping across the region at the Council meeting of 29 June 2011 (Report 11.278).

Council undertook remapping of the flood hazard for the Wainuiomata River floodplain as recommended to the Hutt Valley FloodPlain Management Subcommittee on 23 June 2011 (Report 11.228). The hydraulic modelling process carried out exceeded the requirements detailed in Option 2 (above). The main points of variance were as follows:

- An updated hydrological analysis was carried out using the 13 years of extra data available (since the 1998 analysis used in the original model) and the rating curve for the flow meter at Leonard Wood Park updated.
- The model was recalibrated and refined using the available data that was collected from the 2004 flood event.
- Further flood level data was collected following meetings with a number of the local residents and used in the recalibration of the model.

Based on the results of comparison of the calibration runs and the comparison of the aerial photos with the flood spread, we have a high level of confidence that the model has produced results within an acceptable level of accuracy for the production of flood hazard maps.

The remapping of the flood hazard resulting from the updated hydraulic modelling, and the proposed community consultation process, were reported to the Hutt Valley FloodPlain Management Subcommittee on 1 December 2011 (Report 11.564).

The final Flood and Erosion Hazard Information Sheets and suggested Hutt City Council Land Information Memorandum (LIM) statement, which have been compiled following consultation feedback, will be presented to the Subcommittee at the meeting on 26 June 2012. An example sheet is contained

in **Attachment 1** to this report, and the suggested LIM statement is contained in **Attachment 2**.

The updated Flood and Erosion Hazard Information Sheets will then be forwarded to Hutt City Council for inclusion on Land Information Memoranda, and posted on Greater Wellington's web site.

4. Consultation

As part of reviewing the flood hazard information, we have consulted with:

- The community, via a drop-in session at the Wainuiomata Golf Club on 15 February 2012. A letter was sent to all people within the flood and erosion hazard area inviting them to participate (235). This meeting was attended by Hutt City Council representatives, Councillors and at least 23 residents and interested parties. Following feedback received at this meeting, specific investigation of several areas where the flood hazard was queried, including site survey was carried out.
- Further discussions have been had with residents including Bill Voisey, Ian Turner and Margot Fry, Godfrey Fernandez, Ken Jackson, Shane Edwards and Mike Curtis.
- Hutt City Council Officers.
- John Philpott, a River Engineer engaged by a number of residents to undertake site-specific assessments.
- Further e-mail feedback suggesting additional changes to the draft Information Sheets and the suggested Hutt City Council Land Information Memorandum (LIM) statement was also received.

Following the public meeting, comments received and specific feedback, the draft Flood Hazard Information Sheets and suggested LIM statement were changed and mailed out to attendees of the public meeting and John Philpott with an opportunity to provide further feedback before 25 May 2012. These were also sent to Hutt City Council.

Considerable further feedback and discussion has also been received from individuals regarding the erosion hazard lines. The revision of the flood hazard information sheets was not intended to be included as part of this process, but we have made some changes and agreed a method of including further information as it comes available.

5. Comment

Feedback from residents through the community consultation process has been taken into account in compiling the final Flood and Erosion Hazard Information Sheets and suggested Hutt City Council Land Information Memorandum (LIM) statement, and is commented on below.

Flood Hazard Information

From feedback received, it is clear that opinions differ on the best way to show the flood hazard information. With the more detailed model results available, officers had tried to depict the flood hazard by showing water depth as a

graduated change in colour. However, feedback through the consultation period showed that it is difficult to interpret the water depths with the underlying aerial photo colour. Officers have, therefore, decided that at this stage the flood hazard is to be shown as a single-shaded area on the maps, which is consistent with the other flood hazard information being produced by GW, such as maps for the Waiwhetu and Pinehaven Streams (see <http://www.gw.govt.nz/pinehavenstream/> and <http://www.gw.govt.nz/waiwhetustream/>).

As the purpose of the data sheets is to inform regarding the potential flood and erosion hazard on the floodplain, officers consider that the single shaded blue area achieves the aim of indicating that the property may be affected by flood hazard. Further, officers are able to provide additional information on request regarding location-specific flood water depth information. If property owners (or others) would like maps at a different scale showing the 'depth' information over their properties on a graduated blue scale, this can also be provided on request and interpretation of the information discussed.

Erosion Hazard Information

Updating the Erosion Hazard information was not included in the work budget approved by Council to be carried out as part of updating Wainuiomata flood hazard information. Officers have recommended that individuals engage their own expert if they wish to get a better understanding of the erosion risks on their property.

Site-specific Erosion Hazard Assessments

Officers have considered how to deal with the situations where site-specific information is obtained by the owners, and how this should be managed. If the information is kept by the owner, people viewing information on the GW website or obtaining a LIM from HCC would not be aware that further information exists.

Officers have discussed this with HCC Officers and agreed that site-specific information obtained by property owners would be able to be sent by the owner to GW, who will verify that the information has been carried out by a suitably qualified person and that there are no obvious omissions. GW officers will then forward the information with a cover letter to HCC. HCC could then include it on the LIM so that it would be part of any LIM report request by an owner or prospective owner. The GW website will also be annotated to indicate that 'further site-specific information is available for this property'.

Site-specific Erosion Hazard Assessments for Properties at 1100B, 1100C, 1248 and 1276 Coast Road

Site-specific erosion hazard assessments have been commissioned by residents and carried out by John Philpott & Associates for the properties at 1100B, 1100C, 1248 and 1276 Coast Road. These site-specific assessments were received by GW on 1 June 2012. GW has verified these reports, and is confident that there are no obvious omissions. These reports have been forwarded with a cover letter to HCC to include on LIMs for these properties. Additionally, the Flood and Erosion Hazard Information Sheet 3 has been amended to indicate that there is 'Site-specific Erosion Hazard Information

Available' for these properties. Example final Flood and Erosion Hazard Information Sheets are included as **Attachment 1**.

Hutt City Council Land Information Memorandum (LIM) Statement

Feedback was received at the Consultation meeting, and following the meeting, that wording changes should be made to the HCC LIM statement. During the consultation process proposed wording suggestions were also sought on the statement as HCC Officers have indicated a willingness to consider suggestions on the wording put forward by GW, resulting from the consultation. The LIM statement to be suggested to HCC is given in **Attachment 2**.

The Subcommittee should note that the final decision on wording to use for the HCC LIM statement lies with Hutt City Council.

6. Communication

Further communication proposed regarding the Wainuiomata River Flood and Erosion Hazard Information is that the new Information Sheets with changed maps are to be republished, sent to HCC and put on the GW website.

The suggested wording for the HCC Land Information Memorandum statement is to be sent to HCC.

7. Recommendations

That the Subcommittee

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Endorses the Amendments to the Flood and Erosion Hazard Information Sheets for the Wainuiomata River as proposed in Section 5.*

Report prepared by:

Report approved by:

Report approved by:

s7(2)(a)

Sharyn Westlake

Senior Engineer, Strategy and Advisory Specialist

Jan van der Vliet

Team Leader Investigations, Strategy and Planning

Graeme Campbell

Manager
Flood Protection

Report approved by:

s7(2)(a)

Wayne O'Donnell

RELEASED UNDER THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Attachment 1 to Report 12.245

Example Final Flood and Erosion Hazard Information Sheets

Quality for Life



Flood and Erosion Hazard Wainuiomata River

Information sheet 3

June 2012

One of Greater Wellington's key roles is to help communities protect themselves from the effects of natural hazards. To do this, our communities need to understand the risk from natural hazards and have affordable and acceptable management solutions in place. We also want to ensure that inappropriate developments don't create new problems.

Identifying hazards, such as those caused by river flooding and erosion, is the responsibility of local and territorial authorities under the Resource Management Act. This information sheet tells you about the flood and erosion hazard identification work Greater Wellington has undertaken on the Wainuiomata River, what the risks are, and what you can do to manage them.

The Wainuiomata River catchment

The Wainuiomata River catchment has an area of 133km² and a river length of about 22km (as shown in Figure 1 below). The location and shape of the Wainuiomata catchment makes it more responsive to southerly based rainstorm events.



Figure 1: Location of the Wainuiomata River (in blue)

Flood frequency is measured by how often a flood of a particular size is likely to happen, such as a 5, 50 or 100-year return period flood event. A 100-year return period flood event (100-year flood) has a 1% chance of being equalled or exceeded in any year.

On average, one of these events will occur every 100 years based on past records. But don't be misled into thinking that a 100-year flood can only happen once in 100 years – two big floods could happen soon after each other!

Floods on the Wainuiomata River

The six largest historic events measured at Leonard Wood Park since 1977 are summarised in the table below. Their current estimated return period is shown, as well as the predicted new return period, including the effects of climate change up to 2090.

Date	Maximum flow (cumecs)	Estimated flood return period (years)	
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21 May 1981	116	12	7
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Figure 2: The lower Wainuiomata valley on 16 Feb 2004

How we measure floods

The amount of water flowing in a river is measured by a unit called a cumec (cubic metre per second), which is a measure of how much water flows past a given point every second.

Flood and Erosion Hazard Information Sheet

Wainuiomata River

Why this information is useful

The hazards associated with flooding and the natural evolution of the floodplain should be considered when new development is being considered on the floodplain. This approach is useful as it helps to:

- Minimise the future damage from flood events to property
- Identify any potential threat to life
- Allow evaluation of any impact on the river environment
- Alert people to any potential flood and erosion risk

What it means

The hazard assessment shows areas along the Wainuiomata River and floodplain that could be affected by flood and erosion. A typical map is shown on page 3. *Flood and Erosion Hazard Information Sheets* are available with maps covering the main channel of the Wainuiomata River from the township to the mouth, as shown in the inset on the page 3 map.

100-year flood extent: is shown pale blue over the extent of flooding. The flood extent results from the modelled 100-year flood including 0.6m freeboard and an allowance for increased flood flows arising from climate change through to the year 2090.

Potential erosion hazard area: is the area which the lower Wainuiomata River channel could continue to migrate naturally within over time if no river control works were undertaken to limit channel movement. The time period could range from a small number of years to hundreds of years.

Before any new development in the potential erosion hazard area, site-specific advice should be obtained from a suitably qualified person to verify the erosion hazard at the proposed development site. Development may be permitted if the risk to the new development is no more than minor, taking into consideration the characteristics of the natural hazard, its magnitude and frequency, potential impacts and the vulnerability of development.

Site-specific erosion hazard information: Site-specific advice has been obtained for this property (by others). Note: Other site-specific advice obtained after these maps were published may be available. Site-specific erosion hazard information is held by the Hutt City Council.

How does Greater Wellington manage the Wainuiomata River?

The Wainuiomata River is administered by Greater Wellington. In some areas along the river Greater Wellington also manages flood protection and erosion. However, the approach depends on where you are along the river:

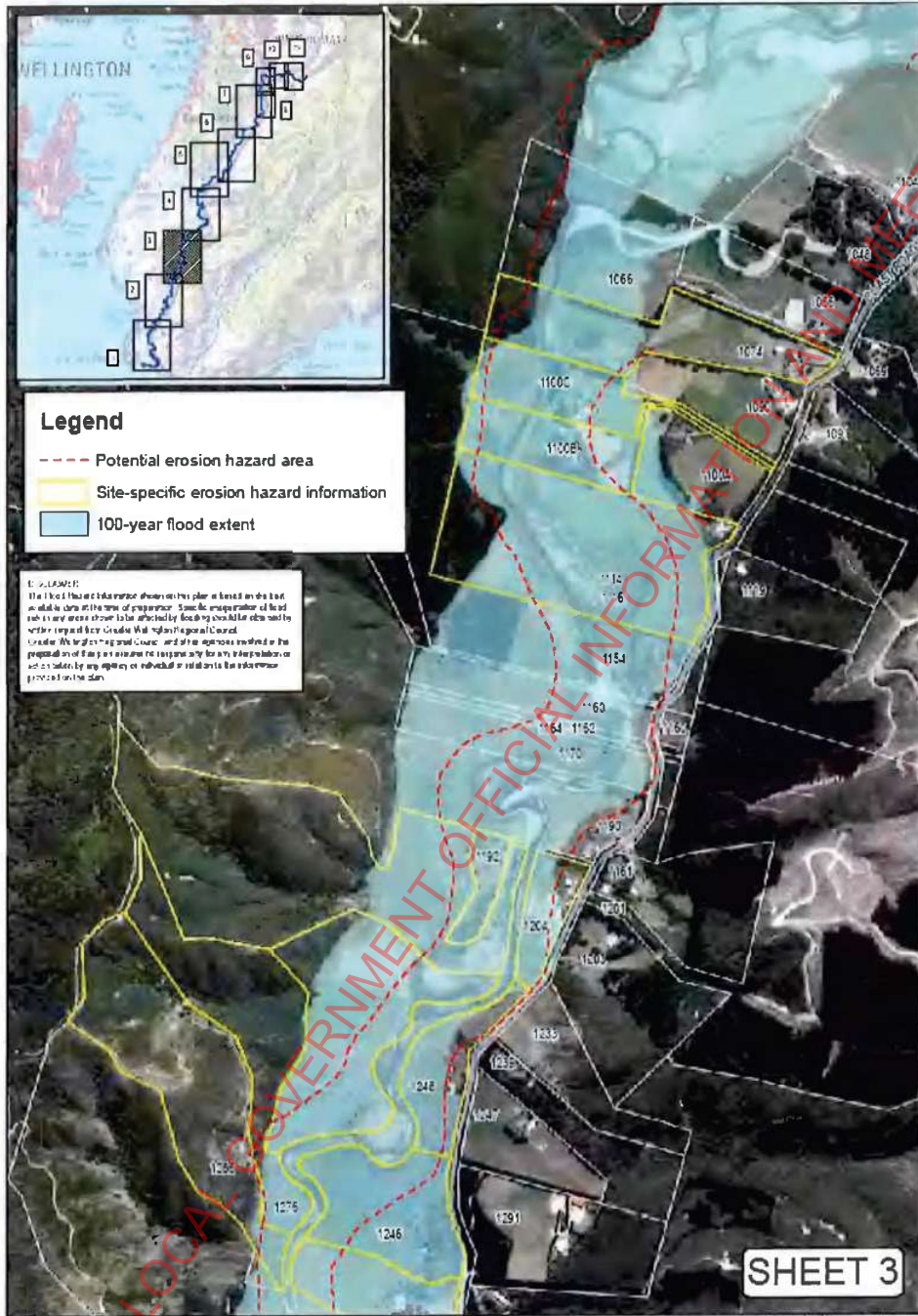
- Upper catchment – much of the upper catchment is designated for water supply and managed by Greater Wellington. The public is excluded from the water supply area for health reasons.

Maintenance of the watercourses above Richard Prouse Park is the landowner's responsibility.

- Richard Prouse Park to Leonard Wood Park – from Richard Prouse Park the river flows through the Wainuiomata Township to Leonard Wood Park. The floodplain is largely developed with two stopbanks (at Parenga Street and from Peel Place to Wood Street). The river channel is managed by bank protection works to maintain its current alignment. Greater Wellington maintains the channel from Richard Prouse Park to Leonard Wood Park, and has a cost-share arrangement in place with the Hutt City Council for maintenance work. No further structural works are proposed for the Wainuiomata River in this reach.

Possible future upgrading or replacement of the Coast Road Bridge could remove a constriction to floodwaters which causes flooding in the Gibbs Crescent area in a greater than 100-year flood.

- Leonard Wood Park to the sea – the river flows through rural land and the river channel is free to move within the wider floodplain. There are no river control works, other than isolated protection works where Coast Road is threatened by erosion. In this rural section of the river Greater Wellington provides advice but does not carry out any physical works; protecting private property or assets from erosion is the responsibility of the landowner.



WAIUKUOMATA RIVER
100-Year Flood Extent including Climate Change & Potential Erosion Hazard Area



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1987

Flood and Erosion Hazard Information Sheet

Wainuiomata River

Will this information affect my property value or insurance?

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Many areas in the Wellington Region are subject to flood risk. We advise that any known facts relating to the physical risk to a property should be disclosed to an insurer. This includes whether the property is exposed to any particular hazard by virtue of its location (eg, flood). An insurer requires these facts when evaluating whether or not to underwrite the risk and, if so, on what terms.

What you need to do if you live in this area

Consider the following actions if you are building or renovating in a flood or erosion hazard area:

- Speak to the Hutt City Council (04 570 6666 – ask for Environmental Consents) before you start building
- Avoid the area affected by flood hazard. If it is not possible to avoid the flood hazard, such as for an existing dwelling, Greater Wellington can provide you with site-specific advice regarding the flood water depths
- Raise your building platform or floor levels, or build to two storeys. The underside of the floor joists or concrete slab should be clear of the 100-year flood level (including 0.6m freeboard and climate change to 2090). Remember that the design flood event could be exceeded
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Greater Wellington is always available to provide advice, site-specific information and recommendations for individual properties whether they are for specific development proposals or simply in regard to enquiries from residents or interested parties. So please do not hesitate to contact us on the numbers below.

For more information, contact:

Flood Protection department
Greater Wellington
PO Box 11646
Mannans Street
Wellington 6142



T 04 384 5708
F 04 385 6960

www.gw.govt.nz
info@gw.govt.nz



GWFP-G-12/160
June 2012

Flood and Erosion Hazard Wainuiomata River

Information sheet 4

June 2012

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Flood and Erosion Hazard Information Sheet

Wainuiomata River

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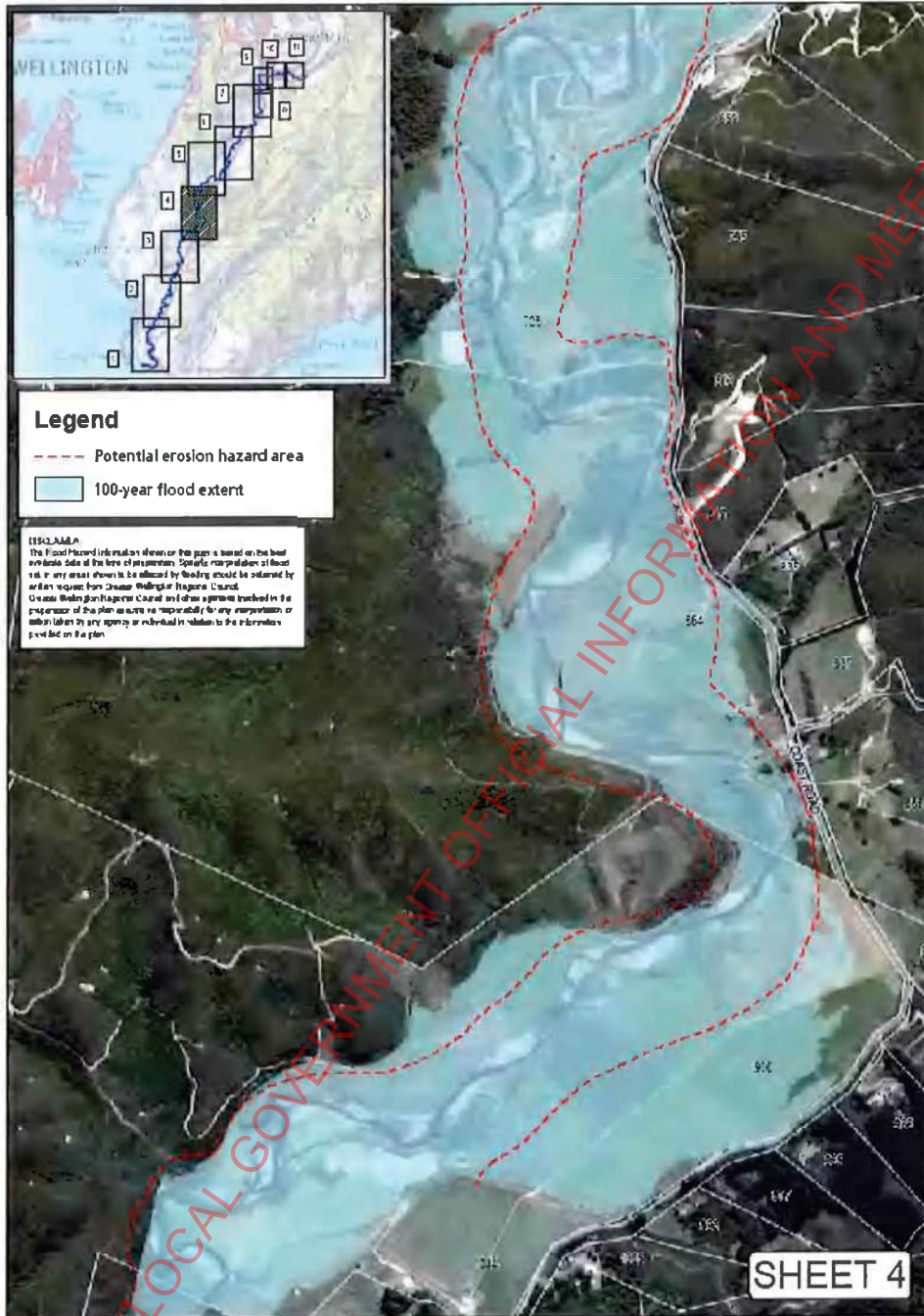
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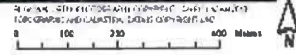
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GWFP-G-12/160
June 2012

Attachment 2 to Report 12.245**Wording suggested to Hutt City Council for Land Information Memorandum (LIM) Statement**

Council records show part or all of this property is in the Wainuiomata River 100-year flood and erosion hazard area (see enclosed map). The map is based on modelling work carried out by Greater Wellington Regional Council.

The 100-year flood extent results from the modelled 100-year return period event including 0.6m freeboard and an appropriate allowance for increased flood flows arising from impacts due to climate change through to the year 2090.

The Potential Erosion Hazard Area is the area which the lower Wainuiomata River channel could continue to migrate naturally if no river control works were undertaken to limit channel movement. The time period could range from a small number of years to hundreds of years. Before any new development in the Potential Erosion Hazard Area site-specific advice should be obtained from a suitably qualified person to verify the erosion hazard at the proposed development site. Development may be permitted if the risk to the new development is no more than minor, taking into consideration the characteristics of the natural hazard, its magnitude and frequency, potential impacts and the vulnerability of development. Site-specific erosion hazard information held by Hutt City Council is included in this LIM.

Greater Wellington Regional Council provided this modelling information to Hutt City Council, and recommends you contact staff at the Regional Council on (04) 384 5708 who are available to discuss issues and provide more information relating to the flood hazard.

Dust

Sources of airborne dust and its environmental and health effects.

Last updated: 29 September 2021



Sources of airborne dust

Airborne dust is produced from a wide variety of human activities.

These include:

- wind-blown dust from exposed surfaces such as bare land and construction sites
- road works
- dust caused by vehicle movements along unsealed roads
- housing developments
- mines and quarries
- agriculture and forestry activities.

Large quantities of dust can also be generated from natural sources such as dry riverbeds, pollen from plants and volcanic eruptions.

Environmental and health effects of dust

**Resource Consent Application, Wainuiomata Cleanfill
1044 Coast Road, Wainuiomata
HCC Consent number: RM240334**

Statement of Evidence of Craig Braden Innes

Filed by:

Address for service:

RELEASED UNDER THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

I Craig Braden Innes, historian and Geographic Information Systems technician, of Wainuiomata solemnly and sincerely affirm:

Introduction and experience

1. My name is Craig Braden Innes.
2. My qualifications and experience are as follows [Document 'A' C Innes CV]:
 - a) I have worked as a research analyst focusing on contemporary and historical land issues since 2002
 - b) From 2009 to 2018 I worked as a research analyst, with a focus on land title and land research for the Waitangi Tribunal
 - c) I have appeared as an expert witness before Waitangi Tribunal hearings and the High Court. I have provided expert evidence in the form of research reports and written answers
 - d) I have provided expert evidence before the Waitangi Tribunal and the High Court based on research using Geographic Information Systems [hereafter GIS]
 - e) I have completed the Geospatial Accelerated Learning Programme, Eagle Technology and I have part-completed the post-graduate diploma in GIS at Massey University

Code of conduct

3. I have read, and I am familiar with, the Code of Conduct for Expert Witnesses in Rules of the High Court and the Environment Court Practice Note. I agree to comply with the code of conduct for expert witnesses.
4. The evidence in my statement is within my area of expertise, except where I refer to the evidence of other people. The limits of my expertise are acknowledged and are stated below. I have not omitted to consider material facts known to me that might detract from the opinions I express.

The limitations of my evidence

5. I am not a hydrologist and I do not assert that the evidence presented in the 2019 document referred to in this brief is the evidence of a hydrologist. The evidence presented in 2019 referred to in this statement was based on a basic understanding of the third party hydrology tools extensions of the ESRI [Environmental Systems Research Institute] software ArcMap.

6. I have not undertaken hydrological analysis of the proposed cleanfill at 1044 Coast Road. I do note similarities between the 2019 evidence referred to in the hearing for 126-130 Coast Road and the evidence presented with this application.

My relationship to the application

7. I am the chair of the Wainuiomata Rural Community Association Incorporated [hereafter WRCAI]. This body has attempted to submit to this consent application, but this submission was rejected by Hutt City Council.
8. WRCAI has received complaints about the dumping of material and associated truck movements at 1044 Coast Road since late 2022 [Document 'B' Wayne Bentley - Cleanfill operations in Coast Road, Wainuiomata - 2 February 2023].
9. As a result of complaints, I have made requests for information under the Local Government Official Information and Meetings Act 1987 [hereafter LGOIMA].
10. To be clear, neither WRCAI, nor myself, have made formal complaints about the activities at 1044 Coast Road.

Works undertaken at 1044 Coast Road 2021-2025

11. 2025 LiDAR data relating to the area around the corridor of the Wainuiomata River has been obtained from GWRC. The coverage of the data does not include the full extent of the property [Document 'D' Miscellaneous Maps Mapbook, Map 3 GWRC 2025 LiDAR].
12. Material has been deposited on the property after 2021. One example is the extension of the natural platform located near the southern part of the property to the west of Lot 1 DP 380969 [Document 'D' Miscellaneous Maps Mapbook, Maps 4A, 4B, 4C and 4D. Compare 2021 and 2025 aerial photos Document 'C' Aerial Map Series Mapbook].
13. Tentative analysis of the 2025 LiDAR comparative to the 2021 LiDAR indicates extensive earthworks have been undertaken in relation to tracks. The majority of the tracks associated with apparent earthworks appear to correspond with tracks extant in 2021. However, many of these tracks appear to be associated with extensive changes that have widened the tracks and made the tracks more obvious in aerial photographs and LiDAR [Document 'D' Miscellaneous Maps Mapbook, Maps 5A, 5B, 5C and 5D. Compare 2021 and 2025 aerial photos Document 'C' Aerial Map Series Mapbook].
14. Works have been undertaken in relation to waterbodies. This has included the apparent filling of water channels. [Document 'D' Miscellaneous Maps Mapbook, Maps 6A, 6B, 6C and 6D. Compare 2021 and 2025 aerial photos Document 'C' Aerial Map Series Mapbook].
15. Detailed analysis of the 2025 LiDAR comparative to the 2021 LiDAR was attempted using Raster Analysis [the analysis of grid data in GIS -an example being the 'minus' function, where the LiDAR of one date is subtracted from the LiDAR of another date, revealing the volume quantity of changes over time]. However, it was

found that the analysis of the relatively limited extent of the available data was difficult to present in a clear fashion. It was found that there were extensive changes to the landscape in parts of the property. However, these changes included areas that 'added' to the overall figures and areas that 'subtracted' from the overall figures.

16. In my opinion, a full detailed analysis of the extent of earthworks within the property would greatly benefit from a full LiDAR dataset. In particular, LiDAR of the rear of the property is likely to be the most revealing in terms of the quantification of earthworks [Compare 2021 and 2025 aerial photos Document 'C' Aerial Map Series Mapbook].
17. In my opinion, a full LiDAR scan of the property is essential if there is to be a baseline for the monitoring of the ongoing compliance with the application.
18. An indication of the extent of the operation of heavy vehicles on the property may be inferred by the construction of multiple vehicle passing bays on the property. [Document 'D' Miscellaneous Maps Mapbook Map 7 Vehicle Passing Bays 2025. Compare 2021 and 2025 aerial photos Document 'C' Aerial Map Series Mapbook]

Wainuiomata River floodplain near the 126-130 Coast Rd cleanfill

19. In 2019, I could not see anything at the site to justify the failure to extend the eastern erosion zone to the point where the flood protection embankment reaches Ngaturi Grove [Documents 'E' 'F' and 'G'. Compare the GWRC erosion zone represented by a green line on ORIGINAL REFERENCE MAP A -THIS DOCUMENT DOCUMENT 'F', with the point marked 'A' on the same map].
20. I believe that a point I made about the 2019 cleanfill also applies to this application:

In my opinion, some of the elevated features in the LIDAR DEM appear to correspond to fill material. Therefore, some of the features that appear to be limiting the extent of the predicted inundation appear to be material that needs to be protected from flooding. I believe that these areas should be factored into an independent analysis of the potential flood risk [Document 'E' paragraph 'F'].

Wainuiomata River floodplain and the 1044 Coast Road Application

21. The proposed area for the cleanfill is located on the floodplain of the Wainuiomata River. The Wainuiomata River is a meandering river. Past courses of the Wainuiomata River can be seen in the LiDAR data [Document 'D' Miscellaneous Maps Mapbook, Map 2]..

Craig B Innes

31 October 2025.

Appendix # 5



8 November 2024

Kris Gough
Associate – Licensed Cadastral Surveyor
Cuttriss Consultants Limited
Lower Hutt
WELLINGTON 5026

Kia ora Kris,

1044 COAST ROAD, WAINUIOMATA – WETLAND EFFECTS ASSESSMENT

1.0 Introduction

DMAC Homes Limited (the Client) are planning to develop two cleanfill zones from earthworks for residential development at 1044 Coast Road, Wainuiomata. An ecological assessment has been completed across the proposed cleanfill zones and their immediate surrounds. The assessment identified 13 areas of wetland that meet the NPS-FM definition of a 'natural inland wetland' (RMA Ecology, 2023).

Pattle Delamore Partners Limited (PDP) have been engaged by Cuttriss Consultants Limited on behalf of the Client to assess the potential impacts of the proposed development on the hydrology of these wetland areas. The results of the assessment are presented in this letter report which includes:

- ✦ A high level, desk-based review of the available data;
- ✦ Conceptual model for the hydrological flows sustaining the wetland areas; and
- ✦ An assessment of the potential effects of the proposed development on the wetlands.

This assessment focuses solely on the hydrological aspects of the wetlands and does not include an ecological impact assessment.

2.0 Site Context

2.1 Site description

The Client is planning to develop two cleanfill zones at 1044 Coast Road, Wainuiomata (legally described as Lot 5 DP 551868). The overall property covers an area of approximately 170.8 ha (Lowe Environmental Impact, 2023); however, this assessment focuses on an approximately 18 ha area which includes the two cleanfill zones and immediate surrounds (the site), see attached plan.

The site is predominantly flat and is covered in pasture. It is located on an alluvial terrace of the Wainuiomata River. Land use at the site and its surroundings is predominantly pasture farmland with some residential plots on the hills to the east of the site (lower Remutaka Ranges). Coast Road runs along the eastern boundary of the site. The Wainuiomata River flows southward approximately 150 m northwest of the site and the southern section of the Remutaka Ranges begin on the eastern side of Coast Road.

2.2 Geology

The site and its immediate vicinity are underlain by Holocene alluvial deposits comprising well sorted floodplain gravels (Begg & Johnston, 2000). Rakaia Terrane sandstone-mudstone sequences bound the floodplain (which the site sits on) to the east, and west of the Wainuiomata River. The ranges comprise grey sandstone-mudstone sequences with poorly bedded sandstone, commonly referred to as greywacke. The greywacke bedrock likely extends under the alluvial gravels below floodplain.

For the purposes of this assessment, the floodplain gravels (alluvium) are the key unit of interest and form a shallow unconfined aquifer below the site and immediate surroundings.

2.3 Soils

Soils across the site were mapped and accessed from S-Map (Manaaki Whenua, 2024). The soils are predominantly recent fluvial and gley soils under the NZSC. The predominant soils are light textured, well drained loamy soils over gravels. It was noted that the subordinate soils, occurring in low points, are silty-sandy loam with drainage limitations due to soil texture and shallow groundwater (Lowe Environmental Impact, 2023).

Under the northern site and wetlands (Wetlands 5-8), the soils are all mapped as deep recent soils which are moderately to well drained.

2.4 Hydrogeology

There is little data available on the groundwater within the Wainuiomata River valley, but much of the groundwater used in the area is thought to be restricted to shallow unconfined aquifers within the alluvial gravel and sand deposits associated with the Wainuiomata River and its tributaries (Greater Wellington Regional Council (GWRC), 2005). Shallow groundwater across the site is likely to be recharged by the infiltration of direct rainfall and runoff from the Remutaka Ranges, as well as discharge from the Wainuiomata River and its tributaries.

While groundwater may locally flow in varying directions, the groundwater flow direction below the site is likely to be westward, towards the Wainuiomata River. Regionally, groundwater will flow down the valley to the south.

There are no nearby bores to assess local geology and groundwater levels. Based on low flow levels in the Wainuiomata River and contour data, groundwater is likely to be near surface across most of the site. At low points in the site, groundwater may reach the surface, especially during periods of high water table, such as during the wet winter months.

2.1 Hydrology

The Wainuiomata River is located approximately 150 m northwest of the cleanfill areas, at its closest point. The river flows southward and drains into the Pacific Ocean, approximately 6.8 km southwest of the site.

A small tributary (perennial stream) of the Wainuiomata River flows south along the eastern boundary of the site, then flows west across the site into the river. There is an intermittent stream flowing west which discharges into the tributary (Wetland 6 is located along the margin of this intermittent stream). South of these streams, and immediately south of the Southern Fill Zone (see attached scheme plan), there is another intermittent stream flowing west across the site (Wetland 1a and 2 are located along the margins of this stream). An ephemeral stream also runs along the eastern boundary of the site (RMA Ecology, 2023).

Wetland areas have been identified along stream margins and in depressions in the pasture. These are discussed in detail below.

2.2 Wetland areas

RMA Ecology completed an assessment of wetlands across the site on 9 November 2023 and 9 February 2024 and delineated 13 wetland areas that meet the NPS-FM criteria of a 'natural inland wetland' (RMA Ecology, 2023, 2024). Table 1 below summarises the key characteristics of the wetland areas and Figure 1 (attached) shows the wetlands across the site.

Wetland number	Area (m ²)	RMA Ecology description
1	65	Depression/low point in pasture supporting exotic wetland plant species. Degraded by grazing and pugging. Low ecological value.
1a	1299	Narrow linear wetland along southern intermittent stream, a continuation of Wetland 2, west of the haul road. See Wetland 2 description below.
2	756	Long narrow wetland area along margins of southern intermittent stream. Reasonable ecological value with a mix of native and exotic wetland species.
3	236	Depression/low point in pasture supporting exotic wetland plant species. Degraded by grazing and pugging. Low ecological value.
4	242	Depression/low point in pasture supporting exotic wetland plant species. Degraded by grazing and pugging. Low ecological value.
5	1340	Linear wetland area along margins of tributary. Reasonable ecological value with a mix of native and exotic wetland species.
5a	1502	Same description as Wetland 5, continues along tributary west of the haul road.
6	423	Narrow linear wetland along intermittent stream, upstream of Wetland 5. Reasonable ecological value with a mix of native and exotic wetland species.
7	1415	Narrow linear wetland along margins of tributary flowing west on site, upstream of Wetland 5. Supports mix of native and exotic species, fenced from stock.
8	260	Small wetland area adjacent to permanent stream at the eastern end of the site. Supports a mix of native and exotic species. Not fenced and has been grazed.
9	149	Small wetland area adjacent to permanent stream at the eastern end of the site. Supports a mix of native and exotic species. Not fenced and has been grazed.
10	188	Small wetland area adjacent to permanent stream at the eastern end of the site. Supports a mix of native and exotic species. Not fenced and has been grazed.
11	5747	Large wetland North of site boundary with facultative wetland species (<i>Juncus</i> rushes and <i>Carex</i> sedges noted).
<p>Notes:</p> <p>1. The wetlands were identified by RMA Ecology following their site visits. It has been assumed that there are no other wetlands at the site, but this has not been confirmed by a site walkover.</p>		



3.0 Proposed development

The Client is planning to develop two cleanfill areas (Northern Cleanfill Area and Southern Cleanfill Area) for construction waste. The scheme plan for the cleanfill site is attached. The waste is expected to be predominantly excavated fill from new and existing residential properties under development. The two cleanfills have a combined area of 90,999 m² and a volume of 177,750 m³.

The existing ground level will be raised within the cleanfill areas. In the Northern Fill Zone, the ground level will be increased by between 1.0 m to 2.4 m, sloping gently to the north. In the Southern Fill Zone, ground levels will be raised by between 1.5 and 3.5 m, also sloping gently to the northwest.

For the purposes of this assessment, it has been assumed that the fill is clean and there will be appropriate erosion sediment control measures implemented to protect the wetland areas. This assessment is only considering the potential impacts of the two cleanfill zones on the hydrology of the wetland areas present across the site. Potential impacts on the wetlands resulting from any future construction are not considered in this assessment and will need to be assessed separately should the area be further developed.

4.0 Conceptual model

There are 13 wetland areas across the site (see Figure 1, attached). RMA Ecology have assessed and delineated the wetlands in the immediate vicinity of the proposed cleanfill areas. Wetlands across the wider site were not assessed by RMA Ecology and are not considered further in this assessment. To understand the potential impacts of the proposed cleanfill areas on the wetlands, it is necessary to understand the existing hydrological controls on the wetlands and how these may change.

4.1 Wetland 1

Wetland 1 is located in a low point in the relatively flat pasture and is very small, with an area of approximately 65 m². It is therefore considered likely that the wetland is primarily supported by groundwater discharge and direct rainfall recharge. Groundwater is likely to be the main contributor, however, there may be some contribution from localised overland flow as the aerial photographs of the site indicate the presence of a potential drainage pathway.

The wetland supports mostly exotic wetland vegetation and has been heavily impacted by stock grazing and pugging. RMA Ecology note that the wetland is low in ecological value.

4.2 Wetland 1a and 2

Wetland 1a and 2 are 1299 m² and 756 m², respectively. They are located along the riparian margin of the southern intermittent stream, which flows in a westerly direction across the site. Wetland 2 refers to the wetland east of the haul road, and Wetland 1a is a continuation of the wetland west of the road, which extends up to the edge of the proposed Southern Fill Zone. The wetlands appear to be primarily surface water supported, mainly fed by intermittent stream flows, direct rainfall recharge and run-off from the slope to the south. The wetlands' catchment includes run-off from the hills and road to the west, run-off from Coast Road, and intermittent stream flows.

Groundwater discharge is also likely to contribute to maintaining the wetlands to some degree. The wetlands are fenced off and in better ecological condition than Wetland 1, supporting both native and exotic wetland vegetation.

4.3 Wetland 3

Like Wetland 1, Wetland 3 is a relatively small wetland (236 m²) and is described by RMA Ecology as a depression within the pasture which supports exotic wetland species. There is evidence of grazing and pugging from stock. The wetland appears to be primarily supported by groundwater discharge and direct rainfall recharge, with less significant input from local overland flow.

4.4 Wetland 4

Wetland 4 is a relatively small wetland in a depression in the pasture, similar to Wetlands 1 and 3. The wetland is 242 m² and is located at the southern end of the site, northwest of Coast Road. The wetland supports exotic wetland plants and is degraded from grazing and pugging from stock. The wetland appears to be primarily supported by groundwater discharge and direct rainfall recharge.

Wetland 4 is located at the base of a slope from the road and further east, the Remutaka Ranges. It is likely rainfall run-off from the road and wider catchment also supports the wetland, although this is likely to be less significant than groundwater discharge.

4.5 Wetlands 5 and 5a

Wetland 5 is a relatively large wetland, with an area of approximately 1,340 m² east of the haul road, and 1,502 m² to the west, known as Wetland 5a. It is located along the riparian margin of a tributary to the Wainuiomata River. The wetland is predominantly supported by stream flow and direct rainfall recharge, but is likely to have a groundwater discharge component as well.

Wetland 5 is downstream of Wetland 6 and 7 and receives the combined outflow of both of these wetlands. The wetland is fenced and supports a mix of native and exotic wetland species (RMA Ecology, 2023).

4.6 Wetland 6

Wetland 6 is approximately 423 m² and is located along an intermittent stream flowing west across the site from the base of Coast Road into the perennial stream. The wetland appears to be supported by both surface water and groundwater contributions. This predominantly includes run-off, intermittent stream flow and direct rainfall recharge, with potentially ephemeral inputs from groundwater seepage. The wetland has a moderate sized catchment, receiving direct run-off from Coast Road and the slope above.

4.7 Wetland 7

Wetland 7 is long and narrow, located along the riparian margin of the permanent stream flowing west across the site, upstream of Wetland 5. The wetland is approximately 1415 m² and is likely primarily surface water supported with a groundwater component. The wetland appears to be mainly supported by stream flows and rainfall run-off. A moderately large catchment feeds into the wetland, including the upstream catchment of the tributary and run-off from the roads and hills to the east of the site. Groundwater is expected to be shallow at the site, and therefore groundwater discharge is likely to contribute to maintaining the wetland as well.

4.8 Wetland 8

Wetland 8 is located on the true right bank of the perennial stream, which is flowing southwest along the site boundary, before it flows west along the site. The wetland is relatively small (260 m²) and supports both native and exotic wetland species. The wetland is unfenced and has been grazed by stock.

Due to its location along the stream, it is expected the wetland is primarily surface water supported, mostly by rainfall run-off, stream flows and direct rainfall recharge. As with the other wetlands across the site, there is likely minor groundwater contribution to the wetland.

4.1 Wetland 9

Wetland 9 is very similar to Wetland 8; located in the northeastern end of the site, the wetland is located along the banks of the perennial stream flowing south along the site's eastern boundary. The wetland is approximately 149 m², has been grazed by stock and supports a mix of native and exotic wetland species. Wetland 9 appears to be supported by surface water, predominantly stream flows and rainfall run-off. While there may be a groundwater contribution to the wetland, it is expected to be minor and potentially ephemeral.

4.2 Wetland 10

Wetland 10 is approximately 188 m² and is in the northeastern corner of the site, along the banks of the perennial stream which flows along the eastern boundary of the site. The wetland is very similar to Wetland 9, supported primarily by stream flows and rainfall run-off.

4.3 Wetland 11

Located north of the site boundary and approximately 30 m north of the Northern Cleanfill Area, Wetland 11 is approximately 5,747 m² in area. The wetland is located in a former channel of the Wainuiomata River and is likely to be supported by a combination of groundwater discharge, seepage from the river and direct rainfall. There may be some contribution from river flooding during high flow events.

5.0 Assessment of effects

5.1 Key considerations

In order to assess the potential effects of the cleanfill development on the wetlands' hydrology, the following key details have been considered:

- ❖ Minimum ground levels will be raised by up to 2 m at the Northern Fill Zone, and 3.5 m at the Southern Fill Zone.
- ❖ The development will not change the stream catchment areas significantly.
- ❖ The cleanfill will be compacted and will potentially result in a reduction in permeability across the cleanfill zones and an associated reduction in direct rainfall recharge across the area.
- ❖ The tributary and intermittent streams will be maintained.
- ❖ A minor increase in run-off is expected from the batter slopes at the edges of the fill zones.

5.2 Overall groundwater levels

Shallow groundwater across the site is likely recharged by infiltration of direct rainfall, seepage from the Wainuiomata River during high flow events, stream discharge from the tributaries crossing the site and infiltration of run-off from the road and Remutaka Ranges to the east. The installation and compaction of the fill areas may result in a slight reduction in the infiltration of rainfall to groundwater, due to a potential reduction in soil permeability and a slight increase in run-off. This may lead to minor localised reductions in groundwater levels across the site. However, these are likely to be minimal and fall within the natural seasonal variation in groundwater levels present in this area.

Furthermore, while most of the wetlands have a groundwater component, the majority have a significant contribution from stream flow and runoff. Therefore, a minor reduction in groundwater levels due to reduced direct recharge is unlikely to have a significant effect on most of the wetlands.

5.3 Wetlands 1, 3 and 4

Wetlands 1, 3 and 4 are located approximately 10 to 12 m from the toe of the batter of the Southern Fill Zone. These wetlands are currently sustained by groundwater, direct rainfall, and ponding of overland flow due to their locations at low points within the site. As noted previously, there may be a slight reduction in local groundwater levels due to the lower permeability of the compacted soils, although this is likely to be buffered at least partially by seepage from the nearby stream.

The change to the topography in the immediate vicinity is likely to result in increased run-off from the nearby batter slopes. It is considered likely that this will be similar or larger than current overland flow contribution, but may come through more quickly due to the much steeper gradient.

Overall, the risks to these wetlands are considered to be low. Changes to groundwater levels are likely to be similar to existing seasonal variations and the additional run-off from the batter slopes will potentially enhance localised flow into the wetlands. Furthermore, the removal of cattle from the wetlands will reduce the pugging of the soils and further improve the health of the wetlands.

5.4 Wetland 1a and 2

Wetland 1a and 2 appear to be supported by a combination of surface water and groundwater discharge and are located along the riparian margin of an intermittent stream flowing west across the site. The wetlands and intermittent stream are located south of the Southern Fill Zone. The wetlands are primarily supported by ephemeral surface water flows from the intermittent stream and direct rainfall recharge. It is not anticipated that the proposed development will result in significant changes to stream flows, apart from a potential minor increase in flows resulting from increased surface runoff from the batter slopes of the Southern Fill Zone.

Due to the significant surface water component in the wetland, it is anticipated that any minor reductions in groundwater will have little to no effect on these wetlands. It is therefore considered that the effects of the development on the hydrology of these wetland areas are likely to be less than minor.

5.5 Wetlands 5, 5a, 6 and 7

Wetlands 5, 5a, 6 and 7 are located between the Northern and Southern Fill Zones, along the perennial stream and its intermittent tributary. The wetlands are all primarily surface water supported from stream flow, but groundwater discharge and direct rainfall are likely to contribute to the health of the wetlands as well.

The proposed development will not modify the streams or their upstream catchments, and the wetlands themselves will be retained. Therefore, stream flows and direct rainfall recharge is not expected to change at the wetlands. There may be a minor increase in surface water run-off entering the wetlands from the batter slopes of the compacted fill areas.

It is anticipated that the effects of the development on these wetlands are likely to be less than minor.

5.6 Wetland 8, 9 and 10

Wetlands 8, 9 and 10 are located along the tributary flowing south along the eastern site boundary. The wetlands are all primarily surface water supported, mainly by intermittent stream flows from the tributary and direct rainfall recharge. The proposed development does not alter the upstream catchment of this stream and therefore is not expected to result in any significant changes to stream flows.

The wetlands are located between 10 and 14 m of the toe of the batter slope for the Northern Fill Zone. There may be a minor increase in localised run-off into the wetlands from the batter slope. None of the wetlands are likely to be predominantly groundwater supported so minor changes to the groundwater

levels are unlikely to have any impact. It is therefore considered that the potential effects of the development on the wetlands are likely to be minimal.

5.7 Wetland 11 (oxbow)

Wetland B is located approximately 30 m north of the Northern Fill Zone in a former river channel or oxbow. It is primarily supported by groundwater discharge, seepage from the Wainuiomata River, surface water flooding and direct rainfall recharge.

While the development may result in some localised reductions in groundwater levels, this not expected to affect the health of the wetland due to its location north of the development; groundwater flows are expected from the west-northwest and are therefore unlikely to change at the wetland where they will be further buffered by seepage from the river. The proposed development will not change the stream flows within the Wainuiomata River. Minor localised increases in run-off from the batter slope of the Northern Fill Zone nearest to the wetland are likely to be relatively insignificant compared to the other hydrological controls on wetland health. Therefore, the potential effects on the wetland from the development are likely to be less than minor.

6.0 Conclusions

PDP was engaged by Cuttriss Consultants Limited on behalf of DMAC Holmes Limited to undertake a hydrological wetland effects assessment at 1044 Coast Road, Wainuiomata. This involved developing a conceptual model of the wetland hydrology across the site based on the available data, and an assessment of the potential effects of the development of two cleanfill zones on the wetlands.

An initial ecological assessment of the site identified 13 areas of wetlands within the buffer zone of the development site. The conceptual model identified that most of the wetlands are primarily supported by stream flow, groundwater discharge and direct rainfall. Groundwater discharge is likely to be most significant at Wetlands 1, 3 and 4.

The proposed development of the cleanfill zones may result in a minor localised decrease in groundwater levels due to slightly slower recharge rates, although this is likely to be within the existing range of seasonal variation. There may also be localised increases in surface run-off from the batter slopes. However, these changes are unlikely to negatively impact the hydrological function of the wetlands or wetland health. It is therefore considered that the effects on the hydrology of the wetlands from the construction of the two fill zones will be less than minor, provided the fill zones remain unsurfaced (i.e. not impermeable).

Whilst it is anticipated the effects on the hydrological function of the wetland will be minimal, runoff from the cleanfill areas is likely to enter the wetland areas. This may trigger Regulation 45B of the NES-FM (Resource Management (National Environmental Standards for Freshwater) Regulations 2020).

7.0 References

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https://mapping.gw.govt.nz/GW/GWpublicMap_Mobile/?webmap=f22ef8fe34f1487fb652e52d9e7fc169
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- Resource Management (National Environmental Standards for Freshwater) Regulations 2020. Regulation 45B: Discretionary activities.
- RMA Ecology, 2023. 1044 Coast Road, Wainuiomata – preliminary results of ecology assessment [Email correspondence from Emily Roper to Kris Gough, 23 November 2023].



8.0 Limitations

This report has been prepared by Pattie Delamore Partners Limited (PDP) on the basis of information provided by Cuttriss Consultants Limited on behalf of DMAC Homes Limited and others (not directly contracted by PDP for the work), including RMA Ecology. PDP has not independently verified the provided information and has relied upon it being accurate and sufficient for use by PDP in preparing the report. PDP accepts no responsibility for errors or omissions in, or the currency or sufficiency of, the provided information.

This report has been prepared by PDP on the specific instructions of Cuttriss Consultants Limited, on behalf of the Client, for the limited purposes described in the report. PDP accepts no liability if the report is used for a different purpose or if it is used or relied on by any other person. Any such use or reliance will be solely at their own risk.

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PATTLE DELAMORE PARTNERS LIMITED

Prepared by

Reviewed and Approved by

s7(2)(a)

Verity Andrews

Katy Grant

Hydrogeologist

Technical Director – Water Resources

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FIGURE 1: WETLANDS AT 1044 COAST ROAD

CLIENT: DMAC HOMES LIMITED

SOURCE: 1. AIR PHOTOGRAPHS OBTAINED FROM GOOGLE EARTH (NO DATE) 2. VISUAL ASSESSMENT 3. CADASTRAL INFORMATION, INFORMATION AND FIELD DATA FROM UNL DATA

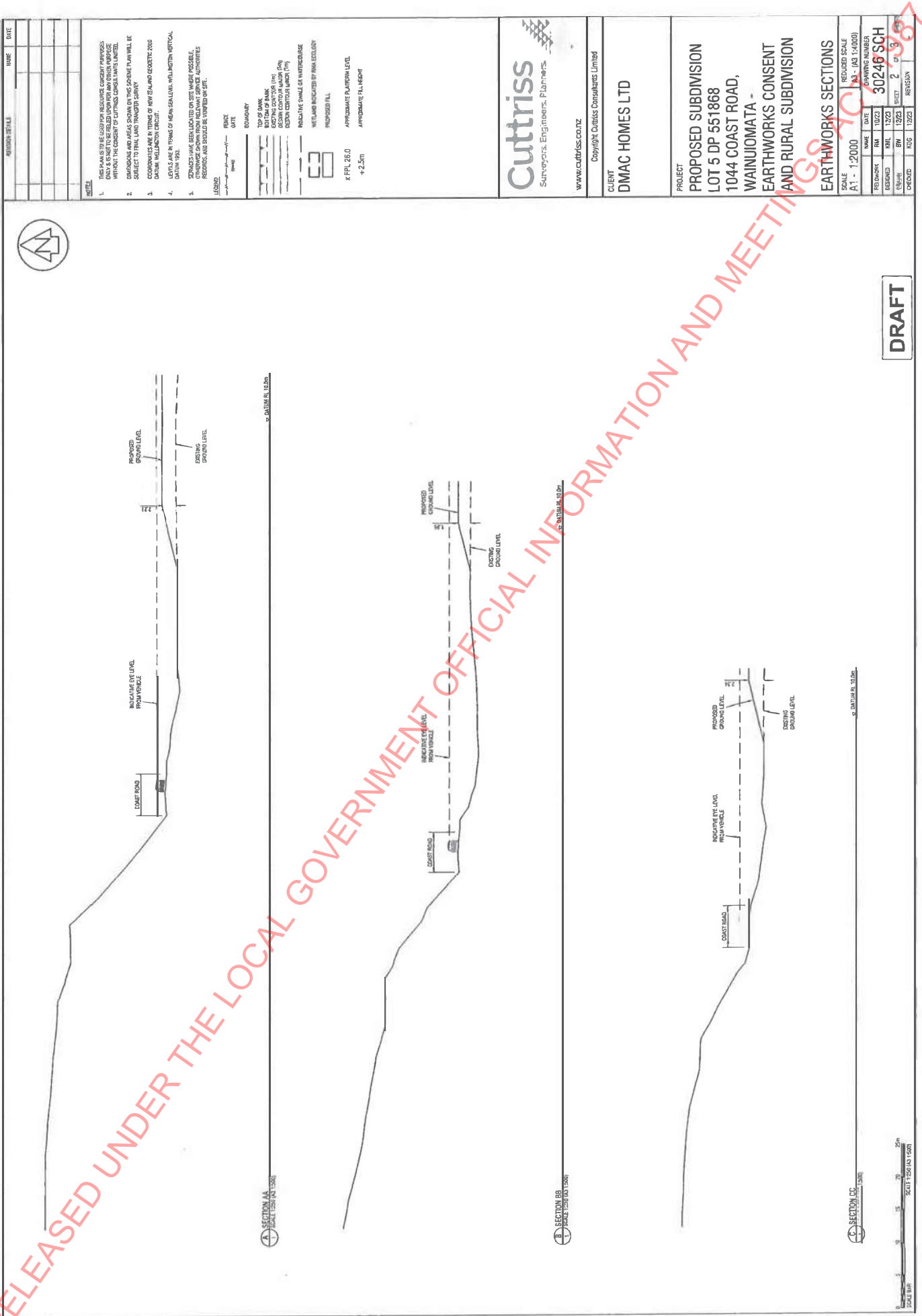
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FEB 24 2016	ISSUED FOR REVIEW
FEB 24 2016	ISSUED FOR REVIEW
FEB 24 2016	ISSUED FOR REVIEW

SCALE: 1:3,000 (A3)

DATE: FEB 24 2016

PROJECT: 1044 COAST ROAD, WAINUIOMATA - WETLAND EFFECTS ASSESSMENT

KEY: WETLAND



REVISION DETAILS	NAME	DATE

- NOTES**
1. THE PLAN IS THE CONTROL FOR RESOURCES. ALL EARTHWORKS SHOULD BE REFERRED TO THE PLAN FOR ANY DIMENSIONS. WITHOUT THE CONSENT OF CUTTRISS CONSULTANTS LIMITED, DIMENSIONS AND AREAS SHOWN ON THIS DRAWING PLAN WILL BE SUBJECT TO FINAL LAND TRANSPORT SURVEY COORDINATES ARE IN TERMS OF NEW ZEALAND GEODETIC 2000 DATUM. ALL DIMENSIONS IN METERS.
 2. LEVELS ARE IN TERMS OF MEAN SEA LEVEL. ALL VERTICAL DATUM IS MSL.
 3. SERVICES HAVE BEEN LAYOUT ON SITE WHERE POSSIBLE. RECORDS AND SHOULD BE FORWARDED TO SITE.

LEGEND

FRANCE GATE

BOUNDARY

TOP OF BANK

BOT TOM OF BANK

PROPOSED COAST ROAD

NEARSHORE COAST ROAD

VEHICLE FROM VEHICLE

PROPOSED FILL

NET LAND INDICATED BY BROWN COLOUR

APPROXIMATE WATER TABLE LEVEL

APPROXIMATE T.L. HEIGHT

X FRL 26.0

+2.5m

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DMAC HOMES LTD

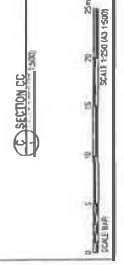
PROJECT
**PROPOSED SUBDIVISION
 LOT 5 DP 551868
 1044 COAST ROAD,
 WAINIOMATA -
 EARTHWORKS CONSENT
 AND RURAL SUBDIVISION**

EARTHWORKS SECTIONS

SCALE A1: 1:2000 REDUCED SCALE A3: (AS 1:4000)

REVISION	DATE	DRAWING NUMBER
DESIGNED	RM 10/23	30249 SCH
DRAWN	BW 10/23	2
CHECKED	RGS 10/23	3

DRAFT



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REVISION DETAILS	DATE

- NOTES:**
- THIS PLAN IS TO BE USED FOR RESUBMITTING CONSENT PURPOSES ONLY. IT IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE CONSENT OF CUTTRISS CONSULTANTS LIMITED.
 - BOUNDARIES AND AREAS SHOWN ON THIS CONSENT PLAN WILL BE SUBJECT TO FINAL LAND TRANSFER SURVEY.
 - COORDINATES ARE IN TERMS OF NEW ZEALAND GEODESIC 2000 DATUM. WELLINGTON EPOCH.
 - LEVELS ARE IN TERMS OF MEAN SEA LEVEL. VERTICAL DATUM 1953.
 - SERVICES HAVE BEEN LOCATED ON SITE WHERE POSSIBLE. OTHERWISE SHOWN FROM RELEVANT SERVICE AUTHORITIES RECORDS, AND SHOULD BE CONFIRMED ON SITE.

SECTION DD
SCALE 1:1000 (0/1:2000)

SECTION EE
SCALE 1:1000 (0/1:2000)

SECTION FF
SCALE 1:1000 (0/1:2000)

SECTION GG
SCALE 1:1000 (0/1:2000)

SECTION HH
SCALE 1:1000 (0/1:2000)

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DMAC HOMES LTD

PROJECT
**PROPOSED SUBDIVISION
LOT 5 DP 551868
1044 COAST ROAD,
WAINIOMATA -
EARTHWORKS CONSENT
AND RURAL SUBDIVISION**

EARTHWORKS SECTIONS

SCALE	REDUCED SCALE
A1 - 1:1000	A3 - (A3 1:2000)
ISSUE	DATE
1	10/23
2	10/23
3	10/23
4	10/23
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100	10/23

LEVELS ARE IN TERMS OF NEW ZEALAND VERTICAL DATUM 2016 (NZVD 2016)

DRAFT



SUBMISSION ON A NOTIFIED APPLICATION FOR A RESOURCE CONSENT



To: Chief Executive, Hutt City Council

1. This is a submission from:

Full name	Last <i>Mark Spence</i>	First <i>Carl</i>
Company/organisation		
Contact if different		
Address	No.	s7(2)(a)
	Sub	
	City	
Address for Service if different Postal/Courier	Postcode	s7(2)(a)
Phone	Day	
	Evening	s7(2)(a)
Fax	s7(2)(a)	Mobile
Email		

2. This is a submission on an application from:

Name of applicant *Kakariki Estate LTD*

- For a
- Land use resource consent
 - Subdivision resource consent
 - Change or cancellation of a condition of a resource consent

3. The proposed activity and location of the application is:

If this is for a change or cancellation of a condition of a resource consent, please state the type and location of the resource consent, the relevant condition and proposed change.

Land fill
1044 Coast Rd
Waipuhomata

4. The specific parts of the application that my submission relates to are:

Give details

Attached via Email

Submission number
OFFICE USE ONLY

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5. My submission is:

Include whether you support or oppose the specific parts of the application or wish to have them amended; and the reasons for your views (extra sheets maybe attached if you wish).

Oppose in full

6. I seek the following decision from the consent authority:

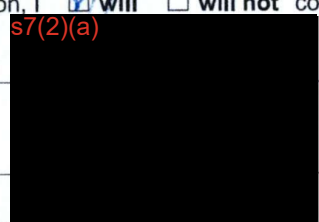
Give precise details, including the general nature of any conditions sought.

Attached as per Email

7. I wish do not wish to be heard in support of my submission.

8. If others make a similar submission, I will will not consider presenting a joint case with them at the hearing.

Signature of submitter:
(or person authorised to sign on behalf of submitter)



Date 2/11/25

Note to submitter: You must serve a copy of your submission on the applicant as soon as reasonably practicable after you have served your submission on the consent authority.

- Please note that your submission will be considered public information as it forms part of a formal decision making process under the Resource Management Act 1991. We require a certain level of private information to ensure you are contactable over the course of the decision making process when, or if, you choose to provide a submission. Personal contact details will not be released to the public.
- Send your submission via email here: resource.consents@huttcity.govt.nz
- If you prefer to post or deliver: Hutt City Council, (Attention: Resource Consents), 30 Laings Road, Private Bag 31-912, Lower Hutt 5040.

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Submission in opposition to Resource consent application at 1044 Coast Rd for a Cleanfill (RM240334)

Carl & Michelle Spence

s7(2)(a)

Email

To whom it may concern,

Introduction

Four years ago we found our dream home in an idyllic peaceful rural setting located at s7(2)(a) Coast Rd, Wainuiomata.



We are a hard working family and paid a lot of money for this property. We were extremely disappointed and upset to be notified that our neighbour at 1044 Coast Rd has applied for a cleanfill site which will consist of up to 36 truck movements per day for 5 and a half days per week for up to 30 years. We would not have moved down the coast and purchased this property if we had known a cleanfill site would soon be across the road from us. We find this quite unbelievable that this is even possible on a known floodplain in a rural environment. In fact, we were under the belief that the paddocks that the cleanfill is proposed to be dumped on was not able to be developed at all due to the flooding.

Our property is directly above the proposed northern site which we overlook and we are very concerned about the potential constant noise of machinery, dust, all the heavy truck traffic on the Coast Rd (which we don't believe is fit for purpose) and the health concerns it will create for not only our family but other home owners on the coast road and the wider community.

We would like to challenge the word "**temporary**" as it has been used to describe this application. 30 years should not be classed as temporary, 6 months to 1 year would be temporary.

We have asked our neighbour Ken Jackson to help cover off most areas of our submission as he is a long-term resident and has a very good understanding of this area.

Carl and Michelle Spence

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Ken Jackson: Introduction

Carl and Michelle Spence have asked me to help write part of this submission on their behalf. We are 100% aligned on what is included in this submission.

I am a long-term resident of Coast Rd Wainuiomata, and my family have farmed next to 1044 Coast Rd since the 1850's. I have lived down here since the 1960's and you won't find many people who have a better understanding and passion for this area than myself. I personally have lived experience of a lot of flooding in this area. I have also spent a good portion of my life farming and working on lifestyle blocks in this area, so have a very good understanding of the lay of the land. My property also overlooks the 1044 Coast Rd proposed cleanfill site and is approximately 120m from the boundary.



The spillway through 1044 Coast Rd is very important to help drain mine and other properties in heavy rainfalls. I believe myself and others should have also been notified.

My concerns about this Limited notified cleanfill application (RM240334) lodged by Kakariki Estate Limited at this commercial sized scale are as follows:

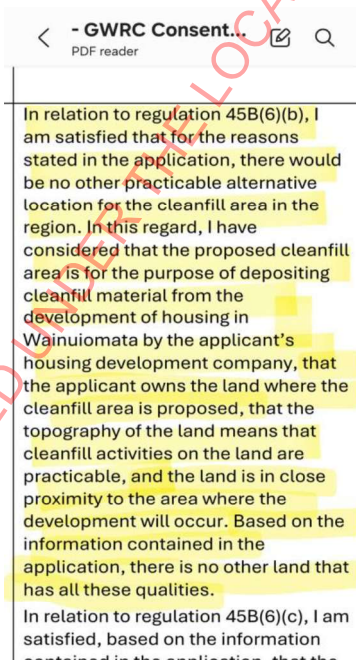
Suitability of site

After reading through the WasteMINZ guidelines for a suitable clean fill site, 1044 Coast Rd **FAILS** in all the following areas without substantial mitigation: **(APPENDIX 1 WasteMINZ)**

- Traffic assessment
- Road suitability assessment
- Surface Hydrology
- Clean fill on a floodplain
- Visual Effect. Moderate
- Wetlands and Waterways
- Surrounding land use
- High rainfall
- Very high wind zone
- Iwi consultation
- Community consultation
- Local knowledge
- Suitable site comparisons

Site comparisons

- In the GWRC Consent it states that there are no other practicable alternative locations for cleanfill



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- We have identified at least 2 other operating sites within a similar distance to the excavation sites which are already operating and are on far better sites with suitable road networks and out of a flood zone.

We have attached the other existing options for clean fill delivery within a similar distance to 1044 Coast Rd and some potential new options as a comparison.

(APPENDIX 2).

We believe that most of the professional reports or assessments done on behalf of the applicant have been done in such a way that it makes it seem that the effects are trivial, minor or less than minor. To most people it is very obvious that this application on this site will have a major impact on both the residents and the environment.

We have attached preapplication communication between Cuttriss Consultants and Dan Kellows from HCC. **(APPENDIX 3).**

This communication clearly shows that the aim is to lift the proposed area out of the flood zone and out of the Highly Productive land overlay. This will then allow the property developer to subdivide and build dwellings on this area at the expense of other properties in the flood zone. It is concerning that there could also be other resource consent applications done through GWRC for a quarry, river crossing and gravel extraction without us knowing.

Noise – Dust – Vibration – and Health Concerns

- In the acoustics assessment it stated that logging trucks had been in the area recently so it would be similar to that. The logging was noisy, and the trucks were a hazard on the road, but the numbers of trucks were low and it was a temporary operation
- Location of the commercial size cleanfill site is out of character for a rural area
- Proposed Site is very visible to local residents and any visiting tourists or recreational users
- Proximity of the site will create ongoing dust, noise and vibration nuisance for five and a half days a week for up to 30 years to the local residents and visitors



Example of a truck on a gravel road

- Dust will very likely create health issues for those in direct line of the cleanfill site especially due to most of the residents collecting their water supply from their roofs. I have grandchildren with respiratory issues, so this proposed activity is of a serious health concern to all residents and visitors
- We don't believe the dust will be able to be mitigated with watering over the summer months especially on the gravel tracks
- There is a very real possibility of asbestos or other hazardous substances being in the dust due to the developer demolishing older houses prior to excavation. Only once every 500m³ or every 50th truck load will the soil be tested. So, in effect, 49 trucks could be contaminated
- This area is a very high wind zone which will create a lot of dust drift for long distances. We can get salt drift from 8kms down at the Coast in a strong southerly wind

Entrance concerns

- Clearance of vegetation road verge will degrade the visual effect for Rimutaka forest park users as they leave the forest park
- Children are picked up and dropped off at the Forest Park entrance by the school bus. Possible safety issue with sightlines

Traffic and Road Condition Concerns

Coast Rd was originally a single forestry track for logging purposes and was slowly upgraded to what it is today. There has never been a lot of money spent on widening, compacting or upgrading this road which is why it is a very winding and narrow road with soft shoulders or in parts no shoulders at all.



Examples on the Coast Rd of soft edges collapsing

In effect the condition of Coast Rd should be a class 3 road other than it has no exit which doesn't allow for that classification. **(APPENDIX 4 – Traffic Note 47)**

- The minimum requirement for a road for heavy trucks is 2.7m and a shoulder of 500mm, it is recommended to be at least 3.0m for heavy trucks. The actual width is well under this in multiple areas and as narrow as 2.2m in parts with no shoulder. It probably averages just over 5m in overall width

Q NZTA minimum width for...

The minimum sealed width for a two-lane rural road is **6.0m**, while the desirable width is **6.6m**. The width of individual traffic lanes depends on the speed limit, with a desirable lane width of **3.5m** recommended for safety benefits, and a minimum lane width of **3.0m** on roads with a speed limit of up to 50 km/h. [@](#)

- **Total sealed width:** The minimum sealed width for a total route is 6.0m, with 6.6m being the desirable width.
- **Individual lane width:**
 - **Desirable:** 3.5m is the desirable width for a single traffic lane, as it provides the best safety benefits.
 - **Minimum:** The minimum acceptable lane width can be as low as 3.0m on roads with a speed limit of up to 50 km/h.
- **Sealed shoulders:**
 - For roads with a speed limit of up to 50 km/h and an average daily traffic volume of less than 1,000, a sealed shoulder of 0.0m is acceptable, but a width of 0.75m





Photo taken on 28/10/2025 of truck driving along Coast Rd literally unable to keep in their lane

- The traffic assessment does not seem to allow for the condition of the road and as to whether it's suitable for commercial truck use on this scale. (We are getting our own road and traffic assessment)
- There are numerous very dangerous and concerning areas on the road between the Village in Wainuiomata through to the entrance at 1044 Coast Rd. The chance of a serious or fatal accident will be greatly amplified with these large truck movements approximately every 15 minutes for the next 30 years

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- There is no allowance in the report for:
 - Other users of the Main or Coast Rd - such as the Village area
 - Wainuiomata primary school crossing and pick up area
 - Golf course
 - Coast Rd school bus
 - Children waiting for the school bus
 - Wastecare rubbish collection
 - Rural post delivery
 - Fire and Emergency services
 - Local residents coming and going to work or school
 - Tourists
 - Campervans
 - Recreational users
 - School groups
 - Rest home vans
 - Horse riders
 - The many cyclists using the registered NZ Cycle trail

- The traffic assessment states there have only been 10 reported accidents over the last 5 years. This is not a true reflection of the actual number of accidents on the Coast Rd as many are not reported. Almost every resident has had a near miss or multiple close calls. There have been quite a few fatal accidents on the Coast Rd over time.

Flooding and Sedimentation Concerns

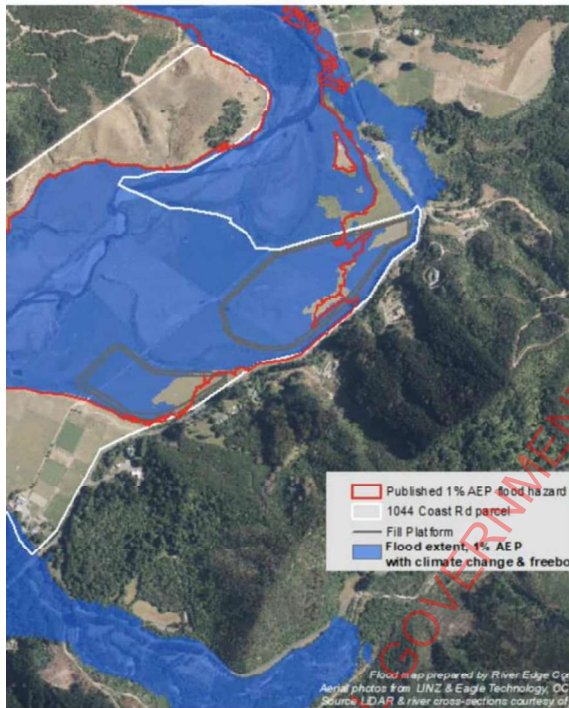
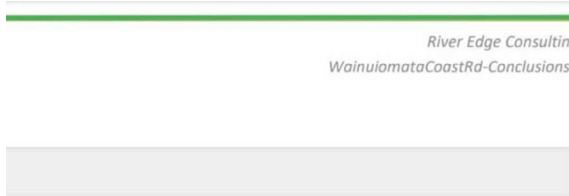
Main points:

- Dumping of clean fill in a known floodplain
- Sediment release into waterways
- Important spillway to Wainuiomata river
- Flooding of neighbours properties

Flooding of neighbours properties due to the blocking of the spillway with clean fill is probably my greatest concern other than the danger of an excessive amount of large trucks on a very poor and dangerous road.

My reasons for this are as follows

- I have personally observed most of the proposed cleanfill site under water in the 2004 flood and again in 2006 in a very localized flood. Also, the mapping with climate change included, clearly shows that it is likely to happen again.



ate change and with freeboard: new model predictions and publi:
011 GWRC model

- The Wainuiomata river is a meandering river which creates the unpredictability of its flood patterns. In my lifetime I have seen the river channel move well over 50m in areas north of the proposed cleanfill site, which in 10 years time the hydrology reports could and probably will be quite different from today.

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- There has been no allowance that I can see in the hydrology report for the large quantities of water, that can and do run off from the properties to the East of the proposed site. These include the area between 865 and 977 Coast Rd. A catchment area of over 70 hectares. The area between the Road and the proposed cleanfill site is currently an important spillway that already struggles to clear flood waters to the Wainuiomata river for all the adjacent properties.

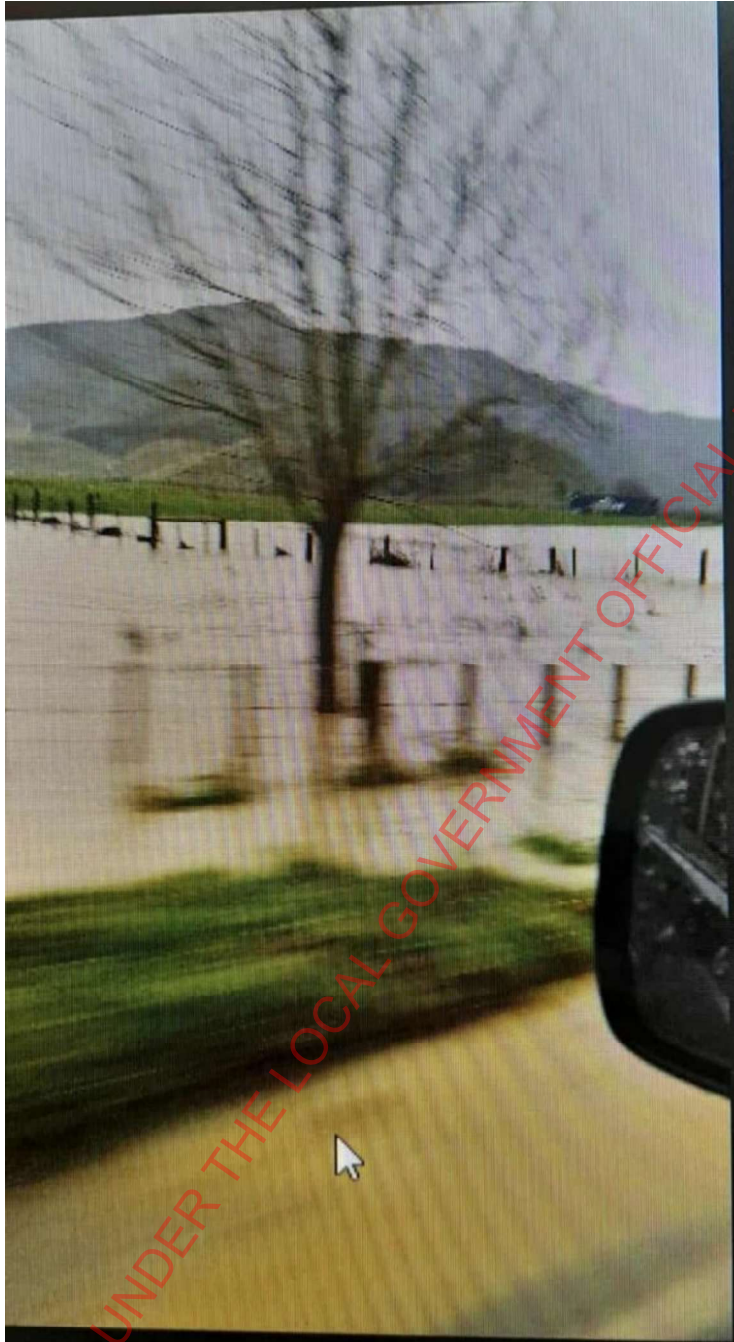


Photo of the important spillway in a localized flood (2022)

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If this area is filled and reduced in size as proposed, it will definitely create a lot more backfill ponding, which in turn will potentially flood 904 abc&d from behind. It would also flood the road and the properties at 897 and 925 Coast Rd.



Photo of the need to keep the spillway open so that residents don't get trapped down Coast Rd (taken in 2022)

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This could trap all the residents south of 897 Coast Rd from being able to get out and emergency services being able to get in. There was a flood in 2006 that would have shown the severity of this localized flooding that has not been accounted for. If the 2004 and 2006 floods happened at the same time this could be devastating, especially for the 4 properties on the river flats.

There has also been no allowance in the hydrology report for climate change, or for all the extra housing in the Wainuiomata Valley, which will create a lot more quick runoff due to a lack of soakage. I do not see anyway this problem can be mitigated.

Summary

In our view, to put clean fill onto a floodplain and partially block an important spillway is not prudent and should definitely not be considered as an option. I'm not sure what the reason or benefit is to fill this area other than to make it look flat, to save on tip fees, or to build houses on as it will lift it out of the flood zone to the detriment of all the neighboring properties. Surely with the negative effect on the neighbours and local community, this proposal cannot be justified.

I personally overlook 1044 Coast Rd and have witnessed an excessive amount of earthworks over the last couple of years of which I was hoping would soon come to an end as the noise and dust to date has been an ongoing nuisance. I would also think it is very out of character in a rural area for such a long term cleanfill.

The Coast Rd has a lot of community value for tourism and outdoor recreation, probably the best in the Wellington region including:

- Baring Head
- Turakarae head
- Seal colony
- Rimutaka forest park
- Camp Wainui
- Orongaronga Station
- Orongaronga valley with the many huts and walks
- Wainuiomata golf course
- NZ Cycle trail
- Horse riding
- Offroad adventure tours
- One of the best brown trout fishing rivers in NZ
- Various accommodation venues

To degrade the area by creating a visual tip site just outside a forest park is almost criminal.

This is not a case of Nimbyism, this is a case of a very large commercial clean fill tip site operation being in a very unsuitable area for all the above reasons.

We believe property owners should have the ability to landscape or develop areas of their property, but not on a commercial scale where it affects the neighboring properties and local community unless everyone agrees prior.

Conditions (APPENDIX 5)

We **oppose** the application in **full**.

We wish to speak at the hearing.

We are not a trade competitor.

References.

NZTA. Guidelines

NZTA . Rural road edge lines

NZTA. Traffic note 47

NZTA. Guidelines for rural road marking RTS 5 Page 47

NZTA . High risk rural roads.

WasteMINZ . Guidelines

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District Plans

Territorial authorities may make provision for landfills and fills in their district.

Any person can request a change to an operative district plan that would make provision for a landfill/fill. This request could be for either:

- a site-specific provision; or
- a general provision within the district plan that would permit landfills/fills to be established, subject to certain criteria.

National Environmental Standards (NESs)

The RMA provides for the setting of NESs.

National Environmental Standard for Air Quality (NES-AQ)

The NES-AQ is the only NES to contain specific requirements in respect of landfills (class 1 and class 2).

It requires landfills with more than 200,000 tonnes of waste in place and a design capacity of greater than one million tonnes to collect landfill gas and either flare it (to minimum standards) or use it as a fuel to produce energy.

The NES-AQ applies to landfills where the waste in or to be included in the landfill is likely to consist of 5% or more (by weight) of matter that is putrescible or biodegradable.

The NES-AQ also prohibits the lighting of fires or burning of waste at landfills and the burning of tyres.

National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS)

The NES-CS applies to land which has been, is more likely than not to have been, or is currently, affected by contaminants in soil. Land to which the NES-CS may apply is primarily determined by establishing whether a Hazardous Activities and Industries List (HAIL) activity has taken place on the land in question. In this way, and because landfills/fills are listed on the HAIL (category G3), the NES-CS is applicable to landfill/fill sites.

The NES-CS achieves its policy objective (to regulate the development of contaminated land such that it is safe for human use) through a mix of allowing (permitting) and controlling (through resource consents) certain activities on land affected or potentially affected by soil contaminants. The NES-CS applies when the following five activities are being done on a HAIL site (such as a landfill or fill):

- removal or replacement of an underground fuel storage system and associated soil;
- soil sampling;

- soil disturbance;
- land use change; and
- subdivision of land.

The NES-CS provides a set of soil guideline values (SGVs), which are health-based trigger values (above which a risk to human health could exist, over time) for selected contaminants in soil for the protection of human health in respect of the following land uses:

- rural residential / lifestyle block 25% produce;
- residential 10% produce;
- high-density residential;
- recreation; and
- commercial / industrial outdoor worker.

These SGVs and their associated land use categories are discussed further in relation to landfill/fill WAC in **Section 6** of this Guideline.

3.4 Other Relevant Legislation

Summaries of the provisions of the following additional Acts that are relevant to the siting, design, or operation of landfills/fills are provided in **Appendix A**:

- HSW Act 2015
- Health and Safety at Work Act (Asbestos) Regulations 2016
- Hazardous Substances and New Organisms Act 1996
- Local Government Act 2002
- Climate Change Response Act 2002
- WMA 2008 (and associated regulations)
- Heritage New Zealand Pouhere Taonga Act 2014.

3.5 Other Relevant Documents

The following documents may also be relevant:

- Approved Code of Practice: Management and Removal of Asbestos 2016 (WorkSafe New Zealand 2016).
- New Zealand Guidelines for Assessing and Managing Asbestos in Soil (BRANZ 2017).
- Health and Safety Guidelines for the Solid Waste and Resource Recovery Sector (WasteMINZ 2021).

4. Siting

4.1 Introduction

Location is the key determinant of the extent to which a landfill or fill poses an environmental risk. Careful siting of a landfill/fill is fundamental to protect the environment from potential adverse effects associated with the disposal of fill material or waste materials to land. The aim is to minimise the need for both mitigation of impacts and ongoing management by selecting a site where, to the extent possible, natural conditions protect environmental quality (e.g., prevent discharges). This in turn will ensure that there are no significant adverse impacts on existing and future development, or the environment.

Where an engineered liner system is used it should be recognised that this system will have a finite lifetime, so consideration needs to be made of the ability of the underlying geology to limit discharges from the site, so that significant adverse effects on the surrounding environment do not occur. Similarly, engineered management of surface water discharges will degrade over time.

The site selection and assessment process needs to consider not only direct environmental impacts, but also broader issues such as community impacts and operational considerations. Examples include traffic hazards, noise, unpleasant odours, contamination of water (both surface water and groundwater), windblown litter and dust, an increase in the populations of vermin, and threats to household water supplies.

A successful landfill/fill project relies on a combination of careful siting, robust engineering and effective operations and monitoring. Careful siting has the potential to:

- reduce consenting risks (e.g., avoiding sensitive land use, utilising natural containment to support engineering solutions, and considering impacts on local communities);
- reduce design costs and/or risk (by selecting sites where conventional engineering solutions are supported by in situ conditions); and
- reduce operational costs and risks (by selecting sites to minimise impact on local communities, e.g., appropriate buffer distances and prevailing wind direction).

New Zealand has seen a shift from having landfills/fills which accept a wide variety of waste materials being sited in every community, to fewer, larger, specialised sites which either accept a tightly defined subset of fill material or waste or are highly engineered and accept MSW and/or industrial waste.

The general approach to siting a landfill/fill is the same, regardless of the materials to be accepted. The following issues need to be considered:

- landfill/fill siting approach;
- site selection or assessment process;

- site investigations;
- consultation; and
- landfill/fill siting criteria.

The key siting constraints for each class of landfill/fill are summarised in **Table 4-1** below, and are discussed in detail in **Section 4.4**. **Table 4-1** also provides guidance on where the differences lie for class 2, 3, 4 and 5 sites.

Table 4-1 Siting Criteria - Technical Constraints

Class	1	2	3	4	5
Type of facility	Landfill	C&D Landfill	Managed Fill	Controlled Fill	Clean Fill
Geology constraints (without site-specific additional mitigation)	High permeability soils, sand and gravels, fractured rock	High permeability soils, sand and gravels, fractured rock	High permeability soils, sand and gravels, fractured rock	High permeability fractured rock	NA
Geology and site stability constraints	Geothermal areas Karst areas Active faults	Geothermal areas Karst areas Active faults	Geothermal areas Karst areas Active faults	Geothermal areas Karst areas	Geothermal areas
Hydrogeology constraints	Drinking water aquifers	Drinking water aquifers	Drinking water aquifers	Drinking water aquifers	NA
Surface hydrology constraints	Flood plains Water supply catchments Estuaries, marshes and wetlands	Flood plains Water supply catchments Estuaries, marshes and wetlands	Flood plains Water supply catchments Estuaries, marshes and wetlands	Water courses Water supply catchments Estuaries, marshes and wetlands	Water courses Estuaries, marshes and wetlands
Environmentally sensitive areas - constraints	Significant wetlands Inter-tidal areas Significant areas of native bush and areas able to comply with the requirements for Q.E.II Trust status Recognised wildlife habitats Any areas with sensitive fish/wildlife/aquatic resources				

4.2 Siting Approach

General

The objective of these siting guidelines is to ensure the selection of landfill/fill sites which, to the extent practicable, provide an appropriate level of natural containment, through their inherent geological, hydrogeological and topographical characteristics. These key physical features need to be considered together with the engineered containment options available (Class 1 and 2 landfills), and operational controls in order to minimise the overall adverse impacts of a landfill/fill. In addition, other features of a site are also important. These include its ability to be accessed in a way that causes minimum disruption to the community and the ability to provide buffer to neighbours surrounding the site.

Therefore, an ideal siting approach includes the use of a robust selection process and siting criteria to select the most appropriate landfill/fill sites, while being commensurate with the class of landfill/fill that is proposed. Such an approach will help avoid or reduce potential environmental problems by reducing the potential impact on people and the environment. The adoption of appropriate siting criteria is important in relation to gaining resource consents for any new site (where these are required).

Where there is a difference in siting approach based on the class of landfill/fill proposed, this is detailed below.

Class 1 and Class 2 Landfills

The approach to siting Class 1 and 2 landfills must include consideration of the full range of siting criteria, with the pros and cons of each factor weighed against each other. For example, establishing a site in a location with good natural containment is a major technical advantage, but in some instances such a site benefit may be outweighed by constraints related to access or other community considerations, in particular the availability of buffer. In some instances, developing robust engineered solutions to containment may be required to offset less-than-ideal natural containment.

Class 3 Managed Fills

For Class 3 Managed Fills a primary consideration for the siting approach is locating a site with good natural containment as this is a major technical advantage. However, the siting approach must also consider constraints related to proximity to fill material sources, existing site ownership and community considerations (which may be more focused on access, traffic, and visual amenity aspects rather than odour, litter or rodent considerations given the nature of the material that Class 3 Managed Fills accept).

Class 4 and Class 5 Fills

The siting approach for these fills does not require a significant focus on containment. While there should be no odour, litter, or rodent issues associated with these facilities, access and traffic factors, and visual amenity are likely to require consideration. The

siting approach is likely to be based predominantly on financial considerations in respect of:

- proximity to fill material sources;
- opportunity for site development post filling;
- existing land ownership; and
- site development cost.

4.3 Site Selection Process

As noted in **Section 4.2**, siting considerations will include both technical factors, and community perception and values, both of which may be critical to the acceptability of a landfill/fill site.

For each of the landfill/fill classes, the following general site selection considerations are likely to apply:

Class 1 Landfills: require a comprehensive site selection process and/or assessment, taking into consideration (and giving appropriate weighting to) all landfill siting criteria. A full suite of investigations and assessments will be required.

Class 2 C&D Landfills: the site selection process should focus on areas with appropriate geology, hydrogeology and surface hydrology, and consider these in conjunction with the requirement for Class 2 C&D Landfills to have an engineered liner, and a leachate collection system; and the requirement for ongoing management and monitoring, such as groundwater and surface water monitoring. In terms of investigations, as a minimum, a site environmental assessment is required.

Class 3 Managed Fills: the site selection process should focus on areas with appropriate geology, hydrogeology and surface hydrology; and the requirement for ongoing management and monitoring such as groundwater and surface water monitoring. In terms of investigations, as a minimum, a site environmental assessment is required.

Class 4 Controlled Fills: the site selection process will likely focus on site ownership, location, and transport distance from sources of fill. However, as materials with contaminants at concentrations greater than local background may be accepted, the selection process should also consider geology, hydrogeology, and surface hydrology. Issues such as stability, surface hydrology and topography will be relevant in relation to sediment control and likely end use of the site. In terms of investigations, as a minimum an environmental site assessment should be completed.

Class 5 Clean Fills: the site selection process will generally focus on issues of practicality and commercial viability (site ownership, location and transport distance from sources of fill). Issues such as stability, surface hydrology and topography will be relevant in relation to sediment control and likely end use of the site.

The site selection process should normally include the following:

- initial desk top study;
- site investigations;
- economic assessment (repeated at different stages of the process); and
- consultation (early and then ongoing throughout the process).

These aspects are detailed further below.

Initial Desk-top Study

A number of possible localities or sites should be identified, considering the following factors:

- geology;
- hydrogeology;
- surface hydrology;
- stability;
- topography;
- meteorology;
- location (logistics of waste transport);
- potential pathways for the release of contaminants e.g., migration in groundwater to production wells; and
- compatibility with surrounding land uses.

A range of constraint mapping approaches can be used to inform this process. GIS systems can assist in the analysis, and a wide variety of information is available in the public domain in New Zealand. The setting of criteria (the constraints 'coded' into the spatial analysis) needs to be informed by sound judgement alongside the raw data. Information from a number of sources can be used in a constraint mapping process, including, but not limited to:

- geological maps;
- topographical maps;
- meteorological data (rainfall, wind speed/direction, sunshine hours);
- Department of Conservation/conservation management strategies;
- Heritage New Zealand Register;
- district plans;
- regional plans;
- local knowledge, including knowledge of culturally significant sites; and
- surrounding land use.

Site Investigations

Site investigations should be appropriate to the nature of the disposal site being considered, ensuring that a robust assessment of risk can be undertaken. Site investigations should build on the desktop assessment and generally follow a staged approach using:

- preliminary investigations;
- initial technical investigations;
- review of non-technical matters; and
- detailed technical investigations.

Sufficient investigations, testing and preparatory work need to be undertaken to provide the following information (commensurate with the class of landfill/fill being proposed):

- appropriate characterisation of the geological, hydrogeological and geotechnical conditions at the site;
- a conceptual model of site hydrogeology, including the piezometric surface;
- specific data on site soil properties for materials to be used in construction and operation of the facility such as for a soil liner or capping material and for assessing site stability;
- background analysis of surface and groundwater quality, together with background analysis of site soil contaminant concentrations for future reference in relation to potential effects of the landfill/fill;
- definition and characterisation of surface waters, including receiving waters;
- identification of any areas to be protected (e.g., watercourses, wetlands, areas important to local Iwi, archaeological sites, vegetation, steep slopes, etc.);
- location of any services on the site (such as buried or overhead power or telephone cables, water, sewer or gas pipes);
- base contour information for design purposes (colour aerial photographs are also very useful for design development and presentation of concepts); and
- photomontages for assessment of visual and landscape effects.

Further information about each of the investigation stages is provided below.

Preliminary Investigations

An initial walkover survey should be undertaken at sites identified by the desk-top study. Each site should be assessed with respect to the criteria listed above. Any obvious fatal flaws with respect to geology, surface hydrology and stability should also be identified.

Following the initial assessment, sites are typically ranked to determine a shortlist for further, more detailed investigation. Care should be exercised when ranking sites as:

- design and operational considerations may elevate, or reduce, the initial assessed ranking;
- access needs to be carefully considered; and
- community issues may affect the assessed ranking of a site.

Initial Technical Investigations

The purpose of initial technical investigations on shortlisted sites is to identify potential fatal flaws and reduce the shortlist of identified sites to one or more sites for more detailed technical investigations.

Initial investigations should include:

- mapping of site geology;
- geotechnical assessment of overall site stability, seismic risk and suitability;
- geotechnical investigations using drill holes and pits to assess site soils with respect to their suitability for natural containment and as engineered liner and cover materials;
- identification of nearby groundwater wells and users;
- review of historical information on groundwater level and quality, if available;
- shallow groundwater bores to assess hydrogeology. Ideally these bores should be located where they can be used for monitoring during landfill/fill operation and following closure, if the site proceeds;
- sampling of surface water quality and possibly groundwater quality;
- assessment of sensitivity of biota and fauna at the site and downstream;
- availability of cover;
- suitability of existing vegetation for screening;
- wind data/wind rose for each site; and
- rainfall data/hydrology.

Review of Non-technical Matters

Non-technical matters such as local social, cultural and amenity values can be the issues of greatest concern to the local community and can be the determining factor on site acceptability. The following factors should be assessed before detailed technical investigations are undertaken at a site:

- location and land-use category of site neighbours;
- access to the site and potential traffic effects, including the potential impact of main haul routes (this can prove to be a key siting consideration in many instances);

- location of any sites of cultural significance including, rivers, streams, marae, ancestral land, waahi tapu and other taonga (some of these sites may not be readily identifiable);
- potential for nuisances associated with odour, vermin, birds and flies, noise, litter, dust and visual effects; and
- location of sites of historical significance.

Detailed Technical Investigations

The results of initial technical and non-technical investigations, coupled with preliminary economic assessments, should result in a shortlist of priority sites worthy of more detailed technical investigation.

A detailed investigation programme should be developed on a site-specific basis. It should address the site selection criteria detailed in Section 4.4, and potential design, operational and monitoring requirements.

Following detailed investigations, economic assessment, and consultation, it should be possible to determine the most appropriate location with which to proceed.

Economic Assessment

A preliminary economic assessment should be undertaken for shortlisted sites so that the costs of developing and operating a disposal facility at the different sites can be compared.

Additional information on full costing of landfill/fill options is provided in the Landfill Full Cost Accounting Guide for New Zealand (MfE 2004a).

Consultation

Consultation with the community, including tangata whenua, is a critical component of any landfill/fill site selection process.

The Fourth Schedule of the RMA requires consultation to be undertaken with all persons interested or affected by a proposal, and the consultation recorded. See 'An Everyday Guide to the Resource Management Act Series 2.2: Consultation for Resource Consent Applicants' (MfE 2009) for more information.

4.4 Landfill/Fill Siting Criteria

The following landfill/fill siting criteria detail the key issues which need to be considered when:

- identifying potential landfill/fill sites (Class 1, 2, 3, 4 and 5); and
- planning site investigations and assessing the suitability of a site for landfilling/filling.

It is unlikely that any site will meet all criteria. Therefore, the assessment of the suitability of a site for a landfill/fill becomes a balance of trade-offs with respect to:

- comparison of site characteristics with those at alternative locations;
- the potential for engineered systems to overcome natural site deficiencies;
- methods of operation proposed for the site; and
- social and cultural issues associated with the site.

In order to minimise future risk to the environment from landfilling/filling activities, primary technical consideration should be given to key issues and potential fatal flaws with respect to geology, hydrogeology, surface hydrology and site stability. Each of these issues is discussed in more detail below.

Some of the wide range of other issues to consider while selecting a landfill or fill site are also discussed in the remainder of this section.

Geology

For sites accepting anything other than clean fill material, suitable site geology is an important consideration to ensure that any leachate is contained, and the migration potential of any discharges is limited (should an engineered containment system ever fail). Geology should be assessed with respect to the potential migration of leachate and landfill gas. In instances where a site is preferred for other reasons, but natural containment is limited, then the robustness of engineered containment systems needs to be considered in the context of the natural geology to ensure that a balanced approach is taken and that site risks can be adequately managed.

In general, and particularly for Class 1 and 2 landfills, areas of low permeability in-situ material are preferable. Because engineered liner systems have a finite lifetime, the ability of the underlying materials to limit the potential for liquids and gases to migrate into the wider environment (should the liner ever degrade) is a key benefit. However, this aspect of site selection needs careful consideration alongside other key features such as access and the ability to provide buffer.

Due to the risk of off-site movement of leachate and landfill gas, it is generally undesirable to site a Class 1 or 2 landfill in areas with the following characteristics:

- high permeability soils (such as sands or gravels), or fractured rock, where there is no ability to provide additional mitigation;
- close to active faults that have the potential to impact on containment systems (natural or engineered);
- karst geology – limestone regions with sinkholes and caverns; and
- active coastal erosion.

If it is not possible to avoid siting a landfill/fill in these geological environments, the design should incorporate a higher level of engineered containment and appropriate contingency measures.

An assessment of geology and site soils should consider:

- the availability of on-site materials for lining, cover and capping. Soils with a high percentage of clay are generally the preferred soil type;
- the suitability of on-site materials for the construction of dams and drainage systems;
- potential sediment management problems with highly erodible soils;
- existing site contamination and discharges, if present;
- suitability for on-site disposal of leachate by surface or subsurface irrigation; and
- the potential effects of failure of leachate containment and collection systems.

Geological factors also influence the type and magnitude of stormwater, silt and groundwater controls, and the containment and control of leachate and landfill gas.

The key technical constraints in respect of site geology for different classes of landfills/fills are summarised in **Table 4-1**.

Materials Requirement and Balance

Soil materials are required for all stages of a landfill/fill development (construction, operation and restoration). Therefore, in the early stages of a project, it is important to establish what materials are required, where and when these materials will be sourced and what surplus, unsuitable, materials will be generated. Consideration of material sources may have a significant impact on where the site is sited and how the site is developed.

Hydrogeology

A suitable hydrogeological location is important to protect groundwater resources and to understand the likely fate and rate of discharge of contaminants which may enter groundwater.

It is generally undesirable to site a landfill or fill in areas overlying significant aquifers used for drinking water.

In assessing the suitability of a landfill/fill site with respect to hydrogeology, the following factors need to be considered:

- depth to water table and seasonal water table fluctuations;
- potential to create an inward gradient or control groundwater level;
- location of aquifer recharge areas, seeps or springs;
- distance to water users;
- sensitivity of water users (i.e., type of water use);
- dispersion characteristics of aquifers;
- variations in groundwater levels;
- rate and direction of groundwater flow;

- existence of groundwater divides;
- baseline water quality; and
- the potential effects of failure of leachate containment and collection systems.

Key technical constraints in respect of site hydrogeology for different classes of landfill/fill are summarised in **Table 4-1**.

Surface Hydrology

There are risks of surface water pollution if landfills or fills are sited in close proximity to waterways. The potential impact of water pollution on human health is greater in those waterways used for drinking water or aquaculture.

It is generally undesirable to site a landfill/fill in the following areas:

- flood plains (generally areas which could be affected by a major flood event, taking into account the latest projections for climate change);
- land that is designated as a water supply catchment or reserved for public water supply;
- gullies with significant water ingress, except where this can be controlled by engineering works without risk to the integrity of the landfill/fill;
- water courses and locations requiring culverts through the site and beneath the landfill/fill (if waterways are unable to be diverted);
- estuaries, marshes and wetlands; and
- areas that may be subject to coastal erosion or the impact of climate change.

In assessing the suitability of a site for a landfill/fill, the local surface hydrology needs to be considered with respect to the sensitivity of the receiving environment, including the following:

- the proximity of water bodies or wetlands;
- the risks of pollution of water bodies used for drinking water or aquaculture;
- sensitive aquatic ecosystems;
- potential for impact from cyclones and tsunamis; and
- the latest climate change projections in respect of surface water levels.

An assessment of the stormwater catchment above the site should be made to identify the extent of any drainage diversion requirements.

Key technical constraints in respect of site surface hydrology for different classes of landfill/fill are summarised in **Table 4-1**.

Site Stability

Site stability should be considered from both the short- and long-term perspectives, including the effects of landfill/fill settlement.

It is generally undesirable to site a landfill or fill in the following areas:

- areas subject to instability, except where the instability is of a shallow or surface nature that can be overcome, in perpetuity, by engineering works;
- close to active geological faults;
- areas of geothermal activity; and
- karst terrain: regions with highly soluble rocks, sinks and caverns (for example, limestone areas).

It is noted that many of the site stability restrictions are the same as the geological restrictions discussed above.

In assessing the suitability of a site for a landfill/fill, the local soils need to be considered with respect to the following:

- Localised subsidence areas. Differential movement could render a landfill/fill unusable due to rupture of liners, leachate drains or other structures.
- Landslide prone areas. The future weight could, through a wide variety of mass movement, destabilise the landfill/fill. Instability may also be triggered by earthquakes, rain, freezing and thawing, seepage and excavations.
- Local/onsite soil conditions that may result in significant differential settlement, for example, compressible (peat) or expansive soil, or sensitive clays or silts.

Engineering techniques can potentially mitigate some site stability issues. The ability to engineer a solution in response to site stability issues must be considered in relation to site specific circumstances. Where there is potential seismic risk, the ability to design containment structures, including liner, leachate collection systems and surface water control systems, to resist the maximum acceleration in lithified earth material for the site must be assessed.

Key technical constraints in respect of site stability for different classes of landfill/fill are summarised in **Table 4-1**.

Environmentally Sensitive Areas

Landfills and fills should generally be located to avoid areas where sensitive natural ecosystems would be adversely affected, such as those in **Table 4-1**.

Other areas that should be avoided include:

- sites of cultural or historical significance;
- historic and scenic reserves; and
- significant natural landscapes.

Compatibility with Surrounding Land Uses

The proximity of a potential landfill/fill site to other existing or proposed land uses needs to be considered.

Ensuring adequate separation distances and/or buffer areas can help to preserve the amenity of surrounding areas or avoid unwanted impacts from landfill/fill operations. The requirement for, and extent of, buffer areas should be determined on a site-specific basis. Where possible, the buffer area should be controlled by the landfill/fill operator.

An assessment of the suitability of a site for a landfill or fill, and the extent of available buffer (with respect to reducing the potential for adverse effects on surrounding land use) should consider:

- existing property boundaries and ownership;
- statutory planning constraints including:
- zoning, the protection of amenity associated with residential, commercial or rural zones from nuisances associated with:
 - odour,
 - vermin,
 - birds and flies,
 - noise,
 - litter,
 - dust and visual effects;
 - or failure of containment, leachate collection or landfill gas systems, and
- land designated for a special purpose (for example hospitals or schools);
- airport safety²;
- the impact of site features such as topography;
- the impact of prevailing weather conditions; and
- proximity to sites of cultural or historical significance.

Topography

Site topography can reduce or increase the potential for nuisance effects (odour, noise, litter and dust) and visual effects on neighbouring properties.

Site assessment should include an assessment of the potential for existing topographical features to assist in minimising impacts.

² The CAA 'Guidance Material for land use at or near airports' (2008) notes that the International Civil Aviation Organisation Bird Control and Reduction Manual recommends that [MSW landfill] sites be located no closer than 13 kilometres from the airport property.

Moderate slopes enable easier stormwater control, leachate control and site stability measures, as well as facilitating the operation of the site.

Climatic Conditions

Climatic conditions will have an influence on the choice of site. The following should be considered during site selection:

Rainfall

Landfills/fills in high rainfall areas are generally undesirable and require greater attention to drainage than those in drier areas.

Sunshine

Higher sunshine areas and north facing slopes have increased evaporation, reducing infiltration.

Wind

Natural shelter from winds will reduce windblown waste and dust. Escarpments or valleys facing the prevailing wind should normally be avoided. Calm conditions are when odour may become an issue as can katabatic drainage³ or unusual local weather patterns.

Climate Change

The potential effects of climate change should be considered, taking into account long term projections for the local area, e.g., droughts, increased rainfall, sea level rise, stronger winds etc.

Access and Traffic

Landfill/fill development and operations can generate significant flows of heavy vehicle traffic. Site access should therefore be as close as possible to main feeder routes. When locating and determining access to landfills/fills, consider:

- the type and number of vehicles accessing the site;
- other types of traffic using feeder roads;
- the standard and capacity of the road network, and its ability to accommodate traffic generated by the landfill/fill;
- whether the traffic can avoid residential areas;
- road safety considerations with respect to the landfill/fill entrance. Vehicles using the landfill/fill should not be required to queue on the highway;
- other transport options, for example rail.

³ Flow of high density cold air from a higher elevation down a slope, which occurs in calm conditions

Leachate Management

Landfill/fill siting should take into account the potential methods of leachate treatment and disposal and its effect on site neighbours. See **Section 5.7**.

Landfill Gas Management

Landfill gas can give rise to the following adverse effects:

- explosions or fires due to gas release through cracks and fissures at the surface, or into confined spaces such as manholes, chambers and poorly ventilated areas of buildings on or adjacent to the site;
- asphyxiation of personnel entering trenches, manholes or buildings on or near the landfill/fill site;
- odour nuisance;
- greenhouse effects of methane;
- migration in surrounding sub-strata; and
- vegetation die-off on the completed landfill/fill surface and on adjacent areas.

The potential for landfill gas migration in surrounding sub-strata needs to be considered with respect to containment proposals.

Landfill/fill siting must take account of the requirements of the NES-AQ, the potential methods of landfill gas use and disposal, and potential effects on site neighbours. See also **Section 5.8**.

Cultural Issues

Areas of cultural significance should be avoided. While local authorities may have records of identified areas, engagement with local iwi is the best way to ensure that all known sites of cultural significance are identified early, and negative cultural impacts avoided or resolved. However, sites or artefacts of cultural significance are sometimes exposed during excavation or construction. Protocols should be in place to enable an appropriate response and actions if this occurs.

Community Issues

Many of the matters which can be of greatest concern to the local community may not be those identified through technical studies or investigations. There is a significant cross-over with the issues that must be considered when assessing compatibility with surrounding land uses, access and traffic, and cultural issues.

Community issues typically include, but are not limited to:

- design life of the landfill/fill;
- nuisances associated with odour, vermin, birds and flies, noise, litter, dust and visual effects;

- the potential effects of failure of containment, leachate collection or landfill gas systems;
- protection of local amenity values;
- traffic effects;
- health risks;
- cultural issues;
- heritage issues;
- loss of property values;
- long term compliance with consent requirements; and
- end use of the site.

Consultation with the community is an important step and may be required to identify issues of importance, related to actual (or perceived) risks and appropriate measures to avoid, remedy or mitigate adverse effects on the environment.

End Use of Land

The planned or likely end use of the proposed site is also an important consideration in site selection. Class 4 and Class 5 fills have unrestricted future use, these sites often return to previous or similar land use, subject to site specific filling objectives and compliance with those objectives. Landfill/fill classes 1 to 3 will require appropriate aftercare and landfill/fill closure plans. These sites often end up being covered, vegetated and set aside as landscaped areas, or used for passive recreation or similar low impact uses compatible with the final landfill/fill form.

5. Design

5.1 Introduction – Design Objectives

The degree of environmental protection provided at a specific facility is strongly influenced by the quality of the engineering design. The level of environmental protection required, and consequently the level of design, is determined by:

- the class of landfill/fill;
- the type of waste to be deposited in the landfill/fill;
- the size and scale of the proposed filling operation;
- the surrounding environment; and
- the site location and physical characteristics.

Facility design should be site specific and based on an assessment of actual and potential effects on the environment. This assessment requires appropriately detailed technical evaluation and justification.

This section provides guidance on the following design aspects:

- design approach;
- design considerations;
- groundwater management and control;
- surface water and stormwater management;
- leachate containment and liner systems;
- leachate management and control;
- landfill gas management;
- landfill/fill cover systems; and
- construction quality assurance (CQA) and construction quality control (CQC).

5.2 Design Approach

General

Protecting groundwater and surface water from leachate contamination and protecting people from the adverse effects of landfill gas are the principal environmental performance objectives for landfill/fill design. The designer should consider the potential environmental impact of the landfill/fill throughout its life and post closure and incorporate mitigation measures into the design appropriate to the class of landfill/fill or fill material/wastes to be accepted. The effectiveness of the design will have a significant influence on the environmental performance, operation, restoration and aftercare of the facility.

While many of the potential risks associated with landfills/fills can be mitigated by judicious siting, additional engineered protection is critical for Class 1 and 2 landfills to avoid adverse effects on the environment from leachate and landfill gas discharges.

For Class 3, 4 and 5 fills, the primary environmental controls are appropriate site selection and the WAC. Therefore, the design of a Class 3, 4 and 5 fill does not tend to focus on containment. Landfill features such as leachate collection, removal and treatment, low-permeability liners, gas management, and capping are also not as relevant for Classes 3, 4 and 5 because of the nature of the materials being disposed. However, Class 3 Managed Fills require an engineered capping system to minimise water ingress and provide separation between the managed fill material and end users upon closure.

Erosion and sediment control are both very important considerations for all sites. For Class 4 and 5 sites, erosion and sediment control is required to minimise the discharge of sediment to nearby surface water receptors. The sediment from these sites is unlikely to cause adverse effects due to its chemical composition, due to the WAC. For Class 3 sites the WAC have been set as a means of environmental control for the migration of contaminants to groundwater but may not be below applicable sediment quality guidelines for surface water receptors. Therefore, erosion and sediment controls are particularly important to minimise sediment discharges from Class 3 sites, as a means of controlling discharges of contaminants via this pathway.

Effective landfill/fill design will follow on from appropriate site selection, based on the appropriate level of investigation, as discussed in detail in **Section 4**.

Landfill/fill design and operations practice are not static and over time should respond to changes in knowledge, technology and legislation. Consequently, design requires periodic review to reflect the changes in knowledge and the findings of performance monitoring over time. It is not uncommon for environmental protection requirements to change significantly over the life of a particular landfill/fill.

New Zealand Landfill Design Trends

In New Zealand a number of trends (paralleling overseas practice) have emerged in relation to landfill design for Class 1 and Class 2 landfills. These include:

- a tendency towards centralisation of landfill facilities and an increase in waste transfer to fewer, larger (sometimes regional) facilities;
- greater recognition of the siting sensitivity attached to landfills and the need for both good design, stringent operating practices and comprehensive monitoring requirements;
- acceptance that an engineered liner and leachate collection system is necessary for sites where leachable material may enter the groundwater and affect human health or the natural environment; and
- development of landfills for differing levels of engineered redundancy and environmental controls, based on the types of waste(s) proposed to be accepted.

Furthermore, the introduction of the WMA 2008 and the Climate Change Response Act 2002, and associated Regulations, have led to changes in waste disposal practices. There is now more waste disposal segregation and a further trend towards more specialised facilities, designed specifically for the types of fill material/waste being disposed.

5.3 Facility Design Considerations

A selection of key facilities design considerations is discussed below.

Site Access

Access to a landfill/fill needs to be controlled to restrict the mixing of private, commercial and landfill/fill operations vehicles. In particular, access to the tipping face should be limited to authorised vehicles.

Appropriate provision should be made for diversion of recycled materials. This could be extended to providing for separation of recycled materials from mixed loads delivered to site, depending on the scale and circumstances.

External Access

A landfill/fill will generate heavy vehicle movements. The standard of all roads and bridges forming part of the principal access route to the landfill/fill and their construction should be reviewed. Upgrading of roads and bridges may be required.

Access to a landfill/fill should be planned so that it creates minimal hindrance to existing road users. Access should, where possible, be along primary regional roads where heavy traffic movement is usual (such as state highways) and on sealed roads to reduce dust and mud nuisance, reduce maintenance and facilitate road cleaning.

Careful consideration should be given to the requirements of national and local road control authorities.

Internal Access

The layout of the site entrance should facilitate smooth traffic flow. Access from a public road should be by a sealed road to the reception control area, laid out such that queuing vehicles do not back up onto public roads. This may require the inclusion in the design of slip lanes, passing bays, turning areas etc.

The appearance of the access-way is important as this will influence both the public and the user perception of a site and hence behaviour in the landfill/fill area.

Traffic control by clear, attractive signage and an appropriate road layout is required to direct vehicles to the weighbridge, payment booth and unloading area(s).

At larger landfills/fills, internal roads that are permanent, or that will have a substantial service period should be sealed, particularly if on steep gradients. Temporary access roads should be all-weather standard.

Existing and Potential Clean fill Sites

There are at least 2 viable existing clean fill sites for the applicant to deliver to, which have suitable roads for heavy trucks and are free of flood zones, spillways and Wetlands.

Kiwi Point. Approx distance 20 kms

91 Ferguson Drive UH. 21 kms

(1044 Coast Rd Approx 16 kms)

We have also identified some other possible options which could also help benefit Hutt City Council and the community in general.

Old Wainuiomata Tip Site

Pros

- Hutt City Council owned which could create revenue for the community
- Roads to and from are up to standard
- No flood zone
- Internal roads sealed
- Isolated gully so no noise or dust issues
- Closer in distance to excavation sites
- Less truck milage

Cons

- Still need timing to avoid school crossing pick up times etc.
- Increased traffic volumes

Wise St greenfield development area

Clean fill from this area could be reused in the same area to develop playgrounds, sports fields or parks etc.

Pros

- No trucks on Wainuiomata roads - all done on site
- Recycling of clean fill
- Improved green space for the community's benefit
- Would be very cost efficient

Small scale clean fill delivery to individual properties

This could involve small amounts of suitable cleanfill to be delivered to properties for landscaping purposes. It could involve a simple cost effective consent to cover any potential issues for amounts over 400 m3 and under 1000 m3. Under 400 m3 could be a permitted activity subject to certain conditions.

Pros

- Recycles clean fill
- Would be used locally minimizing truck milage
- Good use of topsoil
- Minimal traffic or dust disturbance in 1 location

RELEASED UNDER THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Elliott Thornton

From: Dan Kellow <Dan.Kellow@huttcity.govt.nz>
Sent: Monday, 14 November 2022 2:40 pm
To: Elliott Thornton
Subject: RE: [#CCL30246] [EXTERNAL] Request for Pre-app: 1044 Coast Road, Wainuiomata Coast - Cleanfill, Earthworks, Ford, Gravel Extraction and Quarry Activities

Hi Elliott,

I have responded in red text below. I have spoken with Sean Bellamy (HCC Policy Planner) who will be the HCC officer dealing with the NPS-HPL implementation. Sean confirmed that at this stage GWRC have not provided an indication on the work programme/schedule for mapping highly productive land. Sean has followed up with GWRC and I will let you know as soon as I hear from Sean or GWRC on this.

Sean confirmed the review of the General Rural provisions is about to begin with draft provisions due the end of next year. Sean is also dealing with the hazard provisions for General Rural area which are on a similar timeframe. Obviously both these pieces of work may impact upon this site.

Apologies that my reply has taken so long.

Kind regards,

Dan Kellow

Resource Consents Planner - Contractor

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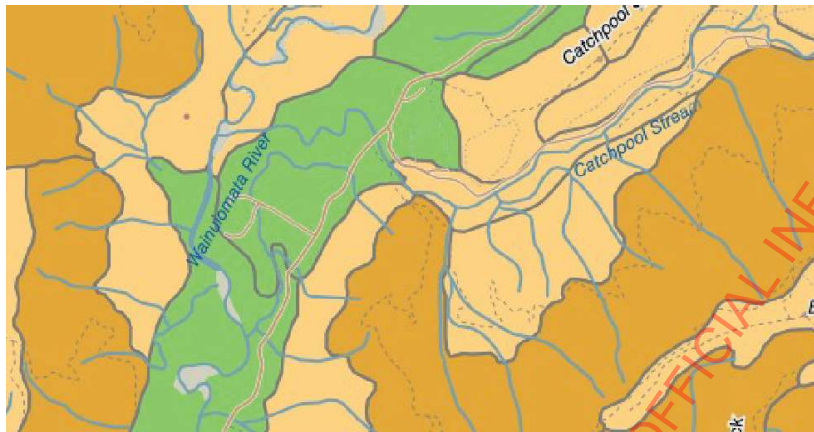
From: Elliott Thornton <elliott.thornton@cuttriss.co.nz>
Sent: Monday, 17 October 2022 10:54 am
To: Dan Kellow <Dan.Kellow@huttcity.govt.nz>
Subject: RE: [#CCL30246] [EXTERNAL] Request for Pre-app: 1044 Coast Road, Wainuiomata Coast - Cleanfill, Earthworks, Ford, Gravel Extraction and Quarry Activities
Importance: High

Hi Dan,

Thanks for your previous advice. It has been valuable to inform the project design and scope of potential consent.

I'm not sure if you're up to date with the [National Policy Statement for Highly Productive Land](#) (NPS-HPL), but now that it's in effect (as of 17th October 2022), I am seeking some advice how you might view it.

In particular, the site is mapped by [Manaaki Whenua](#) as having a Land Use Capacity of 3.



Under clause 3.5(7) of the NPS-HPL, until highly productive land is mapped and incorporated into a Regional Policy Statement, highly productive land is defined as any land zoned General Rural and Land Use Capability Class (LUC) 1-3. As the site at 1044 Coast Road, Wainuiomata Coast is zoned both General Rural and identified as LUC3, for the purposes of the NPS-HPL it would meet the definition of highly productive land.

Can you confirm this is your interpretation?

I agree the site falls within the definition of highly productive land given its District Plan General Rural zoning and LUC Class 3 classification by Manaaki Whenua.

If this is the case, I am interested how you might view this in a resource consenting context, namely with regards to notification and ultimately being able to support the resource consent. My main concern relates to clause 3.9 of the NPS-HPL which states that Council's must avoid the inappropriate use of highly productive land that is not land-based primary production. In particular sub-clause (3) which states that Council must take measures to *avoid the inappropriate use or development of highly productive land that is not land-based primary production*. The cleanfill activity is associated with urban development and is intended to place material on-top of the existing soils. The cleanfill material is unlikely to be conducive to cropping as any good soils will be buried beneath the cleanfill thereby potentially taking anyway the productive capacity of the land. These are effects are unlikely to be able to be mitigated, and the development doesn't meet one of the exemptions listed in sub-clause (2).

Can you confirm whether you would consider the cleanfill activity to be inappropriate?

I don't think a cleanfill would meet any of the exemptions set out in 3.9 (2). The use of the word 'avoid' in 3.9(1) is of course deliberate and makes it highly unlikely that a TLA could grant consent to an activity that does not meet the exemptions set out in 3.9(2). Granting consent would be directly contrary to Policy 8. The hierarchy of planning documents means objectives and policies in an NPS are given considerable weight in decision making.

Clause 3.10 of the NPS-HPL does give some exemptions and I wonder if you have any thoughts on whether the project would meet any of the exemptions and what information you may require to support this? I note that consideration of other economic benefits of using the land for another purpose cannot be considered or taken into account, however, it's unclear whether nutrient run-off from potential primary production into the Wainuiomata River could be considered, or the potential for ongoing flooding.

Clause 3.10 is set out in a way that requires each clause, a, b and c to be met.

Clause (a) – the non-exhaustive list of options set out in 3.10(2) makes it clear the level of information required to justify the loss of highly productive land would need to be comprehensive as it would have to evaluate the listed options as well as other logical alternatives. I can't point to any examples due to the fact the NPS has just come into effect. I expect the information would primarily be an economics based analysis.

Clause (b) (i) demonstration of avoidance of significant loss would be via the same expert economic analysis required under clause (a).

Clause (b)(ii) avoiding fragmentation could be linked to titles and this site may not be considered large.

Clause (b)(c) would require economic analysis as well as broader planning analysis.

Finally, the client also intends to potentially subdivide the lots for rural lifestyle at the end of the cleanfill operations. The NPS-HPL also has strong clauses restricting further fragmentation of highly productive land with clause 3.8 directing the Council to *avoid subdivision of highly productive land*.

Can you confirm whether you consider it possible, post cleanfill activities that the site could be subdivided into rural lifestyle allotments having considered the NPS-HPL?

I think post cleanfill that the site would no longer be highly productive land despite the Manaaki Whenua or GWRC/HCC zoning. The likelihood of obtaining subdivision consent would depend on the scale of the proposed Lots proposed and district plan provisions that exist at that time. I understand from the Policy team that the General Rural Chapter will be reviewed over the next few years with the review scheduled to start in 2023.

We'd rather upfront advice on the above matters to inform investment decisions, rather than find out half way through a resource consent application. I appreciate your advice on the above matters at your earliest convenience.

My overall comment is that while the site is considered highly productive land that obtaining consent for cleanfill is unlikely.

Kind regards,

Ngā mihi nui | Thank you
Elliott Thornton | Principal Planner | BUrbEnvPlan | MNZPI |
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From: Dan Kellow <Dan.Kellow@huttcity.govt.nz>

Sent: Wednesday, 14 September 2022 3:04 pm

To: Elliott Thornton <elliott.thornton@cuttriss.co.nz>

Subject: RE: [#CCL30246] [EXTERNAL] Request for Pre-app: 1044 Coast Road, Wainuiomata Coast - Cleanfill, Earthworks, Ford, Gravel Extraction and Quarry Activities

Hello Elliott,

I visited the site this morning so now respond to your questions below.

I am away Thursday and Friday of this week. I will however be able to respond to meeting requests for next week if you wish to arrange a meeting.

Happy to discuss next week.

Kind regards,

Dan Kellow

Resource Consents Planner - Contractor

Hutt City Council, 30 Laings Road, Lower Hutt 5040

P: 04 570 6666 M: W: www.huttcity.govt.nz



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From: Elliott Thornton <elliott.thornton@cuttriss.co.nz>

Sent: Thursday, 8 September 2022 4:23 pm

To: Dan Kellow <Dan.Kellow@huttcity.govt.nz>

Subject: RE: [#CCL30246] [EXTERNAL] Request for Pre-app: 1044 Coast Road, Wainuiomata Coast - Cleanfill, Earthworks, Ford, Gravel Extraction and Quarry Activities

Hi Dan,

Sorry for the late reply. Could we tee up a meeting sometime in the next two weeks to discuss the above proposal for a clean fill, earthworks, river crossing (ford), gravel extraction and quarry activities over land at 1044 Coast Road, Wainuiomata Coast. It is also anticipated that once these operations cease or works are completed, we'd like to seek rural subdivision, however I'd rather we focus the discussion on the other activities at this stage.

The nature of the discussion is to get good guidance (positive or negative) on the Council's view of the proposal prior to engaging further experts or design work. We note that typically clean fills, gravel extraction and quarrying activities can have some significantly impacts including visual effects and cause nuisance from truck movements. We consider the Rural Area the most appropriate zone for the activity with land of a sufficient size to accommodate the proposal. We will also be organising a pre-application with Greater Wellington Regional Council as the project also triggers various rules under the Proposed Natural Resources Plan.

We'd specific like feedback on the following:

Definition and Activity Status:

Under the Rural Area, a quarry and gravel extraction would likely be considered a Non-complying activity as these will involve the removal of top soil and extraction of minerals. A clean fill isn't strictly defined as an activity, but is included within the definition of earthworks. It is unclear whether the cleanfill operations would also be considered an Extraction Activity or Industrial Activity which includes within their definition storage which could apply to commercial storage or dumping of earth. If so, the cleanfill would also be a Non-complying activity otherwise that aspect would be a Restricted Discretionary Activity.

We seek feedback on the activity definition and the activity status.

The cleanfill activity is considered earthworks due to the DP definition of earthworks explicitly including cleanfills. Other resource consent proposals for cleanfills in HCC's General Rural zone have typically been treated as Discretionary Activities under Rule 8B 2.3 (a) once all the various non-compliances are assessed. Turf farming, Top soil removal and exploration and mining of minerals are Discretionary Activities under 8B 2.3 (b) - (d).

Suitability of Activity:

Rural areas typically accommodate a mix of residential activities, rural production, conservation land and recreational activities. More specifically, the District Plan objectives and policies identify rural areas as being suitable for small scale rural activities which are not further defined. The only reference to quarrying within the District Plan is that is specifically identifies that they can have adverse effects on activities on adjacent land. There is no other guidance of acceptability of quarrying (or cleanfill) activities proposed elsewhere. Our view is that it is typical that quarry or cleanfill activities be carried out in rural areas where there is sufficient land and separation distance to appropriate manage adverse effects as outlined below.

We seek confirmation that clean filling and quarry activities could be considered acceptable in the Rural Area, at what scale you would consider acceptable in terms of level of operations and vehicle movements, and what technical reports you may require to confirm the nature of effects.

8B 1.1.4 'Issue' states *Top soil removal and turf farming are appropriate activities in the rural area. These activities must be managed appropriately to ensure the long term sustainability of the intrinsic values of the land. These activities can also adversely affect visual amenities.*

8B 1.1.7 states *A joint study by Wellington Regional Planning Authority and Wellington Regional Water Board in 1978 titled "Planning for Mineral Resources in the Wellington Region", indicates that there are very limited opportunities for mineral extraction within the boundaries of Lower Hutt. For this reason, it is more appropriate to assess individual applications for prospecting, exploration and extraction as Discretionary Activities. There is also likely to be the need for consideration of any application by the Wellington Regional Council.*

The District Plan contemplates prospecting, exploration and mining of minerals as Discretionary Activities and earthworks as Restricted Discretionary Activities, as opposed to Non-Complying, so may be acceptable. It is possible that consent could be obtained but note the objectives and policies also require the maintenance and enhancement

of the open character and visual amenity values, and the retention of the intrinsic values of the land. Note: I have not assessed the proposal against the RPS.

To understand the effects a Landscape and Visual Assessment prepared by a suitably experienced expert would be required. Similarly, a Traffic Impact Assessment and Noise Assessment would be required. No meaningful feedback can be given as to what scale of effect may be acceptable until the proposal is refined, mitigation built into the proposal and then expert assessments prepared by the applicant. An expert peer review of the LVA, TIA and NA would then be undertaken by HCC to enable considered comment.

Visual Effects:

The surrounds are typically rural in character with the Waiunuiomata River forming a prominent feature on the basin along with agricultural paddocks and some housing, and rising vegetated slopes on either side of the valley. The District Plan describes the Rural Area as being characterised by steep hillsides and exposed ridge lines which is typical of this site particularly as it is close to the entrance to Catchpool Valley and Orongorongo Valley which forms part of the Remutaka Forest Park. It is anticipated therefore that there will be some temporary scarring from newly dumped fill or extraction of quarry material or gravel. This will alter the natural topography and landforms which may be visible from the road and surrounding dwellings during site operations. However, these effects are considered to be temporary and reasonable efforts will be made to manage visual effects including screening landscaping, grass seeding exposed areas and limiting the extent of earthworks at any one time so to minimise any visual scarring or exposed earth.

We seek feedback on whether some scarring or exposed earth would be suitable and what technical reports may need to be submitted to address any visual effects.

As above, a LVA is required. How the sites would be managed in terms of staging, progressive rehabilitation and screening needs to be known to enable comment on the amount of exposed earth that may be acceptable. Given the DP Discretionary activity status of turf farming some exposed would be acceptable.

Cultural / Historical Effects:

The site is not currently mapped or identified as having any historical or cultural significance.

We seek confirmation from Council that they are not aware of any other cultural or historical effects relating to the site.

Agree – no known cultural or historic physical resources on the site.

Natural Hazard Effects:

The Waiunuiomata River is prone to flooding and activities will occur within areas subject to flooding, however it is not anticipated the works will worsen the flooding off-site, nor exacerbate any erosion or landslip hazards that area already present.

We seek confirmation from Council that the activities proposed are acceptable in a flood hazard, and what information will be required to demonstrate no worsening upstream or downstream.

HCC would need to consult with GWRC regarding flood water displacement effects given the large-scale earthworks and the sites close proximity to the river.

Traffic Effects:

The activities will involve truck movements to and from the site which may exceed existing levels of traffic. It is noted that in places, Coast Road is narrow and trucks can sometimes be a perceived nuisance to rural lifestyle properties. However, a range of rural activities in the area would also likely involve some truck movements such as movement of stock.

We seek feedback whether the additional truck movements along Coast Road would be acceptable and any supporting information that may need to accompany a resource consent.

A TIA would be required, and the applicant would need to accurately estimate the number of truck movements that may occur per day/hour. The road is narrow in many places so it may be that the number of truck movements would need to be carefully managed by the applicant and restrictions put on the total numbers and timing of movements. In addition, truck movements will impact upon the rural character through noise and this effect would be considered/assessed.

Noise Effects:

Noise from activities will be limited to the specific dumping of material, extraction activities such as crushing or mechanical equipment, and movement of trucks on Coast Road.

We seek confirmation whether the likely noise effects are acceptable, particularly any controls that may be sought on noise effects including truck movements, and whether an acoustic assessment is required.

A Noise Assessment would be required. No comment can be made until it is understood what the noise levels would be, frequency, duration etc.

Ecological Effects:

We have had an initial assessment of the ecological values of the site. There are a number of watercourses through the site, which may technically be classified as a wetland, but have very limited existing ecological values. There is no significant terrestrial vegetation. The Wainuiomata River however has a number of regional planning overlays including trout spawning, inanga migration, high macroinvertebrate community health, threatened or at risk fish habitat, migratory fish habitat amongst others. These will primarily be addressed as part of the regional consent.

We seek feedback as to whether ecological effects need to be specifically addressed in the resource consent to Hutt City Council, or whether the Council would defer any decision on notification pending additional regional consent under section 91 of the Resource Management Act 1991.

The proposal appears to occur on paddocks only and is removed from native vegetation so I would expect terrestrial ecological effects to be a secondary/lesser issue. This would need to be confirmed in the AEE. I think it is unlikely s91 would be used.

Positive Effects:

The purpose of the proposal is to enable or facilitate development within the Wainuiomata Valley that is economical and limits long truck movements over the hill to Wellington. While not able to be considered for the purposes of notification, we seek confirmation or your views on considering the positive effects and how you may consider this in light of any identified adverse effects.

Positive effects must be considered at the substantive stage. I would expect the application to identify the level of need for a cleanfil and quarry to serve Hutt City.

Notification:

With consideration to the above, we seek confirmation whether it is more likely or not that a resource consent of this nature will be notified (public or limited). We note this is based on very limited information, however we'd like an initial view of the potential for notification which may inform whether we nominate public notification upfront or whether you feel the effects can be managed to be no more than minor. If that is the case, who do you consider to be there to be any likely affected persons we should focus our effects assessment on.

I would expect the application to be notified given its scale and visibility. Whether notification would be limited or full would heavily depend on the specialist assessments and review of those assessments.

For a bit of a reference, I have included some very preliminary 3D visuals and site plans showing the zones for clean filling.

If you have any questions, feel free to give me a call.

Kind regards,

Ngā mihi nui | Thank you
Elliott Thornton | Principal Planner | BUrbEnvPlan | MNZPI |
Cuttriss Consultants Limited
| e. elliott.thornton@cuttriss.co.nz | m. +64 21 449 053
| <http://www.cuttriss.co.nz>

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Celebrating 75 years in Business - 2022
Wellington Gold Awards – Finalists 2021
Wellington Region Business Awards – Professional Service and Supreme Award Winners 2019

From: Dan Kellow <Dan.Kellow@huttcity.govt.nz>
Sent: Wednesday, 3 August 2022 10:02 am
To: Elliott Thornton <elliott.thornton@cuttriss.co.nz>
Subject: RE: [EXTERNAL] [#CCL30246] Request for Pre-app: 1044 Coast Road, Wainuiomata Coast - Cleanfill, Earthworks, Ford, Gravel Extraction and Quarry Activities

Hi Elliott,

This sounds like an interesting application.

I'm free between 9.00am - 2.30pm 24th and 25th August and same hours and 30th – 2nd.

Kind regards,

Dan Kellow
Resource Consents Planner - Contractor

Hutt City Council, 30 Laings Road, Lower Hutt 5040
P: 04 570 6666 **M:** **W:** www.huttcity.govt.nz



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From: Elliott Thornton <elliott.thornton@cuttriss.co.nz>

Sent: Wednesday, 3 August 2022 9:00 am

To: Dan Kellow <Dan.Kellow@huttcity.govt.nz>

Cc: Anna Martin <Anna.Martin@huttcity.govt.nz>

Subject: [EXTERNAL] [#CCL30246] Request for Pre-app: 1044 Coast Road, Wainuiomata Coast - Cleanfill, Earthworks, Ford, Gravel Extraction and Quarry Activities

Hi Dan,

Anna Martin from Hutt City Council has put forward your name to assist us in relation to a rather challenging project on Coast Road which I was hoping to lock in a date for a pre-application meeting. I will send further details in the coming days.

In essence, our client is seeking feedback on using the site for cleanfill operations, along with exploring options to extract gravel, construct a ford over the Wainuiomata River (exceeding permitted standards), and the potential for limited quarrying activities on the hillside opposite Coast Road.

The client has a number of developments within the Wainuiomata Valley, and the establishment of these operations at Coast Road would be beneficial in reducing housing costs and environment effects of trucking material over the Wainuiomata Hill to other sites.

We did have a very preliminary discussion with Charlie Hopkins of Hutt City Council about 6 months ago and note the proposal is a little unusual and may need to consider visual effects and traffic effects resulting from truck movements along Coast Road. The project will also require Regional Consent.

I will submit more information in the coming days, however I was hopeful we could at this early stage lock in a meeting date for the week after the 23rd August.

Kind regards,

Ngā mihi nui | Thank you

Elliott Thornton | Principal Planner | BUrbEnvPlan | MNZPI |

Cuttriss Consultants Limited

| e. elliott.thornton@cuttriss.co.nz | m. +64 21 449 053

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Ngā mihi nui | Thank you

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Traffic Note 47

Date December 2004

From Safer Roads

Authorisation Peter Croft, Manager Safer Roads

Signature _____

No. of pages 1

Class C road classification – Information

A class of road called 'class C' took effect from 1 August 1989. A class C road is defined as a road which is a collector route which may be used by heavy motor vehicles only for the purpose of delivery or collection of goods and passengers at a destination located on the class C road.

Requirements for establishment of a class C road are defined in regulation 4 of the *Heavy motor vehicle regulations 1974*. This includes advertising the proposal, considering objections, approval by Land Transport New Zealand, publication of a notice in the *New Zealand Gazette* and erection of the appropriate signs.

A class C road may only be approved if it is established it would 'suffer excessive damage by heavy motor vehicle' if it remained in class I.

Weight limits for heavy motor vehicles entitled to travel on a class C road are the same as for class I.

The purpose of class C roads is to enable short lengths of weak roads to be protected from unwarranted use by through heavy traffic where more appropriate reasonable alternative routes are available. Ideally, class C would be used only to protect weak roads which form a 'shortcut' to a recommended route.

'No exit' roads (being generally unavailable for through traffic) should not be class C unless they connect to another class C road.

Disclaimer: Land Transport New Zealand (Land Transport NZ) has endeavoured to ensure the material in this document is technically accurate and reflects legal requirements. However, the document does not override governing legislation. Land Transport NZ does not accept liability for any consequences arising from the use of this document. If the user of this document is unsure whether the material is correct, they should make direct reference to the relevant legislation and contact Land Transport NZ.

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Conditions

- 20,000 cubic metres total
- Maximum of 200 m³ per week
- 2 Year consent. Won't affect property values with this time frame
- Trucks at 3 cu m (Road as is)
- Trucks 8 cu m max (Road upgraded)
- 2,500 square metres. Completed and grassed. Minimizes dust hazard and sediment release into waterways
- Fill hollows only so as to not alter the general height of the flood plain or spillway
- 10m wide shelter belt planted at the northern boundary to suppress noise and dust
- Simple soil test of each excavation site prior for hazardous substances like asbestos, lead etc.
- Days - Mon to Friday only. This avoids most tourists and recreational users in the weekends
- Hours 9am to 2.45 pm. This avoids the school crossing, school bus, most of the early morning and evening traffic
- All appropriate measures taken to minimize noise
- Minimal planting in the spillway to the Wainuiomata river so as to not hold back the water flow in a localised flood event
- All appropriate dust control measures taken especially on the tracks where trucks are driving to and from the site
- Coast Rd would need the appropriate upgrading to a safe condition for 8 m³ truck use on this scale
- No further consents approved for other separate earthworks like a quarry or gravel extraction other than for on-site personal use

If this was accepted it could mean all submitters could potentially sign it off and avoid going to the environment court or possibly even a hearing.

Probably no need for the applicant to divert the river or establish sediment ponds.

This still equates to approximately \$1,000,000 in savings at \$50 cu³ over 2 years for the applicant.

Preferred option would be it's **not approved**.

SUBMISSION ON A NOTIFIED APPLICATION FOR A RESOURCE CONSENT



To: Chief Executive, Hutt City Council

1. This is a submission from:

Full name	Last GENALE Mrs CAROL & DAVID		
Company/organisation			
Contact number	s7(2)(a)		
Address	No	s7(2)(a)	
	Sub	s7(2)(a)	
	City	s7(2)(a)	Roadside s7(2)(a)
Address for Service <small>If different Postal/Counter</small>	s7(2)(a)		s7(2)(a)
	Phone	s7(2)(a)	
Fax	s7(2)(a)		
Email	s7(2)(a)		

2. This is a submission on an application from:

Name of applicant	Kakariki Estate Limited
-------------------	--------------------------------

- For a
- Land use resource consent
 - Subdivision resource consent
 - Change or cancellation of a condition of a resource consent

3. The proposed activity and location of the application is:

If this is for a change or cancellation of a condition of a resource consent, please state the type and location of the resource consent, the relevant condition and proposed change.

Application to use 1044 Coast Road, Wainuiomata Coast, as a cleanfill (class - 5)

4. The specific parts of the application that my submission relates to are:

<small>Give details</small>	Refer to submission attached.
-----------------------------	--------------------------------------

Submission number

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5. My submission is:

Include whether you support or oppose the specific parts of the application or wish to have them amended, and the reasons for your views (extra sheets may be attached if you wish).

Refer to submission attached.

6. I seek the following decision from the consent authority:

Give precise details, including the general nature of any conditions sought.

Decline application in its entirety. All requested conditions are found in final section of attached submission document.

7. I wish do not wish to be heard in support of my submission.

8. If others make a similar submission, I will will not consider presenting a joint case with them at the hearing.

Signature of submitter
(or person authorised to sign on behalf of submitter)

s7(2)(a)
[Redacted signature]

30/10/2025

Note to submitter: You must serve a copy of your submission on the applicant as soon as reasonably practicable after you have served your submission on the consent authority.

- Lodge your application online here: <https://kiteworks.huttcity.govt.nz/form/property/>
- If you prefer to post or deliver: Hutt City Council, (Attention: Resource Consents), 30 Laings Road, Private Bag 31-912, Lower Hutt 5040.

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**Submission in Opposition to Resource Consent Application - RM240334
1044 Coast Road, Wainuiomata**

Carol and Dave Geale

s7(2)(a)

To whom it may concern,

We are writing in opposition to the resource consent application for a cleanfill at 1044 Coast Rd, Wainuiomata. Our property, s7(2)(a) is directly opposite the proposed site (stage 1, 2, 3) of the cleanfill. Our reasons and concerns for opposing this are set out below.

1. Dust & contaminants

(RMA s7(f) and RMA s106A(2)(d))

Cuttriss Consultants preparing the Resource Consent for Kakariki Estate Ltd states, page 17, under the District Plan standards table 3, rule 8B2.1.1e Dust:

<p>8B 2.1.1e Dust</p>	<p>All outside areas shall be surfaced, or managed appropriately so that there shall be no dust nuisance at or beyond the boundary of the site.</p>	<p>Will Comply Cleanfill activities will be managed such that there shall be no dust nuisance at or beyond the boundary of the site. Refer to the Erosion and Sediment Control Plan in Appendix F.</p>
---------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Cuttriss Consultants states their remedy for this is “dust and soil loss will be controlled by water spraying”. “With these measures in place, the effects of dust and soil will be no more than minor” (p.35). These statements are misleading and untrue.

- We have lived across the road from 1044 Coast Road for over 22 years when it was an operating farm from previous owners
- We have witnessed for limited periods of time the ground being left bare from ploughing fields in preparation for seeding/crops.
- In all wind conditions, we’ve witnessed dust travelling extraordinary distances creating dust storms, lifting and circulating, where we’re needing to shut all windows, and doors to keep the dust from entering our house
- Dust and contaminated soil will affect our drinking water, water troughs for our grazing animals, our vegetable garden, and our drying of clothes outside
- Dust will land and settle on surfaces which will affect air quality and respiratory wellness in all seasons.
- Accepting this for 30 years with commercial operating hours is unacceptable. This dust/stockpiled dirt cannot be controlled even with measures in place. To describe it as ‘no more than minor’ is untrue and an unrealistic statement

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- Dampening exposed earth down with water is only a temporary minimally mitigating measure. It dries out quickly on drier months – we have witnessed this.
- How will large dust/dirt piles be managed when there will be periods of time when the cleanfill will not be operating?
- What is the plan for independent monitoring, with onsite inspectors and how often will this take place?

The “Good Practice for Assessing and Managing Dust” report published by the Ministry for the Environment outlines the FIDOL factors for determining the actual nuisance effects of dust emission. It includes considering the nature of the source, sensitivity of the receiving environment, and individual perception.

Table 1: Description of the FIDOL factors

Frequency	How often an individual is exposed to the dust.
Intensity	The concentration of the dust.
Duration	The length of exposure.
Offensiveness/character	The type of dust.
Location	The type of land use and nature of human activities in the vicinity of the dust source.

(Table above from p. 22 of cited 2016 publication)

When using this measuring system to assess the impact of the proposed 1044 cleanfill, each factor of the FIDOL measuring system is of high impact.

Frequency: given the nature of a cleanfill, and the scale of the exposed earth on both the site and the haulage route, at any given time, dust emission will be a daily occurrence.

Intensity: again, given the scale of the operation, the intensity of dust emissions will be high.

Duration: the proposed operation is for 30 years, meaning the community will be exposed to prolonged adverse effects, rather than temporary construction disturbance.

Offensiveness/character: dust deposits on roofs, gardens, and household surfaces will cause visual pollution, hygiene issues, and respiratory discomfort, significantly diminishing rural amenity.

Location: the proposed cleanfill’s proximity to established dwellings that rely on roof-collected water means any dust generation has an amplified and unacceptable impact on health and wellbeing.

2. Water extraction

- **Strain on Local Water Resources:**

The applicant has indicated that access to a reliable water source will be required for dust suppression and potentially for vehicle cleaning. This will place additional pressure on local water resources that businesses such as the Wainuiomata Golf Club rely on. The application references an existing permit for land irrigation but does this change in land use invalidate this permit?

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- **Impact on Other Water Users:**

If the applicant uses the maximum permitted daily water take, has an assessment been undertaken to determine the impact on other water users in the area? What provisions are in place should GWRC impose water restrictions during summer months?

Could this affect other users' ability to extract water, potentially causing commercial impacts?

Additionally, if water shortages occur, will this result in increased truck movements on Coast Road to bring in water for dust suppression?

- **Impact on Groundwater:**

The location of the cleanfill and any associated water extraction bore must be assessed to ensure adequate clearance from the groundwater level. Insufficient clearance risks contamination of the local aquifer, which is a critical water source for the community.

I believe the application's assessment of these risks is inadequate and requires further scrutiny.

3. Health and wellbeing

(RMA s7(f) and RMA s106A(2)(d))

- This will be a very stressful situation for us in terms of the air quality of having a cleanfill operating so close to our property
- The air quality of having a 6 day a week cleanfill across the road from our property will have serious impacts on our health and wellbeing as inhalation of dust particles and contaminants on our respiratory health would be detrimental
- This will negatively impact on us by having constant respiratory flare ups, increased GP and hospital admissions, unnecessary use of medications that have more serious side effects
- Having dust and other potential contaminants inside our own home, the air we breathe in, and having dust build up in car vents all impact air quality and our health and wellbeing
- Even when this proposal is not in operation, it is still ongoing for us and we will continue to be affected by dry dust, and not being able to open doors and windows. This will be very restricting if windows and doors need to be closed to keep the dust out
- The mitigations proposed will not stop the dust/pollution/contaminants that will continue to be circulating, and collecting from the dry soil piles and uncovered areas
- Running an industrial operation in a rural setting affects us having a healthy, safe home to enjoy
- Will there be independent monitoring of air quality on or near residents' homes, and testing of soil/dust contamination levels? How will this be enforced?

The same Ministry for the Environment report highlights the moderate to high sensitivity rating given to rural residential / countryside / rural areas and uses “other activities” (eg: industrial activities – like a cleanfill) as an example. See extract from table below (p. 24).

Rural residential/ countryside living	Moderate to high	Population density is lower than in residential areas, so the opportunity to be adversely affected is lower. However, people of high sensitivity can still be exposed at all times of the day and night. Often people move into these areas for a healthier lifestyle and can be particularly sensitive to amenity issues or perceived health risks.
Rural	Low for rural activities; moderate or high for other activities	A low population density means there is a decreased risk of people being adversely affected. People living in and visiting rural areas generally have a high tolerance for rural activities and their associated effects. Although these people can be desensitised to rural activities, they may still be sensitive to other types of activities (eg, industrial activities).

2

It is for this reason that we have big concerns regarding the adverse impacts on both our health, and the rural amenity values if this cleanfill proposal were to be approved. We chose to live here for a healthier lifestyle and to enjoy the rural amenity character of the area. The proposed cleanfill site will have significant negative impacts on both.

4. Noise

(RMA s7(c)(f))

- The operating hours proposed are industrial operating hours, not private land use. The time frames that the proposal will be in operation are unreasonable for private land use, affecting amenity values. This is in direct contradiction to the Hutt City Council District Plan rural amenity objectives
- The application likens the noise of the cleanfill to that of an operating farm and assumes that most residents are working when the cleanfill is operating. These assumptions are incorrect; people in the area work from home, are retirees, are mothers and children. We have a right to peace
- Considering our property is directly opposite to the site and according to the noise calculations, we are the second closest to this site, and will hear every noise and vibration that is happening across the road in stages 1, 2 and 3
- We were not approached by the applicant to have a noise assessment done from our property to ensure an accurate assessment. We know from living here that sound travels up, to the point you can hear someone talking in the paddock. Therefore, the calculation of ‘less than minor’ is grossly untrue and based solely on the assumptions of those who do not live in the area.
- We accept that farm noises are part of a rural environment, but we do not accept an industrial operation is.
- We deserve quiet enjoyment. We bought our property in a rural area, we did not buy in an industrial area.

The Acoustic Assessment supplied under Appendix B states on page 8:

The DIN 4150-3:2016 Structural Vibration – Part 3: Effects of Vibration on Structures sets different vibration limits depending on whether the works is deemed 'short-term vibration' or 'long-term vibration'. Short term vibration refers to "vibration that does not occur often enough to cause material fatigue and whose development over time and duration is not suitable for producing a significant increase in vibration due to resonance in the particular structure". Long-term vibration is "any type of vibration not covered by the definition of "short-term vibration"."

"For the purposes of the construction works associated with the clean fill operation, the activities would be deemed as short-term vibration."

I challenge the above statement as an activity that has vibration roller & digger each going for 15min every hour being 4 ½ hours each day (over a 9 hour day) for 5 ½ days a week for 30 years is certainly not deemed as short-term vibration. Not to mention the truck movement noises and water control measure noises. The noise reports classification based on this incorrect classification of "short-term vibration" is misleading and untrue.

The noise report provides Table 2: Noise Survey Results and provides 7 measurements. The first 4 measurements note in the comment "Excavator maintenance works on nearby farm". I suggest this excavator works is from the applicants farm as seen from an aerial photograph on page 11 of the Acoustic Assessment showing the extensive track work he has undertaken. The dump truck pass-by was most probably belonging to the applicant as he has been observed by many locals bringing in substantial amounts of fill. These noise results have given a biased assumption and untrue statement "*Based on farming activities (excavator maintenance work on nearby site) and dump truck pass-by observation, we expect the introduction of the clean fill operation to be similar in nature to some of the activities occurring within the area.*"

5. Roads/trucks and safety

(RMA s104(1)(a))

- The roading on the coast road is narrow and dangerous, with poor maintenance
- The roads are not fit for purpose (truck movements) having narrow traffic lanes with little to no shoulders in many places - potholes, flooding, and slipping are an ongoing issue
- The impact with all these trucks is going to further damage roading infrastructure and cause more erosion
- There is little room for safely navigating tight corners, where I have personally witnessed trucks being too wide for the road, with their wheels crossing the centre line, especially when trying to navigate corners, and also the inner sides (close to ditches) have been crushed and damaged
- Dust and other harmful material leaching from the trucks, affecting health and wellbeing further for residents, visitors, school kids and biking on the road
- Mitigating with speed limits isn't satisfactory either as it's a 80km road, with very little passing opportunities
- Lower speed limits could cause further safety issues with drivers getting frustrated

- We share this road with school buses, children, bikers, horses, walkers, weekend visitors and elderly drivers
- What are the infrastructure contributions from the wear and tear of this proposal, having 36 trucks per day on the road? And will truck loads be covered?

Additional concerns with the applicants traffic report are as follows:

The traffic count was done in October 2020 between Hine Road and Hector Street—not representative of the rural section. It was also conducted during COVID restrictions when traffic was unusually low.

The crash data (five years prior to 2023) predates increased truck traffic. There have been near misses involving trucks since then, including one involving the applicant's company (recorded internally).

The traffic report concludes that the "The truck activity associated with the cleanfill will be modest and associated with a single private business." I challenge this statement and ask what single private business has 18 large trucks come and go to a single site over the course of 5 ½ days a week for 30 years?

The traffic report concludes that the "The design of the access and the connection with Coast Road will safely provide for truck movements to and from the cleanfill site." I struggle to see how this is the case when the Coast Road carriageway has not been assessed and its road users have not been considered.

The sightlines diagram (Appendix A) does not take into account other street furniture such as power poles, road signs and the like (some of which are highlighted below) that will impede north bound motorists visibility with trucks exiting the property.

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Given the above, there are significant gaps in the Transportation Report (Appendix E). Further investigation is required to ensure the safety of all road users. With this in mind, the concerned community has commissioned a traffic engineer to assess the road. This report will be made available as soon as it is received.

6. Flooding and flood plain (RMA s6(h))

- Where the proposed cleanfill area is intended, we have personally witnessed the entirety of the area in flood in front of us from s7(2)(a) [REDACTED], including where the new houses have been built (904 a, b, c, d)
- 1044 floods and ponds every year and we need this area as a soakage area for the river as the vast amount of water that comes off the hills (across from 1044), ends up over to the plains that the proposed cleanfill will be on
- There is no detailed flood modelling
- There's no climate change assessment
- Filling up to 3.5m will reduce flood plain storage
- It will affect water quality through sediment run-off downstream

- There are stated mitigations proposed (eg ponds/bunds/silt fence), but there is no independent monitoring

The proposed fill site, which currently functions as a natural flood spillway, will displace floodwaters. While the Flood Assessment in Appendix A estimates a marginal increase in flood levels of up to 5mm, in modelled conditions, it does not fully consider the consequences of removing a natural flood conveyance path on our driveway entrance and the adjacent properties.

It is noted in the Hydrological Assessment Appendix H, that while assumed minor, “an increase in run-off is expected from the batter slopes at the edges of the fill zones” (p.6). This will evidently fill into the spillway during a flood event and potentially disperse over the road and surrounding properties. The spillway is crucial in times of significant rain as it takes water off the hill from the east side of the road and allows it to flow across to the low lying land. If this spillway ceases to exist, Coast Road residents will be blocked from having any road access north potentially generating significant issues in an emergency, picking up essential supplies or simply getting to/from school/work.

Hutt City Council have identified this cleanfill area as being in a flood zone by issuing the attached consent notice (s221 certificate) 10 September 2020 as part of the subdivision of 6 lots under RM190236. Council issued these restrictions to be registered against the relevant Titles as part of the resource consent process and sign-off.

The relevant sections of this consent notice are 7. & 8.

7. mentions that a recommended building level be obtained from GWRC and shall take into consideration the effects of climate change. When taking climate change into account, the flood modelling report by River Edge Consulting submitted as Appendix A shows areas of the fill site are in a flood zone. The same report also shows an impact on neighbouring properties but justifies it as trivial. Any increase in flood levels to surrounding property I would suggest could not be classified as trivial.

8. mentions subdivision of no more than a total of 8 (**the subdivision side of it isn't important – it's the reasons that are important**)
 “to address matters including mitigation of amenity and character effects, mitigation of hazard effects, and protection of watercourses from sedimentation.”

Subdividing this subject land into 8 Lots containing 1 dwelling each does not even closely compare to the effects 196,500 cubic meters of cleanfill (roughly 10 rugby fields in size) would have in terms of amenity and character effects, mitigation of hazard effects, and protection of watercourses from sedimentation. Council felt this subdivision restriction in development was necessary for the above reasons so surely Council needs to apply the same rationale here for this proposed commercial sized large scale cleanfill.

The proposed fill site is clearly prone to flooding as seen below in the three photos that are 17 and 18 years apart.



Significant rain event in 1988 looking north from 977 Coast Road across at the cleanfill site in flood.



Photo taken in April 2005 of the spillway taking water from 919 Coast Road across the road to 1044 Coast Road

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Photo taken in 2022 south of 904D Coast Road looking in a west direction

The Fox River Landfill failure and relevance to Wainuiomata

The Fox River Landfill Failure

- The Fox River landfill, located near Fox Glacier on the West Coast, was an old municipal landfill that had been closed and capped for many years.
- In March 2019, an extreme rainfall event caused the Fox River to flood, eroding the riverbank and breaching the landfill.
- Thousands of tonnes of waste — including plastics, metals, and contaminated material — were washed downstream through the Westland Tai Poutini National Park and into the Tasman Sea.
- Cleanup took over a year, cost millions of dollars, and was led largely by volunteers under Department of Conservation (DOC) and Civil Defence coordination.

Lessons from the Fox River Landfill Failure – Relevance to Coast Road Cleanfill

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The Fox River landfill disaster highlights the serious risks of allowing waste or fill activities in floodplains and near freshwater ecosystems. Key takeaways relevant to the proposed Coast Road cleanfill include:

- Floodplain Vulnerability: Even well-managed sites can fail during extreme weather events. The Wainuiomata Floodplain poses similar risks, particularly as climate change increases rainfall intensity.
- Long-Term Ecological Impact: Disturbance or contamination of streams, wetlands, and associated habitats can have widespread, long-lasting effects on aquatic species, invertebrates, and downstream ecosystems.
- Precautionary Approach Needed: Long-term consents (30 years) in sensitive areas should incorporate robust flood risk modelling, water management plans, and emergency contingencies to prevent catastrophic outcomes. 30 years cannot be considered "temporary"
- Monitoring and Accountability: Continuous oversight, clear responsibilities, and adaptive management are critical to protect freshwater values and community trust.
- Community Engagement: Transparency and proactive consultation with residents, iwi, and ecological experts are essential to identify risks and prevent irreversible damage. The limited notification decision was wrong, there is wider public interest.

Implication:

The Fox River example demonstrates that even minor or "temporary" earthworks can result in major environmental and social consequences if not carefully designed and monitored. For Coast Road, it underscores the need for rigorous freshwater and floodplain assessment, before approval. Given that the proposed cleanfill is situated close to homes, these risks are particularly concerning, as even minor alterations can have amplified effects in such close proximity.

The below is copied directly from HCC Website:

"Hutt City Council has a statutory responsibility to manage risks from natural hazards,

Background

Flooding is one of the major natural hazards in our region and our city has had some recent experiences of extreme weather. Further, flood events are predicted to become more severe in the future as sea levels rise, and we experience an increased frequency of damaging and disruptive weather patterns.

Hutt City Council has a statutory responsibility to manage risks from natural hazards, including flooding. To do this Hutt City Council has engaged Wellington Water to undertake modelling to assess and understand the stormwater flooding hazard that may affect the community. Stormwater refers to the runoff of water from urban surfaces generated by rainfall rather than river flooding. This modelling is one of the tools we use to help understand these risks and plan for the future, Council also uses a wide range of other information sources for their hazard assessments.

Why is the modelling being revised?

Wellington Water has previously completed stormwater modelling for the majority of the Hutt Valley, excluding the western hills and eastern harbour suburbs. The flood mapping from this modelling was included as flood hazard layers in Plan Change 56, which became operative in 2023.

For the upcoming Proposed District Plan, Hutt City Council and Wellington Water have revised the stormwater modelling for Lower Hutt. This revision addresses two changes, being:

1. New guidance from the Ministry of the Environment on coastal hazards and climate change (<https://environment.govt.nz/publications/coastal-hazards-and-climate-change-guidance/>). Wellington Water and Hutt City Council have decided to use the medium 1.59m sea level rise scenario recommended in this guidance. The previous modelling incorporated a 1m sea level rise scenario.

1. The NIWA predicted increase in rainfall due to climate change. The new modelling applies a predicted rainfall increase of 35%, which is equivalent to the RCP 8.5 scenario provided by NIWA HIRDS version 4, for Hutt City 100 years from now (the 2130 date horizon).

In addition to the above, these changes bring the Wellington Water modelling into alignment with work done by Greater Wellington for Te Awa Kairangi/Hutt River and the Waiwhetu Stream.

The above seems to be in conflict to the applicants flood assessment provided within the application.

7. Visual/aesthetics/rural amenity character

(RMA s7(c))

Cuttriss surveyors report page 41 919-993 Coast Rd

Our property 993 is directly opposite this cleanfill site (stage 1, 2, 3), and to suggest this view is not of high value to our amenity as trees obscure the view is untrue

The statements in the AEE (P41)

"While not fully screening the activities from view, most of these properties, if not all, have a planted frontage to Coast Road, preventing or minimising views across the site. This also suggests that this view is not of high value to their amenity as it appears that they have not maximised this outlook"

This statement is problematic for several reasons:

- **No site visits were conducted:** No one did a site visit on our property (or others), so they cannot accurately assess what views are available or valued, where you spend time on your property.
 - **Assumptions about amenity value:** It is inappropriate to “suggest” what is or isn’t of value to residents without direct engagement. The presence of planting does not imply disregard for views. It is not uncommon to plant trees on your land to increase the amenity value, especially in a rural area that borders a DOC protected area (Remutaka Forest Park).
 - **Speculative analysis:** The LVA relies heavily on desktop analysis and roadside photos. It lacks critical evidence such as site visits, drone imagery, or resident input.
 - **Planner’s language:** The repeated use of “I consider...” in the AEE reflects personal opinion rather than objective assessment. This undermines the credibility of conclusions like “effects are less than minor.”
-
- I do not agree with this assessment as this cleanfill will affect the rural character for us. I can clearly see the operational site from our outdoor spaces, our paddocks and our garden driveway
 - Our outlook has always been one of an operating farm, with pastures, rivers, animals, other lifestyle blocks and changing this significantly undermines both the rural amenity character and the purpose of section 7(c) of the RMA, which is what we brought our property 22 years ago for
 - Large scale earthworks and dirt stock piles will alter and undermine the rural landscape and character for us and residents, cyclists, tourism for years to come
 - This proposed cleanfill operation is going to significantly lessen the value of our property and any future selling plans
- Claims of environmental and economic benefits, including housing cost reductions, are misleading. There is no connection between housing market prices and the operation of a cleanfill. In fact, proximity to such a site is more likely to negatively affect property values. The only clear beneficiary is the applicant.
- Changing productive river flat nutrient rich land to significantly less productive land for a long term cleanfill appears in direct conflict with the district plan
 - Looking at silt fences that will deteriorate and break down in winds. This is not a good look for visitors to our parks, beaches, and rivers

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993 Driveway view (stage 1,2,3)



View overlooking proposed site/stage 1, 2, 3 below:

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8. Environmental (rivers, streams, wetlands)

(RMA s7(d)(f))

- This will have a huge impact on the environment on every level. The affects will be far 'more than minor'
- There will be run-off sedimentation from the cleanfill when there's flooding, which will impact rivers, streams and aquatic eco systems and habitats for frogs, native crayfish (Koura), trout, eels, nesting birds and the green geckos
- The environmental impacts of silt fences that are dug into the ground and break-down, as well as winds tearing the material, will end up in our soils, and waterways. How will this be mitigated?
- I have personally observed truck movements, earthworks on the flood plain and major road tracking. The road tracking has scarred the hills and with the bunding up of dirt at the edges, the silt is now running off the hills after rain
- I have observed diggers doing extensive work in the river, changing the course of the river and extensive truck dumping, seeing many Friday Homes trucks entering 1044 Coast Rd and going down farm paddock/tracks and dumping. There's also been spraying of native vegetation and native trees
- There has been ongoing activity at 1044 Coast road (current and past), and sediment run off complaints lodged since 2022 of unconsented earthworks, with no apparent investigations/responses or action taken
- Right after we received the proposal for the cleanfill, there was a clear 'stopping' of operations across the road of all trucking movements
- Cleanfill material will naturally be mixed up with other harmful materials, eg: asbestos, lead paint when these construction sites get demolished and sorted for the cleanfill. This has both environmental and health impacts
- For example: Reference: Ministry for the Environment - environment.govt.nz
 - Class 5 Cleanfill: Intended for virgin excavated natural materials only, such as natural soil, clay, or rock that is free from contamination and waste materials.
 - Class 2 Construction and Demolition Fill: Acceptable for waste that is or includes solid waste from construction and demolition activity. This includes materials like concrete, bricks, and asphalt from an old foundation.

Soil from demolishing an old house site is not automatically Class 5 cleanfill.

"Many cleanfills now mistakenly accept a multitude of construction and demolition waste, contaminated soils, green waste, and other materials that can result in an adverse effect on the environment." Cleanfills should only accept virgin excavated natural material (like virgin soil, clay, or rock) and not accept construction and

demolition waste. The soil beneath an old house would likely be classified as construction and demolition fill (Class 2), especially if it contains materials from the original structure like concrete, bricks, or asphalt from the old foundation. This would therefore need to be disposed of at a facility that accepts Class 2 waste.

- Any material that could pose a risk to people or the environment is considered a contaminant. Hazardous materials often found in older buildings that can persist in the soil include:
 - Asbestos: Used in building materials up until the 1990s, including insulation, cement cladding, and textured ceiling coatings. During a house fire or demolition, asbestos fibers can be released into the surrounding soil.
 - Lead: Common in older houses built before the mid-1980s, primarily from lead-based paint on weatherboards and timber joinery. The scraping or sanding of old paint can contaminate the surrounding soil with lead dust.
 - Heavy metals: Older properties can have higher concentrations of heavy metals like arsenic, copper, and zinc in the soil and dust, often due to early industrial activity or past pesticide use.
 - Pesticides and herbicides: Past agricultural or horticultural use can lead to residual chemicals like organochlorines (e.g., DDT) in the soil. Old sheep-dip sites are another source of contamination.
 - Petroleum and hydrocarbons: Fuel spills from heating systems or old underground storage tanks can contaminate the land.
- Official information released by Greater Wellington Regional Council confirms that material has already been deposited at 1044 Coast Road before a cleanfill consent was lodged. Consents relating to cleanfill or landfill - a Official Information Act request to Wellington Regional Council - FY11044 LGOIMA
- How is monitoring compliance going to be upheld when numerous complaints have been lodged with GWRC and HCC over unconsented work taking place since 2022/2023, without any resolution
- No independent monitoring model is in the application for audits, bonds, community liaison group, health and wellbeing, air quality, flooding, environmental, noise, roads, trucks, soil contamination testing
- Will there be independent monitoring of air quality on or near residents homes, the river, environmental, soil contamination levels? How will this be enforced?

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View from 993 - Hill tracking/scarring/sediment run-off

This is an example of a weather event from a logging track put up adjacent to our property and the silt ending up through our property and onto the road and waterways, which looks very similar to the tracking at 1044 Coast road on the hill

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Road bunding from logging track adjacent to our property (next to the remutaka forest park)

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Blue circle indicates the top of the track that slipped through our property & waterways



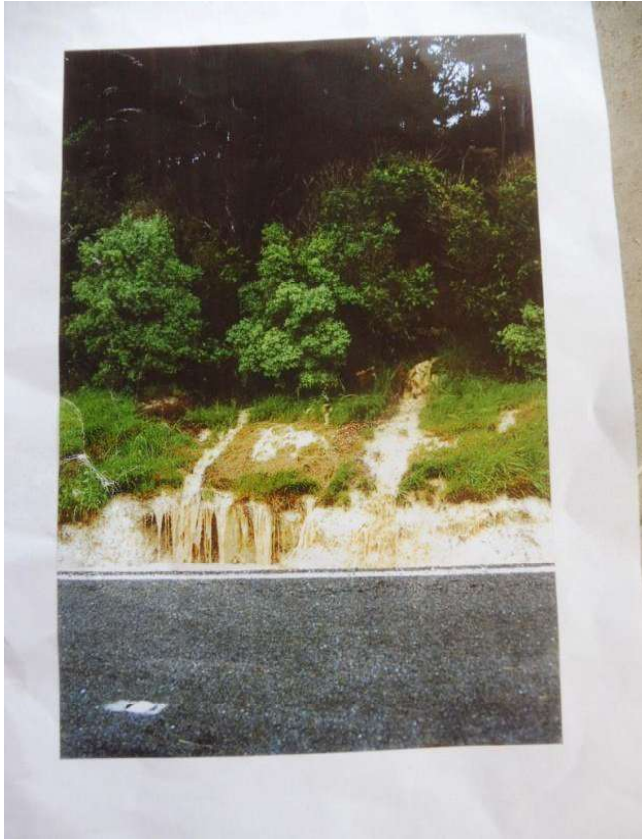
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That blue circle slipping above is what ended up here in the waterways/ponds on our property



This is the track bunding from picture 1 making its way down the track to the road across from 1044 Coast Rd

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This is where it ended (on the road opposite 1044 Coast Rd)



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Same as above picture



Same as above

9. Summary

The Hutt City Council District Plan identifies Coast Road as one of the few areas in Lower Hutt that falls into a Rural Residential Activity Area. The District Plan even states, "Generally these rural residential areas derive their amenity values from factors which include property size and subdivisional pattern, the physical environment, and their accessibility to urban areas. Rural based industries including boarding facilities for domestic pets and plant nurseries are located in rural residential areas." A cleanfill is not a rural based activity, but one of industrial nature. To approve this application undermines the purpose of the Hutt City Council District Plan.

Given the recent opening of a cleanfill on Fergusson Drive in Upper Hutt, as well as Kiwipoint and the Silverstream Landfill, the Wellington Region has ample cleanfill capacity without the need to disturb the rural amenity character of Coast Road.

The meaning of 'effect' as outlined in section 3 of the RMA, includes positive effects and also forms a matter the consent authority must have regard to under section 104(1)(ab) of the RMA. Positive effects are an important consideration in the overall balancing exercise involved in

assessing resource consent applications. The proposed cleanfill will have no positive effects. On the environment. The listed positive effects in the AEE are incorrect as landfills don't typically take cleanfill on a large scale, the haulage to the other alternative locations would take place on roads suitable for larger vehicles, will not reduce illegal dumping as the applicant or his contractors are the only users and it will not lead to cheaper housing for the community to financially benefit from.

We believe the negative effects of this proposal in my submission are too great to be ignored. This cannot go ahead for the betterment of all immediately affected parties, as well as the wider community; those who travel to the coast, use the river, and enjoy the local national park. If approved, this cleanfill will have a negative effect on the future environment and health and wellbeing of residents and future generations.

We ask the following conditions to be considered, should the Council still choose to approve the land for such harmful use:

Amenity impacts:

Dust:

- Reduce the amount of exposed earth to 1,000m² at any given time.
- Consent holder provides and installs real-time dust monitoring solutions for neighbouring properties.
- All truck loads are covered

Noise:

- Reduce operating hours to 9am – 2pm, Monday to Friday only. No weekend work.

Time frame:

- Consent is only approved for a 2 year period.

Size:

- Reduce to 20,000m³ outside of the flood plain.

Road infrastructure and safety:

- Heavy vehicles associated with the clean fill are not to share the road with the local school bus. Coordination with local primary schools needed.
- Consent holder to contribute to road maintenance work.
- Use smaller sized trucks that can remain within the traffic lanes (4 ton trucks)

Flooding:

- Remove any approval to raise ground level. Consent is approved to fill in hollows only. No silt fences.
- Independent flood assessment is done with site specific data to protect neighbouring properties and road evacuation route (spillway effectiveness).
- All work and assessments are approved by technical flood and stormwater experts.

Ecology and biodiversity

- 4 metre high planting along all site boundaries

Monitoring:

- Cleanfill material testing done at each site by independent experts prior to dumping and all test results are published with full public access

- Soil testing done per dig out site by an independent expert to assure there are no contaminants
- Transparency in managing the complaint process with clear accountabilities. All cleanfill work ceases while complaints are investigated.
- All environmental compliance reports annual environmental audits shall be submitted to council and made publically available

We again reiterate that given the significantly negative impacts of this proposal, that the Council should decline the consent application in its entirety.

Sincerely,

Carol Geale
Dave Geale

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**HUTT CITY COUNCIL
CONSENT NOTICE PURSUANT TO SECTION 221
OF THE RESOURCE MANAGEMENT ACT 1991**

IN THE MATTER of Lots 1 - 6 DP551868

AND

IN THE MATTER of Subdivision Consent
pursuant to sections 104, 108, 220 and 221
of the Resource Management Act 1991.

Pursuant to sections 104, 108, 220 and 221 of the Resource Management Act 1991 the Hutt City Council, by resolution passed under delegated authority on 10 September 2020, imposed the following conditions on the subdivision consent for Lots 1 – 6 being a subdivision of LOT 2 DP 380969.

The owners and occupiers of Lots 1 – 4 inclusive note and comply with the following requirements:

1. Planted landscaping in accordance with the approved plans of RM190236 is maintained for the duration that these lots contain residential dwellings in order to provide ongoing screening and softening of the buildings. Should plants need replacing, they shall be replaced like for like in accordance with the species detailed in the approved landscaping scheme, or variations may be approved in writing from Team Leader Resource Consents and thereafter maintained. Any variations to species already approved shall be chosen to provide a high degree of screening of building bulk when viewed from Coast Road. It is recommended species are chosen that are appropriate for local weather conditions and soil type.
2. Ensure future owners are made aware that council water, stormwater and sewer services are not available to these properties and that owners must collect water and dispose of stormwater and sewage on site and in an approved manner.
3. Owners need to commission a chartered professional engineer to submit the construction details and location of the septic tank, along with the effluent disposal method, at the time of applying for a building consent for the site. (The design must meet AS/NZS 1547:2012).
4. Owners need to fit a fire sprinkler system in any future dwelling which complies with standard NZS 4517:2010 (Fire Sprinkler Systems for Houses), or alternatively to fit a fire-

fighting capability that meets the approval of the New Zealand Fire Service or Rural Fire Authority.

5. Ensure future owners are aware that telecommunication reticulation has not been provided to these allotments and is to be provided by the owners at building consent stage.

The owners and occupiers of Lots 1 – 5 inclusive note and comply with the following requirements:

6. The construction of any buildings to be outside of the Wainuiomata River 'potential erosion hazard area' as identified by Greater Wellington Regional Council (GWRC). The consent holder may have a suitably qualified professional carry out a site specific review to determine a more accurate location of erosion setback lines than is identified by GWRC. If a site specific review is carried out, for the purpose of this condition the erosion setback identified by the suitably qualified professional would supersede that identified by GWRC. The site specific review, accompanied by a resume from the suitably qualified professional, is to be provided to the Team Leader Resource Consents for approval prior to application for building consent.
Please note: For the purposes of this condition a 'suitably qualified professional' means a qualified engineer with expertise in the field of morphodynamics.
7. Any dwelling constructed within the identified 1% Annual Exceedance Probability flood event from the Wainuiomata River shall be built to the recommended building level (RBL) obtained from GWRC.
Please note: The recommended building level is given to the underside of the floor joists or to the base of the concrete slab floor, and shall take into consideration the effects from climate change.

The owners and occupiers of Lot 5 only note and comply with the following requirements:

8. That further residential development of this lot is restricted to yield a total of eight allotments or dwellings (including the existing).
Note: The above conditions are required to address a number of matters including essential administrative, the provision of adequate servicing (including water, telecommunication, power and vehicular access), mitigation of amenity and character effects, mitigation of hazard effects, and protection of watercourses from sedimentation.

Dated at Lower Hutt this 10th of September 2020.

For and on behalf of the Hutt City Council

Authorised Officer

s7(2)(a)



Parvati Rotherham

Team Leader Resource Consents