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14 June 2022

Grant Birkinshaw
s 7(2)(a) [redacted]

Tēnā koe Grant

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

We refer to your official information request dated 23 May 2022 for information about the closure of the Wainuiomata cleanfill, specifically:

> *"Now that the Tip is closed, could you (and other staff) please advise if HCC thinks it was a good cost/benefit exercise to the Rate Payers in terms of:*
> 1. *Public good-will*
> 2. *On- site operational costs*
> 3. *Total staff costs*
> 4. *Legal fees*
> 5. *Consultants' fees*
> 6. *Planning costs*
> 7. *Restoration costs*
> 8. *Any other costs*
>
> *Versus*
> 1. *Estimated value in economic and social terms of the material deposited*
>
> *I expect most of the requested information was compiled in a standard benefit/cost analysis before the project commenced.*
>
> *Please give a monetary breakdown where applicable"*

Given it's context, we have interpreted your request as applying to the Wainuiomata cleanfill, rather than the Wainuiomata tip.

You have asked for a cost-benefit analysis of the Wainuiomata cleanfill. No such analysis was undertaken, nor are there any current plans to do so following closure of the facility. Accordingly, your request for this information is refused under section 17 (g) of the LGOIMA, on the grounds that the information requested is not held by the Hutt City Council and we have no grounds for believing that the information is either—

(i)
held by another local authority or a department or Minister of the Crown or organisation; or

(ii)
connected more closely with the functions of another local authority, or a department or Minister of the Crown or organisation:

Although no formal economic assessment has been undertaken by Hutt City Council, the enclosed documents provide information that may lightly address some aspects of your request. For example, section 1.7 of the Tonkin and Taylor 2021 report touches briefly on financial benefits of the cleanfill's operation.

Some information has been redacted from these documents under section 7(2)(a) of the lGOIMA, to protect 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 www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that this letter may be published on the Council's website.

Nāku noa, nā

Susan Sales
Senior Advisor, Official Information and Privacy

Encl:

1. a draft feasibility overview that was prepared by Tonkin and Taylor in 2008
2. a report prepared by Tonkin and Taylor in 2021, investigating potential sites
3. a statement prepared for the resource consent application in 2019 for expansion of the cleanfill

Tonkin & Taylor

T&T Ref : 84466
30 May 2008

Hutt City Council
Private Bag 31912
Lower Hutt

Attention: Bruce Sherlock

Dear Bruce

Cleanfill Feasibility, Coast Road, Wainuiomata

1 Introduction

The Wainuiomata wastewater treatment plant on Coast Road, Wainuiomata has been decommissioned. Wastewater is now pumped from the site to the Seaview wastewater treatment plant. The former site is in the process of being subdivided by Council and an area of approximately 5.36 ha (lot 3) has been identified as being surplus. The Council is currently considering options for deriving a financial return from either sale of the land or using the land in a commercial operation. Part lot 3 has been already utilised as a cleanfill site, but this was undertaken under the site's designation as a wastewater treatment plant facility.

This report considers the potential for the land to be operated as a cleanfill operation. The report also considers the consenting requirements, likely costs and possible return.

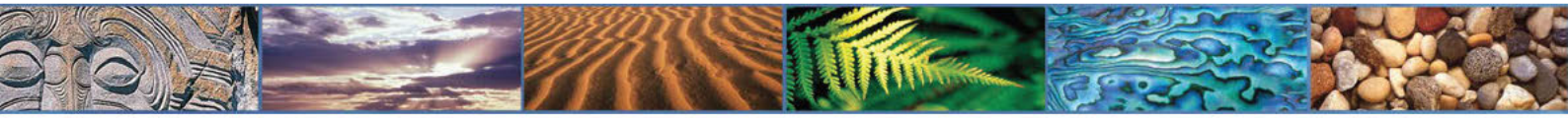
2 Potential cleanfill capacity

The utilisation of the site for a cleanfill operation has two limiting factors in respect of its utilisation for a cleanfill. These are;

- part of lot 3 is located within the 100 year flood plan of the Wainuiomata River
- a drain that is located on the south eastern boundary of the site.

The location in the flood plain limits the extent of the cleanfill operation and a 50m set back from the river has been allowed for. The drain will need to be piped to ensure that the maximum amount of fill material can be placed.

The original fill operation was designed to have a capacity of 48,000m³. From a ground inspection it is apparent that this amount of fill was not placed. We have estimated that at least a further 10,000m³ could be placed in this area. In addition we have calculated that a



further 155,000m³ could be placed on the site. This estimate is based upon the final surface being level with Coast Road and a IV:3H batter formed on the river side of the fill. The estimate of potential volume excludes any benefits resulting from compaction of the fill material. If the site was mounded a greater amount of material can be disposed of. A drawing showing the foot print of the cleanfill can be found in Appendix A.

3 RMA Requirements

Resource consents will be required from both Hutt City Council and Greater Wellington Regional Council. A detailed description of the consent requirements can be found in Appendix B. In summary the following consents are required:

Hutt City Council

- Land use consent for earthworks.

We anticipate that the application would be non-notified but that Greater Wellington Regional Council: Flood Protection will be identified as an affected party as part of the proposed cleanfill is within the 100 year flood plain. A Site Management Plan would also be required.

Greater Wellington Regional Council

- Discharge to air; and
- Water permit for the piping of the drain (this may not be required).

We anticipate that the application would be non-notified.

4 Costs

There are two cost streams associated with the cleanfill: development and operations.

4.1 Development Costs

Development costs are as follows:

- Survey; a baseline survey is required to confirm intrusion into the flood plan, available volume, preparation of a management plan, filling plan and setting out
- Resource consents; applications to both HCC and GWRC including consultation with effected parties, assessment of impact on flood flows, preparation of a management plan
- Flood protection measures; the GWRC may require some flood protection measures along the cleanfill. An estimate of cost has been included at this stage
- Sediment control; measures will be needed to treat any discharges from the cleanfill

- Diversion of watercourse; the drain which runs along the eastern boundary flowing north to south, will require diversion. Based upon the cost of piping (at $500 - $600 per metre) and the required pipe length (approx 150m),

The cost associated with flood protection and piping the drain can be deferred but commencing cleanfill operation on the foot print of the previous cleanfill operation. The flood protection and piping could be done when the cleanfill needs to expand.

Activity	Lower Bound cost Estimate	Upper Bound Cost Estimate
Feasibility study	5,000	6,000
Survey	4,000	8,000
Resource Consents	15,000	25,000
Flood protection measures	50,000	100,000
Storm water control	20,000	25,000
Piping drain	75,000	90,000
Total	169,000	254,000

4.2 Operational costs

The operational costs of the cleanfill are dependent upon the level of activity. If a cleanfill is being used for a major project it is common for a bulldozer and operator to be based on site to confirm loads and place and compact the fill material. In quiet periods it is common for the cleanfill not to be manned; the users would have a key to gain access and the bull dozing work would be done on an as required basis. It is therefore very difficult to calculate an operating cost. In discussions with s 7(2)(a) [redacted] (a former cleanfill operator) he felt that a 50/50 split on the gate rate between the land owner and an operator would be an equitable position.

5 Revenue

The potential revenue for the cleanfill is difficult to estimate as it is strongly influenced by supply and demand and the objective of the clean fill operation. For example Spicers Landfill charges as little as $3.50 per tonne ($4.25 per m³) when it is short of cover material and up to $22 a tonne ($33 per m³) when there is adequate cover material. We understand that a cleanfill site in Wainuiomata is currently charging $13 per m³. Other sites in the Wellington area are known to be charging up to $17 per m³. The supply of material to a cleanfill is erratic and driven by a specific project or relationship with a contractor. Special deals are cut for larger volumes. The table below identifies possible gross income streams for a range of gate rates.

Volume	$7 per m³	$10 per m³	$ 13 per m³
150,000	$1,050,000	$1,500,000	$1,950,000

170,000	$1,190,000	$1,700,000	$2,221,000
190,000	$1,330,000	$1,900,000	$2,470,000

6 Overall Benefit

On the assumption that development costs lie with the Council, and that a 50/50 gate rate split is done with an operator, then a return to Council would be between $398,000 and $890,500.

7 Applicability

This report has been prepared for the benefit of Hutt City Council with respect to the particular brief given to us and it may not be relied upon in other contexts or for any other purpose without our prior review and agreement.

TONKIN & TAYLOR LTD

Environmental and Engineering Consultants

Report prepared by: Authorised for Tonkin & Taylor by:

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Ed Breese Graham Wallace

Project Manager Project Co-ordinator

23-May-22

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Appendix A: Cleanfill Plan

Appendix B: Resource Consent Summary

Resource Consent Requirement Summary

The site is within the jurisdiction of both Hutt City Council and Greater Wellington Regional Council. An initial assessment of the relevant resource management provisions is identified below and assumes that any proposal will be compliant with the transportation requirements of the District Plan in terms of access, parking and manoeuvring.

Hutt City Council

The site is designated for a bulk wastewater treatment plant (HCC 11) in the Hutt City Council District Plan. However, the proposed cleanfill would not be able to benefit from the designation as the proposed works falls outside of the scope of the designation. The site is zoned General Rural in the District Plan.

The proposal will not be a Permitted Activity as the proposed 'earthworks[1]' will exceed the height (1.2m) and volume (50m^3) thresholds in Rule 14I 2.1. We anticipate that a Restricted Discretionary consent will be required for the proposed 'earthworks' under Rule 14I 2.2, with Council's discretion restricted to the following matters:

i) Amenity values;
ii) Existing Natural Features and Topography;
iii) Historical or Cultural Significance; and,
iv) Natural Hazards.

Although there is no identified 'river corridor' on the District Plan maps (which is the District Plan tool used to control activities in flood plains), natural hazards are a matter over which Council retains discretion. The site is within a 1 in 100 year flood extent zone, as identified by our source information. Because of this, Greater Wellington Regional Council: Flood Protection may be identified as an affected party. We anticipate the application would be non-notified.

We anticipate that a site management plan would be required as part of the application (or required via a condition of consent).

Greater Wellington Regional Council

Regional Discharge to Land Plan

A Discretionary Activity consent will be required for the discharge of any contaminants to land under Rule 2 if contaminants enter any waterbody or are not stormwater discharged into a pipe which then discharges to surface water. We do not anticipate that contaminants will enter a waterbody. We also anticipate that stormwater will be discharged via a pipe to surface water.

No stormwater discharge consents will be required for 'bulk earthworks'. The definition of 'bulk earthworks' do not include fill.

[1] Definition of earthworks includes deposition of cleanfill.

Regional Freshwater Plan

A Discretionary Activity consent will be required for the discharge of contaminants to water under Rule 5 where the Permitted Activity standards (Rule 1) are infringed. Rule 1 states that the discharge does not contain concentrations of suspended solids greater than 50g / m^3. We anticipate that the cleanfill will be able to comply with this standard. If this cannot be guaranteed, consent will be required under Rule 5.

If the potential capacity of the cleanfill is to be realised at a later date by filling above the level of the watercourse along the eastern boundary of the site, a Discretionary Activity consent under Rule 16 may be required. However, there is ambiguity in respect of the nature of the watercourse and whether it would be defined as a waterbody under the Freshwater Plan. The need for resource consent would have to be confirmed with Greater Wellington Regional Council at a later date.

Discretionary Activity consent may be required under Rule 49 for any sediment pond outlet structure within the bed of the river.

Regional Air Quality Plan

We anticipate a Discretionary Activity consent will be required under Rule 23 of the Regional Air Quality Plan as air discharges from cleanfill operations are not covered by Rules 1-22 of the Air Quality Plan. Rule 23 applies to the discharge of general contaminants (i.e. dust that arise form the operation of a cleanfill) and we have confirmed that Rule 23 of the Air Quality Plan has been applied to other cleanfills in the Greater Wellington Region.

We believe that Greater Wellington Regional Council: Flood Protection may be identified as an affected party but that the application would be non-notified. We would anticipate that a site management plan would be required.

Resource Management Conclusions

The above sections have outlined the potential resource consenting requirements required for the establishment of a cleanfill at the former wastewater treatment plant, Coast Road, Wainuiomata. The consenting requirement assessment has been informally discussed with both Hutt City and Greater Wellington Councils. However, we believe a pre-application meeting with the respective Councils to confirm activity status, potentially affected parties, information requirements and potential environmental effects would be beneficial for all parties.

REPORT

Tonkin+Taylor

Lower Hutt cleanfill demand and future site analysis

Discussion Paper

Prepared for
Hutt City Council | Te Kaunihera o Te Awakairangi

Prepared by
Tonkin & Taylor Ltd

Date
July 2021

Job Number
84466.006

Exceptional thinking together
www.tonkintaylor.co.nz

Document Control

Title: Lower Hutt cleanfill demand and future site analysis					
Date	**Version**	**Description**	**Prepared by:**	**Reviewed by:**	**Authorised by:**
14 June 2021	1.0	Draft report for issue to HCC	s 7(2)(a)	s 7(2)(a)	s 7(2)(a)
8 July 2021	2.0	Final report issued to HCC	s 7(2)(a)	s 7(2)(a)	s 7(2)(a)

Distribution:

Hutt City Council | Te Kaunihera o Te Awakairangi	1 PDF copy
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1 Introduction

1.1 Purpose of this report

The Wainuiomata Cleanfill is the only active remaining cleanfill facility within Hutt City's administrative boundaries and therefore plays a key role among Hutt City Council | Te Kaunihera o Te Awakairangi (HCCs) waste assets. It plays a vital role in the economic development of the city. Operations at this site must cease by 19 June 2022.

This report has been prepared to support HCC in making a decision about the long-term desirability of providing an alternative cleanfill facility, how it might align with Council's wider objectives, and to consider the technical viability of a new cleanfill site on any Council-owned land.

1.2 What is a cleanfill?

The Ministry for the Environment (MfE) defines cleanfills as "*a low-cost alternative to landfills for inert waste that will have no potentially adverse environmental effect, or only minor effects*". They form an important part of the waste asset hierarchy, and are sometimes referred to as Class 4 landfills, per the technical guidance issued by WasteMINZ[1] and summarised below:

- Class 1 landfill: Municipal solid waste landfills and most industrial waste landfills (e.g. Silverstream landfill).
- Class 2 landfill: Construction and demolition landfills and some industrial waste landfills.
- Class 3 landfill: Managed or controlled fills (which accept cleanfill and some contaminated materials).
- Class 4 landfill: Cleanfills.
- Closed landfill: A landfill that no longer accepts material for disposal.

Cleanfills are subject to stringent waste acceptance criteria. Accordingly, the material deposited into a cleanfill typically comprises inert construction and demolition (C&D) materials (i.e. soil excavated from development sites, rock, concrete, bricks and similar material) that will not break down when disposed to ground. These limitations prevent many materials being disposed of at a cleanfill, including:

- Contaminated soil;
- Contaminated C&D waste (e.g. asbestos);
- Non-inert C&D waste (e.g. timber and plasterboard);
- Household waste; and
- Garden waste.

This enables operators to accept material without the need for the construction of expensive liners, leachate collection systems, gas collection systems, the collection of waste levies or the associated level of environmental monitoring. In turn, this provides a cost-effective facility for contractors to dispose of suitable material, thereby keeping the cost of development down[2] while also preserving airspace within higher class landfills around the region. This extends the operational life of these regionally significant infrastructure assets (including the Silverstream Landfill).

[1] Draft WasteMINZ Technical Guidelines for the Disposal of Residual Waste and other Material (Land Disposal Technical Guidelines) dated June 2013

[2] For comparison, the Wainuiomata Cleanfill currently charges contractors $14+GST / cubic metre to dispose cleanfill while the rate for disposing general waste at the Silverstream Landfill is $140 +GST / tonne .

In addition, cleanfills present low environmental risk and typically do not require any specific long-term maintenance. This makes sites previously used for cleanfilling suitable for re-use as parks, reserves or other community assets.

1.3 Demand for cleanfill deposition facilities

Development within the Hutt Valley generates substantial volumes of cleanfill material. In the period between February to April 2021 contractors have paid to deposit approximately 25,000 m^3 of loose cleanfill material into the Wainuiomata facility. While the exact volumes vary, the cleanfill operator has previously estimated that approximately 50% of material disposed of at the Wainuiomata Cleanfill is generated within Wainuiomata, while the majority of the remaining material is generated within the Hutt Valley (including Upper and Lower Hutt). While there is nothing preventing material from further afield (i.e. greater Wellington or the Wairarapa) being accepted, there are alternate cleanfill facilities located in these areas and commercial incentives for contractors to reduce haulage distances and associated costs.

Material disposed at the cleanfill originates from public and private construction projects, including:

- The Queensgate Mall redevelopment.
- The Palliser Hotel redevelopment.
- Wainuiomata Mall redevelopment.
- Various residential developments across the city.
- Installation of new water, wastewater, stormwater and fibre services.
- Ongoing roading maintenance activities across the city (for example slip remediation).

HCC has scheduled numerous infrastructure projects in the coming years that could generate and therefore require a facility to dispose of cleanfill. This includes the Eastern Bays cycleway, Naenae Pool redevelopment, Three Waters network renewals and ongoing road maintenance.

In addition to the pipeline of infrastructure projects, HCC is faced with growing demand for residential development. In the first three quarters of the 2020/21 financial year, HCC had received 1,287 building consents with a combined value of $377.7 million – a 49% increase from the previous period. Many of these developments can be reasonably expected to require the ability to dispose of material associated with the site preparation works (predominantly from site scraping and the establishment of flat building platforms). The availability of cost-effective deposition facilities to support these developments directly impacts their costs and associated viability. Notably, when the existing Wainuiomata Cleanfill temporarily closed in early 2020, feedback was received from several developers that the increased cost of having to go to Wellington affected the viability of their projects. This preliminary analysis would indicate that demand for cleanfill facilities is expected to continue for the foreseeable future, and the ongoing provision of a suitable cleanfill facility would be advantageous to facilitate this development.

1.4 HCC's existing cleanfill

HCC currently owns a cleanfill facility at 130 Coast Road in Wainuiomata, which is operated under agreement by Wainui Cleanfill Ltd. A location plan showing the location of this site is provided in Figure 1 below.

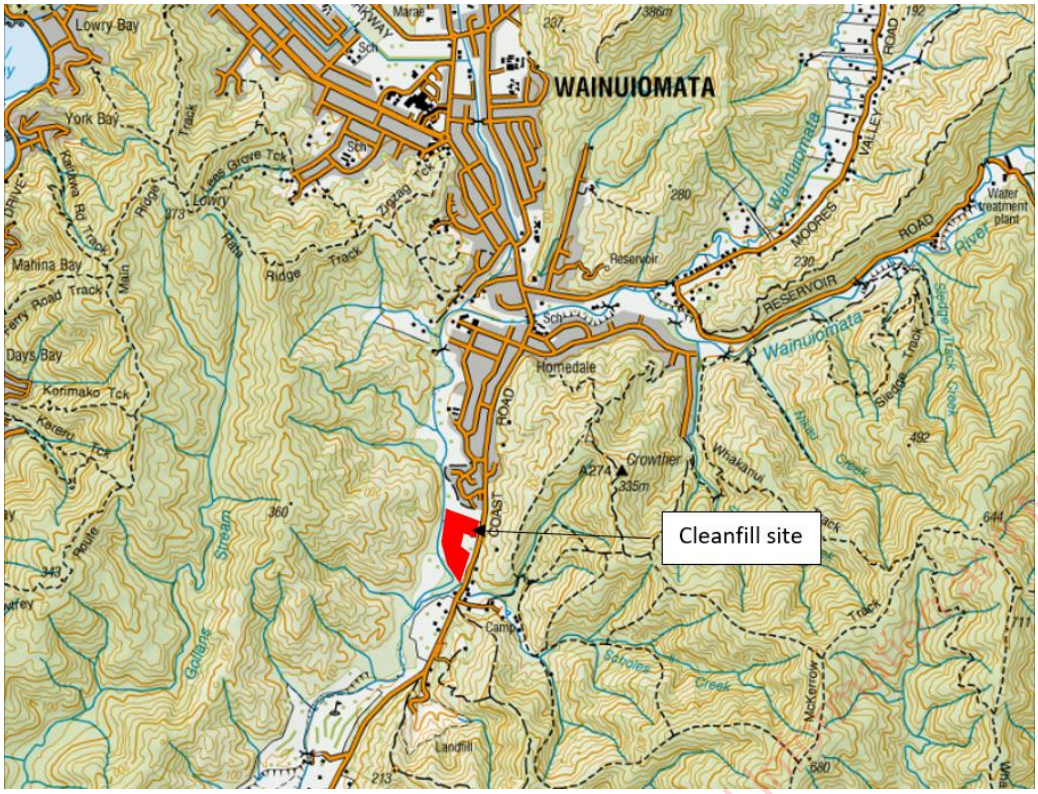

Figure 1: Existing cleanfill site located at 130 Coast Road

The site has an area of approximately 6 ha and receives cleanfill material from approved commercial operators across the district (and wider region). It is the only remaining operating cleanfill within the city boundaries and one of only three remaining consented cleanfills within the Wellington Region[3]. We do note that a site in Upper Hutt (at St Patricks College, Silverstream) is being touted for future use as a cleanfill however no decision has yet been made authorising this use.

The material deposited at Wainuiomata is a by-product of development and supports developers in delivering projects (including residential development, roading maintenance and other infrastructure upgrades). Approximately 165,000 m^3 of cleanfill has previously been deposited onto the site under previous resource consents, with a further 117,000 m^3 authorised under the existing resource consent.

1.5 History of the Wainuiomata Cleanfill

HCC has been providing a cleanfill facility since 2011 when the facility in Wainuiomata first began operating.

HCC initially considered that it could successfully operate the cleanfill site itself by dealing with only a limited number of large contractors with whom HCC had existing relationships. It initially estimated that a 6-year period would be sufficient to fill the site. The rate of filling however was slower than expected and by 2017 the site was only partially full. HCC therefore sought to extend the operational life of the cleanfill facility along with an operational decision to contract the operation of the cleanfill to an independent contractor – Wainui Cleanfill Ltd. In conjunction with significant growth and associated levels of development in Lower Hutt, this decision has ultimately resulted in a steady increase in filling rates. That increased volume has allowed ongoing

[3] The other being the C&D Landfill and T&T Landfill in Wellington City. Small scale cleanfills may operate under permitted activity rules in the relevant Regional Plan, however these involve a maximum fill volume of 400 m^3 of material and therefore are unsuited to commercial operation.

improvements to be made on site, including permanent staff on site to enable real time supervision of deliveries to site, improved roading within the site and the installation of a wheel wash. This partnership with the site operator along with the site improvements have resulted in an operation that is well-managed and appropriately mitigates the potential for adverse effects while delivering an important asset for HCC and the wider region.

1.6 Environmental impacts of a cleanfill

Cleanfills are required to manage their associated environmental effects under the district and regional planning framework. Under this framework, any commercial cleanfill within the HCC administrative boundaries will require resource consent from both HCC and GWRC to operate. This could reasonably be expected to involve the imposition of consent conditions imposing the following type of controls:

- Site operating procedures that can reliably control the material being disposed of (thereby ensuring that only appropriate cleanfill material is accepted);
- Controls to manage the potential for adverse impacts upon water quality (e g. stormwater controls, soakage pits, perimeter bunding and site stabilisation);
- Controls to manage the discharge of dust (e.g. speed limits, sealing access roads and retaining water sources onsite);
- Controls to manage noise, traffic and the tracking of material onto any nearby roads (e.g. vehicle washes, noise limits and associated monitoring and transportation assessments); and
- Plans to stabilise and remediate the site following completion.

The Wainuiomata Cleanfill is subject to similar such consent conditions and has been subject to regular inspections and site audits since 2011. The site has generally demonstrated a high degree of compliance with consent conditions with complaints or observed non-compliances addressed by the operator (e.g. material tracking onto the road and dust generation). This demonstrates that cleanfill operations, when competently managed, can appropriately mitigate their associated adverse effects while delivering the wider benefits identified above.

1.7 Financial impacts of a cleanfill on Hutt City Council

The Wainuiomata Cleanfill currently provides HCC with a gross revenue of approximately $400,000 - $500,000 per year. Importantly however, the cleanfill provides wider financial benefits to council in the following ways:

1. Provides a low-cost deposition facility which minimises cost incurred by HCC's operational teams (e g. roading maintenance contracts).
2. Provision of a low cost and proximate cleanfill facility reduces the propensity for fly-tipping of inert materials that HCC would otherwise pay to uplift and dispose of.
3. Reduces the volume of material otherwise requiring disposal at Silverstream Landfill, thereby extending the life of Silverstream landfill. It preserves available airspace in the active waste cell(s) for general waste, which requires stringent environmental controls and is subsequently charged a higher disposal fee.

2 HCC's existing waste commitments

HCC is committed to several waste-related initiatives which are outlined below. The continued provision of a cleanfill(s) within HCC's administrative boundaries is considered to align with these commitments for the reasons identified below.

2.1 Wellington Region's Waste Management and Minimisation Plan

The Wellington Regional Waste Management and Minimisation Plan 2017 – 2023 is a joint plan prepared for all territorial authorities in the Wellington Region under the Waste Minimisation Act 2008. The purpose of this plan is to set the strategic priorities and frameworks for managing waste within the region, with a key objective to reduce the amount of waste being disposed of in Class 1 landfills from 600 kg per person per annum to 400 kg per person per annum by 2026.

To achieve this, the Waste Management and Minimisation Plan sets a number of objectives, including:

1. To reduce the total quantity of waste to landfill, with an emphasis on wastes that create the most human and environmental harm.
2. To provide environmental, social, economic and cultural benefits by increasing the amount of waste diverted from landfill via reuse, recovery and/or recycling.
3. To investigate the use of available recovery and treatment technologies and service methodologies and apply these where appropriate.
4. To investigate and where appropriate develop partnerships, joint working and co-operation across the private and community sectors as well as territorial and regional councils, including shared services.
5. To work with service providers to identify efficiencies while maintaining or improving service levels.
6. To consider both short and long-term cost impacts of all actions across the community including economic costs and benefits.
7. To consider the environmental impacts of all options and ensure the overall environmental impact is taken into account in decision making.

The provision of a viable cleanfill(s) within a region is considered to either directly or indirectly support those objectives by:

1. Directly reducing the volumes of waste material that would otherwise be disposed to landfill or unauthorised tip sites.
2. Supporting the future provision of a resource recovery facility (as discussed in Section 4 below).
3. Providing a cost-effective facility for service providers (including property developers, infrastructure providers and maintenance contractors) to dispose of suitable inert material and thereby reduce development costs.
4. Extending the life of the region's other landfills (including Silverstream) by diverting suitable material from those sites.

2.2 Regional Policy Statement for the Wellington Region

The Regional Policy Statement (RPS) sets a specific objective (Objective 11) and policy (Policy 65) promoting the reduction of waste going to landfills. Objective 11 states that the *quantity of waste disposed of is reduced* while Policy 65 promotes the reduction, reuse, and recycling of waste.

Cleanfills are specifically identified as one method of diverting otherwise clean and inert material from the waste-stream to assist with achieving this objective and policy.

2.3 HCC's Infrastructure Strategy 2018 - 2048

HCC's Infrastructure Strategy sets a vision for *infrastructure that meets the needs of today and tomorrow*. This vision is underpinned by a series of goals relating to improved resilience and capacity of existing networks and recognises several key infrastructure related projects including three water network renewals, road network improvement works, shared path and cycleway developments. This is in addition to those works recently announced as part of the Government's shovel ready programme of works. Infrastructure projects have the potential to generate cleanfill material requiring disposal and have historically been the source of substantial volumes of spoil material disposed of into the Wainuiomata facility (e.g. the Wainuiomata Shared Path and works upon the roading network).

This strategy recognises that the substantial capital and operational expenditures associated with the development, upgrade and maintenance of infrastructure represents a key constraint to the delivery of these projects. The provision of a council-controlled cleanfill facility provides HCC with the opportunity to reduce and in some cases offset the costs associated with the disposal of material arising from council infrastructure developments.

2.4 HCC's Urban Growth Strategy 2012 – 2032

HCC's Urban Growth Strategy sets out the long-term approach to managing growth and change for Lower Hutt. This strategy identifies that much of the cost to HCC associated with the provision of new greenfield infrastructure will be associated with the development of new infrastructure. We also note that while land development costs for both brownfield and greenfield development will be borne by future developers, these will have a direct impact upon the cost of developing within the Hutt Valley (and therefore upon market costs).

The provision of a council-controlled cleanfill facility provides HCC with the opportunity to reduce and in some cases offset the costs associated with the disposal of material arising from council infrastructure developments. It also incentivises developers to do business within the city by providing a cost-effective disposal facility.

3 Opportunities for further waste minimisation

Due to their low cost cleanfills have historically been viewed as a popular facility to divert materials away from landfills. While this remains a desirable outcome, we note that there is an increasing focus on the recovery of materials from C&D activities (e.g. demolition timber, reusable building materials, concrete and steel). This focus stems from the fact that C&D waste remains a high-volume waste stream within the Wellington Region.

A 2018 report prepared for the Wellington Regions *Waste Management and Minimisation Plan (WMMP) Steering Group*[4] identified the creation of additional processing capability as having the highest potential to reduce the amount of material disposed of at landfills across the region. In Wainuiomata we know that some of the material currently disposed of (including concrete and topsoil) could be reused and recycled, if HCC had a facility that enabled it (see further discussion in Section 3.1 and 3.2 below). This directly supports the objectives of the Waste Management and Minimisation Plan (identified in Section 2.1 above) and HCC officers have expressed an interest in exploring investment in such facilities to enable an enhanced level of material recovery within Lower Hutt. An overview of these types of facilities is provided below.

3.1 C&D waste resource recovery

The Regional Waste Minimisation and Management Plan has a regional action to investigate and if feasible develop a region-wide resource recovery network, including targeting construction and demolition waste for enhanced resource recovery.

A typical C&D resource recovery operation may include:

- Separation of concrete and other suitable rubble for processing into 'recycled aggregate' (see Section 3.2).
- Separation and stockpiling of fill material and topsoil.
- Removal and processing of native timber (de-nailing, re-dressing)
- Removal of recyclable materials
  - Metals (components, piping, packaging) for recycling
  - Cardboard (clean, suitable for recycling)
  - Plastics (specific materials with viable markets)
  - Building components that are suitable for re-use
  - Flat glass - for crushing as aggregate/sand, or as feedstock for fibreglass manufacturing
- Separation of materials suitable for disposal at a cleanfill; and
- Consolidation of remaining material for disposal at an appropriately consented Class 1 Landfill or Class 2 Managed Landfill.

An operation of this type in the Hutt Valley would require a suitable location with many of the location characteristics being similar to those for a cleanfill. Example characteristics include

- Good transport links
- Suitable zoning (industrial or commercial/rural)
- Supportive or involved landowner.

Note that Council is also working on proposals for upgrading the transfer station at Silverstream Landfill, including a new resource recovery area. While this area would be suitable for domestic and

[4] Titled *Regional C&D Waste Issues and Options Paper*, dated October 2018

small commercial materials, any resource recovery targeting C&D waste or other materials will need to take place elsewhere.

3.2 Concrete crushing and recycling

A reasonable volume of material disposed of to cleanfill and landfills within the Wellington Region includes concrete from demolition sites. HCC officers have identified an opportunity for Council to establish a facility that crushes and screens this concrete for use as aggregate on cycleways, driveways and other construction projects. This would provide a recovered source of construction material and reduce the waste diverted into landfill or cleanfills, while also supporting additional waste minimisation initiatives (i.e. supporting the introduction of contractual requirements relating to the use of recycled material in construction contracts tendered by HCC).

We consider that a facility for the crushing of concrete and subsequent resale as aggregate could feasibly complement operations at a future cleanfill – subject to identification of a site which can accommodate both activities.

3.3 Relationship of these facilities with cleanfill facility

We would encourage HCC to think of its waste assets as being strategically aligned with one another. These facilities do not operate completely independently, but rather as an interconnected group of assets that collectively serve its ratepayers and assist HCC in meeting its strategic objectives – as outlined in Section 2 above.

However, even with significantly improved C&D recovery, it would not be possible to recover, reuse or recycle all material that is currently disposed of as cleanfill. As such cleanfill deposition facilities will remain an important part of HCC's waste infrastructure – whether they are provided by HCC or private operators.

HCC's involvement in cleanfill operations also presents opportunities that would not be feasible for sites operated exclusively by a private operator. A cleanfill operated solely by a private operator will be primarily driven by commercial drivers - maximising disposal volumes while minimising operating expenditure. On the other hand, a council-operated facility can target different outcomes by effectively working within, and supporting the wider waste 'ecosystem' (landfill, cleanfill and waste recovery). As an example, a council-run facility could incentivise resource recovery through pricing mechanisms that discourage cleanfill deposition where material recovery and recycling is available. This interrelationship between the different waste assets is an important consideration to keep in mind as part of the following discussion.

4 Identifying a potential future cleanfill site(s)

The existing Wainuiomata Cleanfill will cease operation no later than 19 June 2022. In order to inform an initial decision on whether the continued provision of a cleanfill facility is possible, T+T carried out a detailed site selection process, including Multi-Criteria Analysis (MCA). Such exercise would also assist HCC in meeting its obligations under both the Resource Management Act (RMA) and Local Government Act (LGA) – both of which require the consideration of alternatives in certain circumstances[5].

To ensure that this site identification and selection process is as transparent and robust as possible, it has been undertaken in accordance with the following three-stage process.

4.1 Initial site identification

The goal of the initial site identification process was to identify a longlist of sites for further consideration. While ultimately this list would contain a high number of sites that would prove unsuitable, the aim was to limit the likelihood that any potentially suitable site is excluded from initial consideration. The following criteria were used:

- Are HCC owned;
- Have a minimum land parcel size suited to long-term cleanfill operation (10,000 m^2);
- Are located within HCC's administrative boundaries; and
- With existing road access (within 50m of the parcel boundary).

GIS analysis was used to populate an initial list of sites for further consideration.

This preliminary search returned 142 sites for further consideration, which have been further refined through subsequent shortlisting process, as described below.

4.2 Site shortlisting

It was acknowledged that many of the sites captured using the initial criteria above had reserve classifications or other potential impediments to the future use as a cleanfill. Advice from HCC was sought regarding the limitations imposed by different reserve statuses. As a result of this engagement, no further consideration was given to any land that was:

a. Categorised as a scenic reserve; or
b. Categorised as a local purpose reserve; or
c. Categorised as a Māori reserve; or
d. Within the Belmont Regional Park; or
e. The current cleanfill site at 130 Coast Road; or
f. Immediately adjoins a residentially zoned area; or
g. Is used as a local sports ground or community centre.

Those sites which do not meet those criteria above were shortlisted for further scoring (as described below).

4.3 Site selection process

4.3.1 Site selection overview

Following the site identification and shortlisting processes identified above, there remained ten sites for further evaluation (see **Appendix A**). The most robust mechanism for identifying a suitable site(s)

[5] Part 6 of the LGA and Schedule 4 of the RMA.

was considered to be via Multi-Criteria Analysis (MCA). This is a widely used tool that involves scoring different options on a range of aspects, attributes or criteria which are reflective of the issues that need to be considered to achieve the best outcome. These different criteria are then weighted, scores aggregated, and a suitable outcome(s), site(s) or route(s) is identified as a result.

4.3.2 Agreed evaluative criteria

The evaluative criteria agreed amongst experts at an MCA workshop on 9 June 2021 included:

a. Likely future capacity;
b. Development potential;
c. Environmental setting; and
d. Existing and future land-uses.

Equal weighting of each criterion was agreed, and a record of the scoring rationale by workshop attendees kept. No evaluation of social or cultural outcomes has been undertaken as part of this initial MCA process, as the intent was to identify a site(s) that is capable of operating as a cleanfill facility. We recommend that HCC consider engaging with the community and its iwi partners to understand the social and cultural impacts associated with the potential establishment of a cleanfill on any of the identified sites that may be considered further.

4.3.3 Scoring

Scoring against the evaluative criteria involved a structured workshop on 9 June 2021. This workshop involved key HCC staff, designers and contractors in attendance to discuss and score the various options from different perspectives. Prospective sites were each scored against the agreed criteria, in accordance with a 7-point scoring rubric, as outlined in Figure 2 below:

Magnitude	Definition	Score
Large positive (+ve)	Major positive impacts resulting in substantial and long-term improvements or enhancements of the existing environment.	3
Moderate positive (+ve)	Moderate positive impact, possibly of short-, medium- or long-term duration. Positive outcome may be in terms of new opportunities and outcomes of enhancement or improvement.	2
Slight positive (+ve)	Minimal positive impact, possibly only lasting over the short term. May be confined to a limited area.	1
Neutral	Neutral – no discernible or predicted positive or negative impact.	0
Slight negative (-ve)	Minimal negative impact, possibly only lasting over the short term, and definitely able to be managed or mitigated. May be confined to a small area.	-1
Moderate negative (-ve)	Moderate negative impact. Impacts may be short, medium or long term and are highly likely to respond to management actions.	-2
Large negative (-ve)	Impacts with serious, long-term and possibly irreversible effect leading to serious damage, degradation or deterioration of the physical, economic, cultural or social environment. Required major rescope of concept, design, location and justification, or	-3
	requires major commitment to extensive management strategies to mitigate the effect.	

Figure 2: Marking rubric (Source: Waka Kotahi)

In addition to those scores identified above, the MCA included a fatal flaw score (F) to acknowledge that some sites may have a condition or circumstance which are unresolvable. A summary of this scoring is provided in Figure 3 below, and a record of the rationale underpinning each score has been retained.

	Estimated capacity	Development potential	Environmental setting	Current / future land-use	Total
Site A - 85 Parkway	0	-3	-3	-1	-7
Site B - 7 Page Grove	2	0	-1	-1	0
Site C - 255 Coast Road	F	-2	0	-2	F
Site D - 260 Coast Road	1	-2	-3	-2	-6
Site E - 160N Gracefield	F	-2	-3	-1	F
Site F - 95 Wainui Road	F	-2	-3	-1	F
Site G - 93 Wainui Road	F	-2	-1	-1	F
Site H - 220 Whites Line Road	0	-2	-3	-2	-7
Site I - 255 Coast Road	3	0	1	2	6
Site J - 21A Reynolds Bach Drive	3	-3	2	-3	-1

Figure 3: Overview of agreed scoring from MCA workshop

This scoring shows that from a technical perspective[6], the closed Wainuiomata Landfill has a positive aggregate score and represents a site that is potentially suitable for a cleanfill, while the closed Wingate Landfill achieved a neutral score and represents a less suitable alternative. The remainder of the sites are considered to be unsuitable.

[6] No evaluation of social or cultural outcomes has been undertaken as part of this initial MCA process, as detailed in Section 4.3 above.

5 Next steps

The purpose of this report was to provide HCC's CLT with information on the potential long-term desirability of providing an alternative cleanfill facility, how such facility might align with Council's wider objectives, and to consider the technical viability of a new cleanfill site on any Council-owned land. If HCC were to decide that it wishes to continue providing such a facility, we expect the following next steps would be required before a new cleanfill operation could commence:

1. Undertake community consultation on any prospective site.
2. Undertake further detailed site investigations to confirm suitability.
3. Prepare and obtain the necessary suite of resource consents to authorise operations.
4. Undertake any necessary site improvements (e.g. access road improvements, erosion and sediment controls etc).

6 Applicability

This report has been prepared for the exclusive use of our client Hutt City Council | Te Kaunihera o Te Awakairangi, with respect to the particular brief given to us and it may not be relied upon in other contexts or for any other purpose, or by any person other than our client, without our prior written agreement.

Tonkin & Taylor Ltd

Report prepared by:

s 7(2)(a) [redacted]

.....

s 7(2)(a) [redacted]

Planner

Authorised for Tonkin & Taylor Ltd:

s 7(2)(a) [redacted]

s 7(2)(a) [redacted]

Project Director

Technically reviewed by s 7(2)(a) [redacted]

ALME

Appendix A: Site shortlisting

Tonkin+Taylor

1 Summary of sites

A summary of those sites identified as meeting the minimum criteria is provided in Table 1 below:

Site reference	Street address (if applicable)	Legal description	Title number	Notes
A	85 Parkway	Section 2 Survey Office Plan 437413	577052	Accessed via Wainui Hill.
B	7 Page Grove	Section 474 Hutt District	WN7A/1403	Wingate Closed Landfill.
C	255 Coast Road	Lot 1 Deposited Plan 31461	WN8B/1131	Parcel immediately adjacent to the closed Wainui Landfill.
D	260 Coast Road	Lot 5 Deposited Plan 393261	373443	Sediment pond (for Old Wainui Landfill).
E	160N Gracefield Road	Section 3 Survey Office Plan 437413	577051	Accessed via Wainui Hill and powerlines bisecting site.
F	95 Wainui Road	Section 4 Survey Office Plan 437413	577053	Accessed via Wainui Hill and powerlines bisecting site.
G	93 Wainui Road	Section 5 Survey Office Plan 437413	577054	Accessed via Wainui Hill and steep topography.
H	220 Whites Line East	Section 1 Survey Office Plan 437413	577050	Accessed via Wainui Hill and steep topography.
I	255 Coast Road	Part Section 6 and Part Section 61-62 Wainuiomata District	WN7C/652	Closed Wainui Landfill.
J	21A Reynolds Bach Drive	Section 7 Survey Office Plan 461420	626430	Silverstream Landfill.

Images of the respective sites showing the landform and general location are contained in Appendices A – J below.

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Site A (title no. 577052)

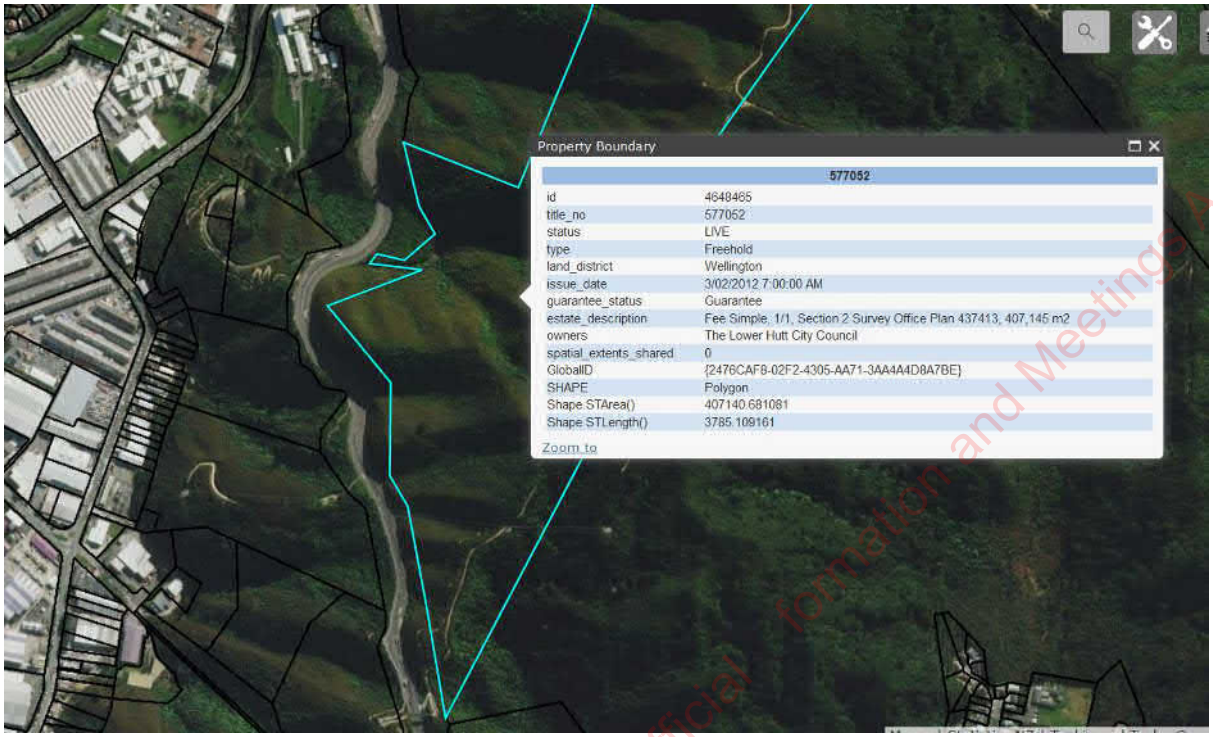

Figure 1: Land parcel

Figure 2: Location

Site B (title no. WN7A/1403)

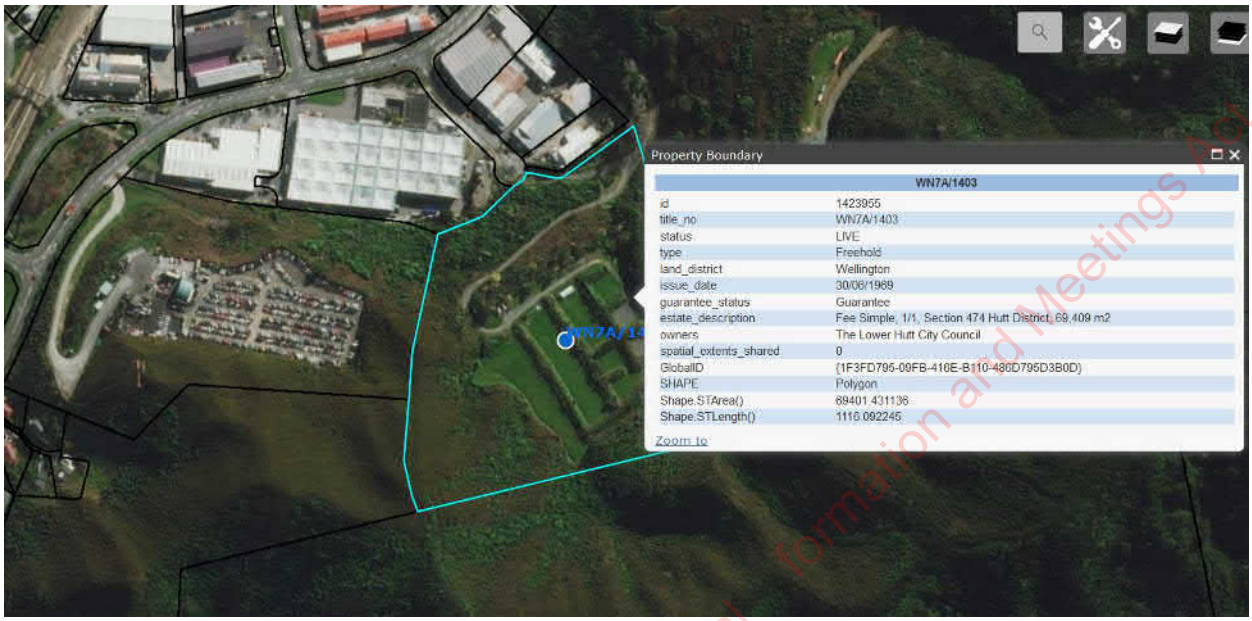

Figure 1: Land parcel

Figure 2: Location

Site C (title no. WN8B/1131)

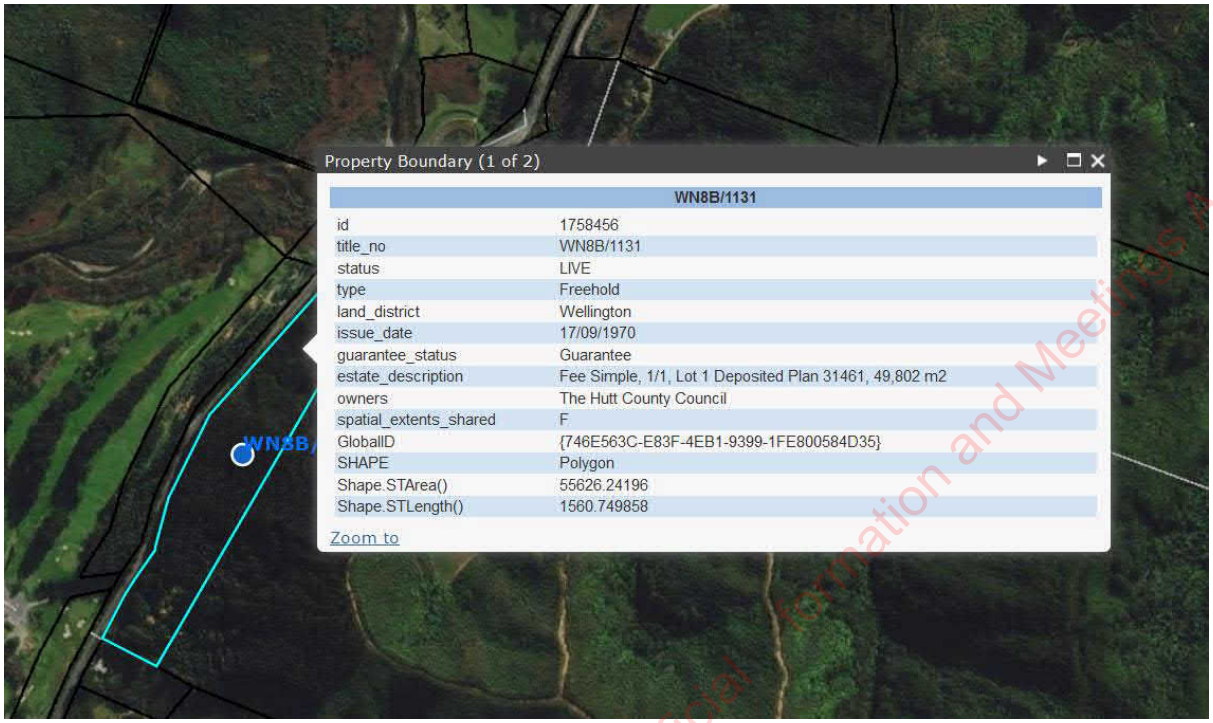

Figure 1: Land parcel

Figure 2: Location

Site D (title no. 373443)

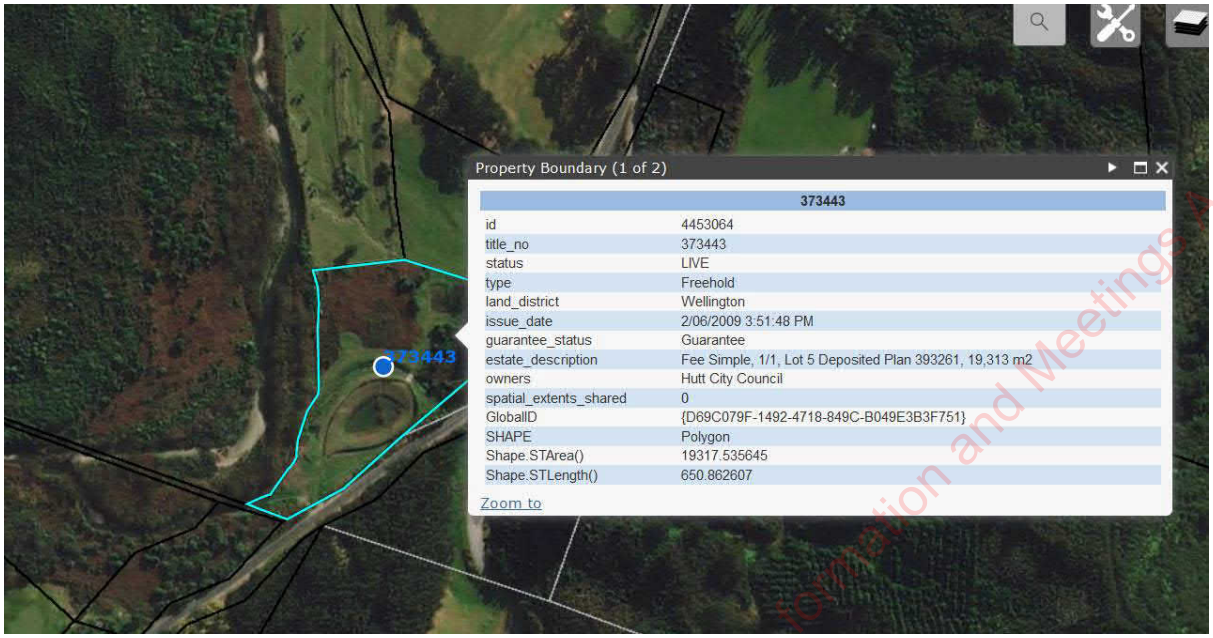

Figure 1: Land parcel

Figure 2: Location

Site E (title no. 577051)

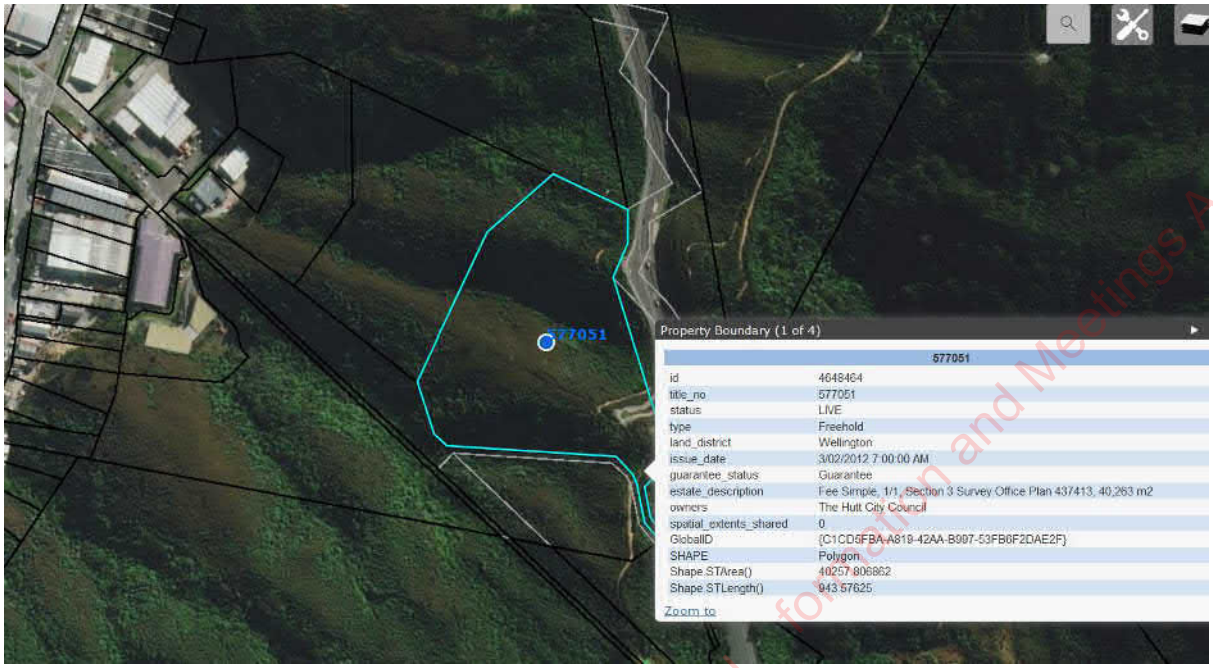

Figure 1: Land parcel

Figure 2: Location

Site F (title no. 577053)

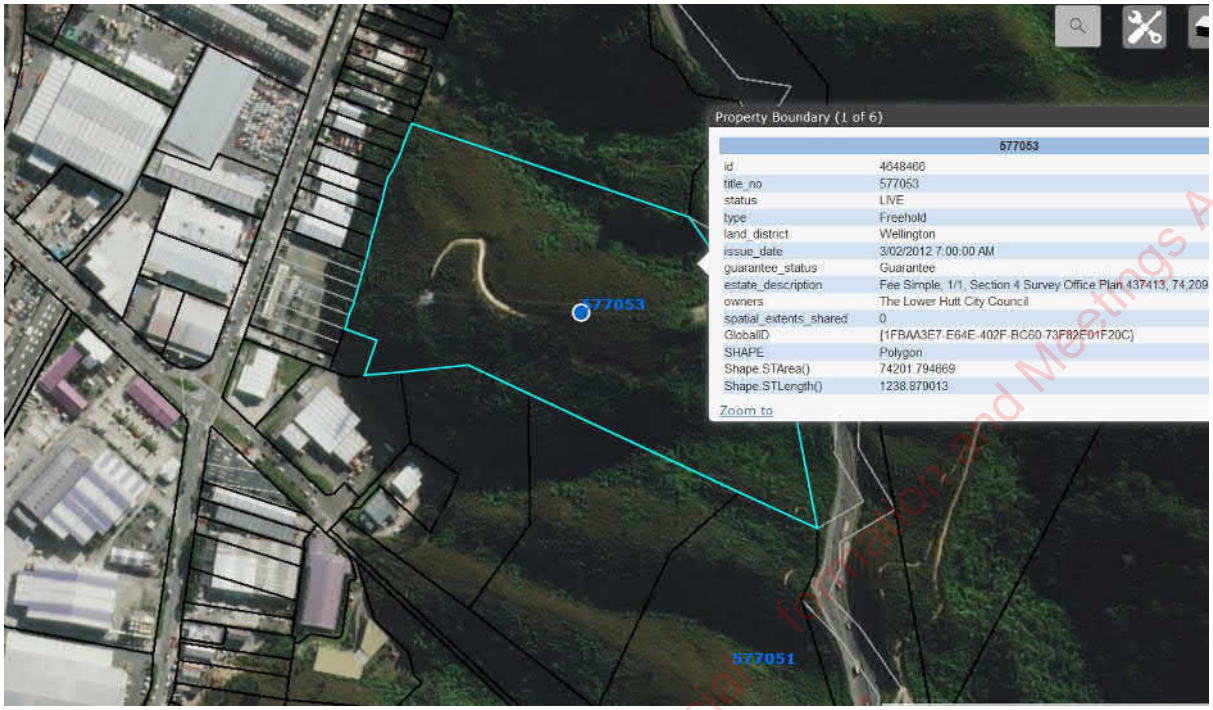

Figure 1: Land parcel

Figure 2: Location

Site G (title no. 577054)

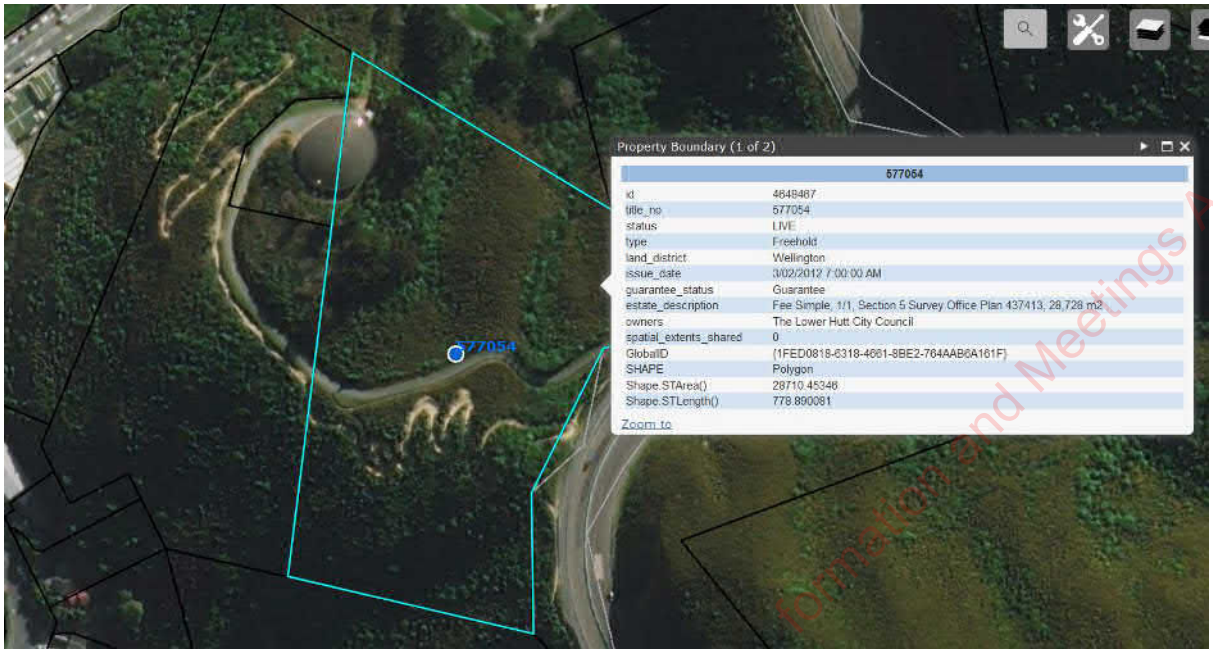

Figure 1: Land parcel

Figure 2: Location

Site H (title no. 577050)

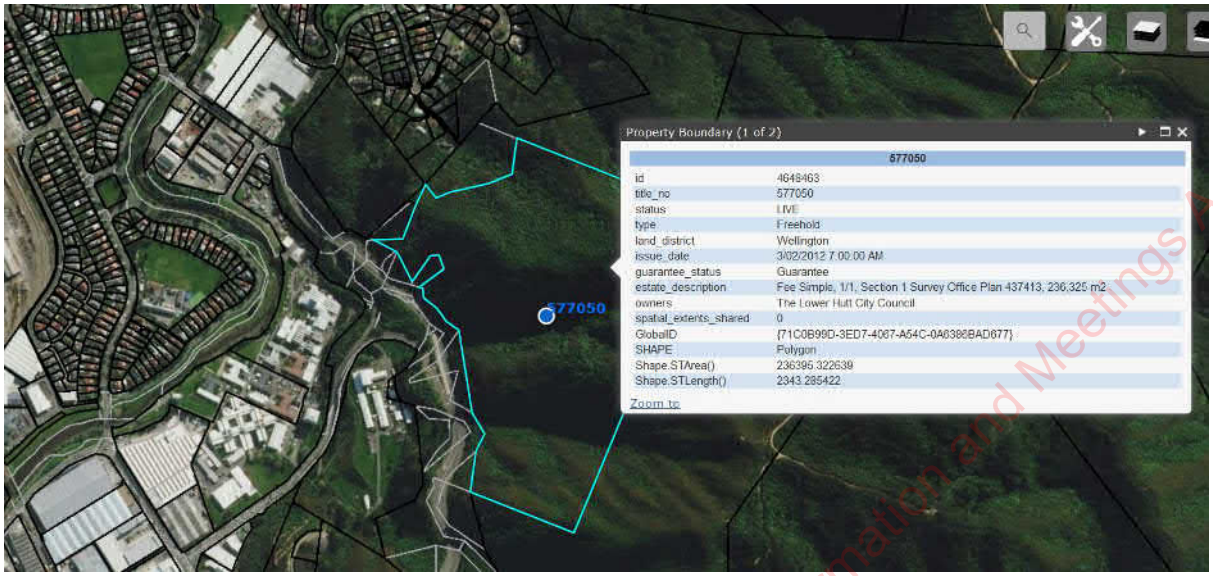

Figure 1: Land parcel

Figure 2: Location

Site I (title no. WN7C/652)

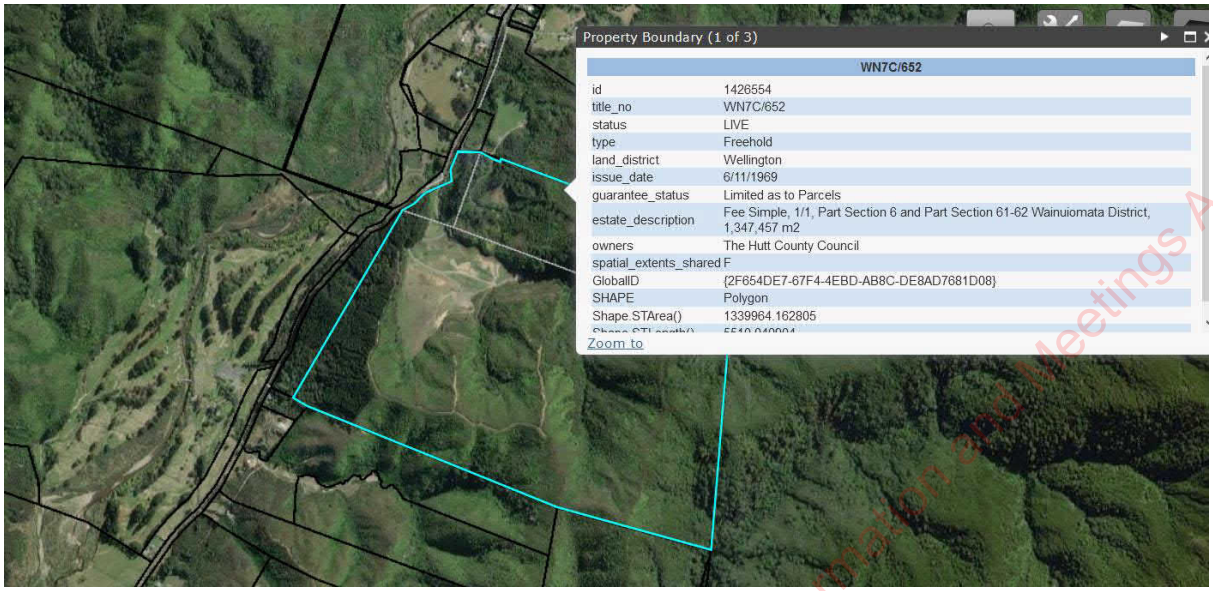

Figure 1: Land parcel

Figure 2: Location

Site J (title no. 626430)

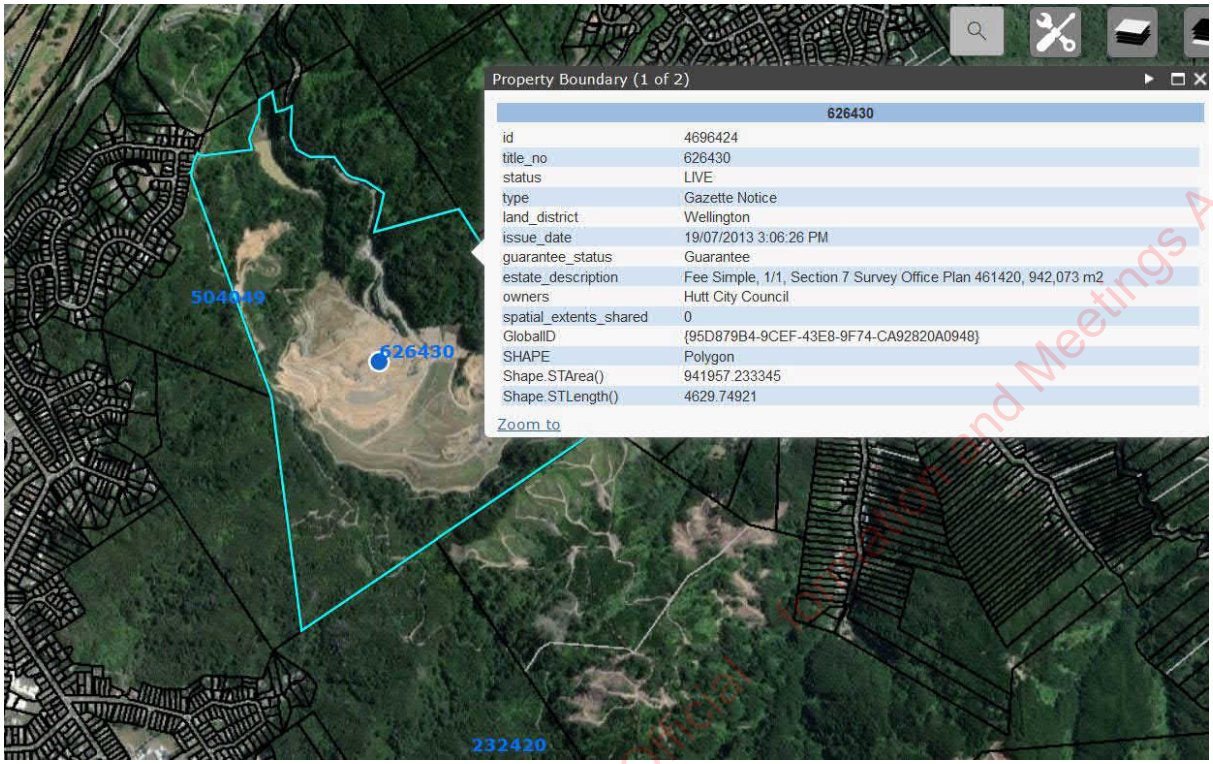

Figure 1: Land parcel

Figure 2: Location

BEFORE THE HEARINGS COMMISSIONER **HUTT CITY COUNCIL**

IN THE MATTER	of the Resource Management Act 1991
AND	
IN THE MATTER	of an application under s88 for a resource consent expand an existing cleanfill located at 130 Coast Road, Wainuiomata
APPLICANT	Hutt City Council (HCC)

STATEMENT OF EVIDENCE OF Bruce Sherlock

Applicant's statement

Hutt City Council

21 October 2019

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1. INTRODUCTION

1.1 My name is Bruce Sherlock. Until recently I was employed by Hutt City Council, firstly as the General Manager, City Infrastructure, followed by a role as the Contracts Manager – Solid Waste. Both of these roles saw me take responsibility for operational matters relating to council's solid waste assets – including both Silverstream Landfill and the existing Wainuiomata Cleanfill.

1.2 I have recently retired from my role(s) at HCC. Notwithstanding this I am familiar with the site and can provide a degree of continuity with regards to the application before the Comissioner today. I was ultimately responsible for operations at the Wainuiomata Cleanfill from its inception in 2011 through until my retirement in 2019. I also presented evidence at the previous hearing in 2011.

1.3 I am authorised to give evidence on behalf of Hutt City Council in the hearing of this application.

1.4 My statement will provide a summary of the project, a brief history of the cleanfill proposal, commentary on some of the matters raised in submissions and a discussion of the proposed conditions contained within the council officers' s42A report. I do not wish to unnecessarily repeat the content of the application, which I consider accurately descibes the site, proposal and overarching rationale for seeking an expansion.

1.5 I note that I have been to the subject site on a number of occasions and I am familiar with the locality. I have reviewed a copy of the Council Officer's Report, which recommends consent be granted subject to a number of conditions.

2. HISTORY OF THE SITE

2.1 In the early 2000's Council undertook a review of all landholdings, with a view to identifying unused property to determine whether Council should continue to own such property. As a result of the review, some properties were developed as reserve, some were sold with the funds so generated then available for other community use, and some were developed for other purposes. The existing Wainui Cleanfill operation is an example of the latter.

2.2 At the time of development of the cleanfill, there were, or had been, a number of other cleanfill sites in the city, including one nearby in Waiu St, Wainuiomata. However Council saw that:

(a) these other cleanfills had a finite life;

(b) that there were few other potential sites within the city for future cleanfill development;

(c) that Council as owner of such a facility could directly ensure that appropriate environmental standards were adhered to; and

(d) that such a facility could contribute to reducing Council costs to the general benefit of ratepayers.

2.3 In particular, Council envisaged offering use of the faciltiy to a limited number of large and reputable contracting companies with whom Council had significant contracts – particularly in the areas of road and drainage maintenance.

2.4 Accordingly HCC sought consent to establish a dedicated cleanfill in 2009. Consent was originally granted to operate a cleanfill on the site in 2011. This consent was issued for a period of 6 years.

2.5 As noted above, HCC initially considered that it could successfully operate the cleanfill site itself by dealing with only a limited number of large contractors with whom Council had exisitng relationships, and we estimated that a 6 year period would be sufficient to fill the site. However rates of filling were slower than expected and by 2017 the site was only partially full. HCC therefore sought a replacement consent to enable an extended period of time for HCC to complete filling activities at Stage 2 of the cleanfill.

2.6 Over this same period HCC made an operational decision to contract the operation of the cleanfill to an independent contractor – Wainui Landfill Ltd. In conjunction with significant growth and associated levels of development in Hutt City, this decision has ultimately resulted in a steady increase in filling rates. That increased volume has allowed ongoing improvements to be made on site, including permanent staff on site to enable "real time" supervision of deliveries to site, improved roading within the site, and installation of a wheel wash as noted further below.

2.7 That Stage 2 cleanfill site is now basically at capacity, with only an extremely minor volume of material continuing to be deposited. Much of the material that would otherwise be deposited to the cleanfill is now being diverted to Silverstream Landfill and the closed Wainuiomata

Landfill (for cap repairs). Deposition at both of these sites is considered appropriate as a short-term stopgap measure only.

3. PROJECT DESCRIPTION

3.1 HCC are seeking to expand the existing cleanfill operation (referred to as Stages 1 and 2) to the south. This would create space for a further 117,000 m^3 of material (Stage 3).

3.2 If consent is granted HCC has made a commitment to operate the site for not more than 2.5 years (30 months), regardless of whether the consented Stage 3 area has any remaining capacity at the end of that period.

3.3 HCC did not originally seek to consent the Stage 3 area due to the presence of the GWRC modelled flood risk over a larger portion of the site back in 2009 (when consent was orignally lodged). GWRC's updated flood model now covers less of the site, and this has made a larger portion of the site suitable for cleanfilling.

4. NEED FOR A CLEANFILL FACILITY

4.1 The cleanfill operator estimates that approximately 50% of the material received to site is generated from development within Wainuiomata. A further 45% is generated within the wider Hutt City District. Recent significant examples of the latter are the Queensgate Redevelopment and High St Hotel development. A key takeaway therefore is that most of the material is generated locally, and HCC considers it appropriate to provide a facility which will continue to enable that material to be disposed of locally.

4.2 The Waiu St cleanfill referred to above has closed, with the site now owned by the Receiver of the failed business. Another cleanfill site at Dry Creek is also now full, and virtually closed, leaving Council's Wainui cleanfill as the only consented area in the Hutt Valley for deposition of such material.

4.3 In the event that the Wainuiomata site is unable to continue receiving inert material over the next 30 months, developers and contractors will be faced with cartage of cleanfill material to the south coast of Wellington, or to look for other private or unconsented outlets.

4.4 A properly consented Cleanfill in the Hutt Valley is therefore desirable because it will:

(a) minimise the extent to which "clean" material is delivered to Silverstream Landfill, thereby maximising the life of that more expensive operation. This also avoids

negatively impacting upon the landfill's operation (as the deposition of significant volumes of cleanfill will adversely affect the ability for the gas and leachate collection systems to function appropriately)

(b) continue to provide a facility which assists the ongoing development of Hutt City by providing a "local" facility for the use of builders/developers/contractors engaged in works within the City, and help to mimimise the cost of such development;

(c) obviate any lengthy cartage of such material to Wellington and thereby mitigate both the costs and environmental impact of such cartage; and

(d) minimise the possibility of fly tipping or other unrestrained deposition of material and the environmental consequences of such.

4.5 I am aware of numerous calls being made to HCC operational staff from contractors seeking cleanfill options. These contractors have noted that there are no other suitable facilities to dispose of cleanfill material in the Hutt City District, and lamented the fact that the site could close down. Some contractors have made comments about an expected increase in "fly-tipping" or illegal tipping (i.e. on unconsented farm sites) should the site close.

4.6 HCC does not expect the generation of cleanfill (nor the associated demand for disposal facilities) to subside in the foreseeable future. We are aware of a large number of developments proposed within Wainuiomata in the coming years, arising from the HCC development remissions policy ending in 2018, (prompting developers to submit building and resource consent for approximately 500 new homes in Wainuiomata), along with the proposed redevelopment of the Wainuiomata Mall. This will continue to generate material requiring deposition.

4.7 HCC is actively looking for alternative sites to provide long-term asset security. It has engaged T+T to undertake a review of potentially suitable sites to inform future community engagement.

4.8 HCC also wishes to incorporate increased levels of material reuse and recycling with any longer-term solution (i.e. crushing concrete to reuse as aggregate material and stockpiling and reselling topsoil), which aligns with HCC's commitments under the Waste Management and Minimisation Plan 2017 – 2023. Notwithstanding this, HCC requires a shorter term solution to accept cleanfill material generated while this process is underway.

5. OFFICER'S SECTION 42A REPORT

5.1 I have reviewed a copy of the Council Officer's Report prepared by Mr Daysh, and generally agree with the summary and conclusions drawn within that report.

6. SUBMITTERS CONCERNS

6.1 I have reviewed the concerns raised in the submissions. Several of these matters will be addressed in subsequent statements of evidence by HCC's expert consultants. Accordingly I have addressed just some of the issues raised.

Material being tracked onto Coast Road

6.2 For preparation of this consent application I requested a record of all complaints arising from cleanfill operations that had been recorded in HCC's system, and was told of two (both received in September 2017) regarding material being tracked onto the road. These complaints were dealt with by operational staff at the time, and therefore I did not consider they were indicative of a systemic issue.

6.3 In addition to the complaints received and addressed in 2017 (identified above) I did receive a number of complaints in 2018 regarding material being tracked onto the road.

6.4 These complaints were intially responded to by way of regular street sweeping and washing, and later by installation of an onsite wheelwash.

6.5 I certainly accept the validity of these complaints, and acknowledge that complaints have continued beyond the introduction of these measures. I believe that if this new consent is granted, further improvements on this aspect can and should be made. We have therefore volunteered the following in the way of additional mitigation:

(a) HCC will commit to sealing the internal access road (between the edge of Coast Road and the existing site office) to further prevent material being tracked onto the Road;

(b) HCC and the operator have made a commitment to purchase and install an upgraded truck wash. While the specific model hasn't yet been identified I expect this to be of the portable, commercial variety, sized appropriately for the type of truck visiting the site. More information is contained in the evidence of Mr Rodenburg, with the design of this system specified within the new Site Management Plan;

(c) The new Site Management Plan will address procedures to ensure that all trucks visiting the site to dispose of material will utilise the truck wash prior to leaving site; and

(d) HCC and the operator will continue to clean the road in the unlikely event that material is still tracked onto Coast Road.

6.6 We believe this will address the concerns as to material tracking onto the road.

Inadequate consultation with the local community

6.7 Some of the submitters have expressed an unhappiness with the way in which HCC has undertaken engagement and consultation, both with respect to the existing operation and the proposed expansion. HCC accepts some of these criticisms and has volunteered a number of conditions to manage and improve its practices, however I feel it is important to provide some clarification.

6.8 With regards to engagement on the operation of the existing cleanfill, I note that HCC and local residents established a liaison group following the granting of the initial consent in 2011. This group met once just prior to Christmas 2011, and decided that regular meetings were unnecessary. It was agreed that a meeting could be called at any time should an issue arise which required a meeting. I was to be the point of contact for such calls.

6.9 Since 2012, I have not received a request for any further meetings of the Group, and received no feedback (positive or negative) from any member of the Group until 2018.

6.10 The first I was aware of any on-going discontent was when I learned, in November 2018, that two of the submitters to this application had arranged a meeting with the Mayor. I went to the attend the meeting, but was told I was not wanted. Subsequent attempts by me to engage with the submitters have been rebuffed.

6.11 The volunteered condition to establish a Community Liason Group (CLG) represents an effort by HCC to improve its community engagement procedures around the cleanfill – particularly by providing a forum for individuals to raise concerns around operational matters, and for individuals to input into the longer-term remediation of the site (as is currently occuring with regards to the Stage 2 remediation plan).

6.12 With regards to the engagement on the proposed expansion HCC operational staff arranged for a community meeting in November 2018 to discuss the application with interested members of the community. At that stage we understood these interested parties to include

those persons at 199 – 205 Coast Road, as per email communications with Ms O'Regan in late October 2018. We had booked the Wainuiomata Library from 5pm – 7pm on the 6 November 2018 as the venue this meeting, with the aim being to provide an overview of the proposed application, invite comments and try to address concerns prior to lodgement.

6.13 However, at around this same time, (late October / early November), HCC received a document from *Neighbours for Nature Wainuiomata* (N4NW) (via Ms Moffat). This document expressed a number of concerns with the existing operation, and the then Mayor requested the public meeting be delayed until matters raised in this document had been investigated and addressed.

6.14 On 15 November 2018 Ms Moffat and Ms O'Regan arranged for a meeting with the then Mayor and Chief Executive to discuss their concerns. I tried to attend this meeting, however Ms Moffat and Ms O'Regan requested that I be excluded. Operational staff were informed that no public meeting was desired until the matters highlighted within the aforementioned N4NW document has been addressed. In general, the issues raised were in regards to compliance with consent conditions, and Council's Consenting department therefore undertook to respond to those concerns.

6.15 I understand that two responses from HCC were sent to Ms Moffat, firstly on the 29th November with the second sent around the 13th December. These responses are attached to the AEE in Appendix H. Ms Moffat got back in touch with the then Mayor on 14 January 2019 highlighting that the group did not believe HCC had provided them with all available information, and that they did not believe the issues had been adequately addressed. I understand that the preference of these individuals was to continue engaging with the then Mayor rather than the project team.

6.16 By this point a further 3 months had passed and it did not appear as if resolution was likely, and the available space within the cleanfill continued to reduce. In an effort to move things along I made a decision to lodge the application, and requested the application be updated to address some of the concerns we knew (based on the N4NW document) that the residents held. This included the establishment of a CLG, staging the filling in accordance with a filling plan and reducing the term to 2.5 years to reflect the promises of the then Mayor and CE.

Consideration of alternative sites

6.17 Several submitters have requested that HCC shuts the existing site down and commences a search for alternative sites.

6.18 As detailed above, HCC has already instructed Tonkin + Taylor to commence looking for potential alternative sites using GIS technology. We expect this to generate a shortlist of potential sites, which will inform future community engagement.

6.19 Notwithstanding this, HCC needs a site to continue accepting cleanfill material in the short-medium term. The proposed Stage 3 site represents that short-medium term solution.

Compliance with existing consent conditions

6.20 Several submitters have suggested that unsuitable material is, and continues to be accepted into the existing cleanfill. This is cited as a rationale for declining the consent for the proposed expansion, as presumably they believe that the facility would continue to accept material deemed to be unsuitable.

6.21 Furthermore, some submitters and local community members have suggested that material is finding its way directly into and contaminating the Wainuiomata River.

6.22 This is not the case. HCC has been subject to ongoing compliance inspections from both HCC's regulatory arm and from GWRC compliance officers. Additionally, qualified staff from Tonkin + Taylor have undertaken regular environmental monitoring inspections to ensure that all consent conditions are complied with. The findings of these inspections were regularly reported to GWRC. While these inspections have on occasion identified minor compliance issues or questions, which is their purpose, the operator has always promptly responded to any consequent request or suggestion for improvement to operations. Inspections by all three parties (HCC, GWRC and T + T) have generally identified that the site is being well managed, that environmental controls are working appropriately and that only suitable material is being accepted. This echoes the ongoing discussions I have had with Mr McWhirter, the site operator, over the years.

7. PROPOSED CONDITIONS OF CONSENT

7.1 HCC is comfortable with Mr Daysh's proposed changes to the draft conditions as set out in his s42A report.

7.2 This is covered in more detail in the planning evidence of Mr Meehan.

8. CONCLUSION

8.1 The proposed cleanfill represents an important facility for the HCC, by providing a short-term solution for disposal of suitable material from local urban renewal, at a well-managed and cost-effective facility that is not impacting on valuable landfill capacity.