

**PLAN CHANGE SUBMISSION AGAINST THE PROPOSED  
WASTE MANAGEMENT LANDFILL PRECINCT**

**By Susan Tomlinson**

**26th May 2020**

I feel the proposal conflicts with sound resource management principles; the purpose and principles of the Resource Management Act 1991, the Auckland Unitary Plan, National Policy Statements on Freshwater Management; Waste Minimisation Act 2008, Waste Industry guidelines, Ministry for the Environment guidelines and the Auckland Council Waste Management and Minimisation Plan. I object to one off bespoke objectives, policies and rules being applied to this site. I note that the plan submitted with the application indicates the extent of the landfill precinct and it's operations to encompass the entire Waste Management site (1000ha) with Sub Precincts A and B indicated. This gives us increased concerns for the effects to neighbouring properties. For more specific information see below.

**5.2. Resource Management Act 1991 (Reprint as at 19 December 2018)**

The following sections of the RMA highlight existing clauses that demonstrate that this proposed site is unsuitable for a landfill. Note: weblinks have been supplied at the end of each section for ease of locating the information.

Part two. Purpose and Principles

5. Purpose

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.
- (2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—
  - (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
  - (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
  - (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231905.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231905.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

6. Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:

(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231907.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231907.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### 7. Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

(a) kaitiakitanga:

(aa) the ethic of stewardship:

(b) the efficient use and development of natural and physical resources:

(d) intrinsic values of ecosystems:

(f) maintenance and enhancement of the quality of the environment:

(g) any finite characteristics of natural and physical resources:

(h) the protection of the habitat of trout and salmon:

(i) the effects of climate change:

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231910.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231910.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### 8. Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231915.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231915.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

### Part three. Duties and restrictions under this Act

#### Land

##### 9. Restrictions on use of land

(1) No person may use land in a manner that contravenes a national environmental standard.

(2) No person may use land in a manner that contravenes a regional rule.

(3) No person may use land in a manner that contravenes a district rule.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231918.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231918.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### Coastal marine area

##### 12. Restrictions on use of coastal marine area

(1) No person may, in the coastal marine area,—

(d) deposit in, on, or under any foreshore or seabed any substance in a manner that has or is likely to have an adverse effect on the foreshore or seabed;

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231949.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231949.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

### River and lake beds

#### 13. Restriction on certain uses of beds of lakes and rivers

- (1) No person may, in relation to the bed of any lake or river,—
- (d) deposit any substance in, on, or under the bed; or unless expressly allowed by a national environmental standard, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.
- (2) No person may do an activity described in subsection (2A) in a manner that contravenes a national environmental standard or a regional rule unless the activity—
- (2A) The activities are—
- (b) to damage, destroy, disturb, or remove a plant or a part of a plant, whether exotic or indigenous, in, on, or under the bed of a lake or river:
  - (c) to damage, destroy, disturb, or remove the habitats of plants or parts of plants, whether exotic or indigenous, in, on, or under the bed of a lake or river:
  - (d) to damage, destroy, disturb, or remove the habitats of animals in, on, or under the bed of a lake or river.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231970.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+resel+25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231970.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+resel+25_h&p=1)

### Discharges

#### 15. Discharge of contaminants into environment

- (1) No person may discharge any—
- (a) contaminant or water into water; or
  - (b) contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or

... unless the discharge is expressly allowed by a national environmental standard or other regulations, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231978.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+resel+25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231978.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+resel+25_h&p=1)

### Noise

#### 16. Duty to avoid unreasonable noise

- (1) Every occupier of land (including any premises and any coastal marine area), and every person carrying out an activity in, on, or under a water body or the coastal marine area, shall adopt the best practicable option to ensure that the emission of noise from that land or water does not exceed a reasonable level.
- (2) A national environmental standard, plan, or resource consent made or granted for the purposes of any of sections 9, 12, 13, 14, 15, 15A, and 15B may prescribe noise emission standards, and is not limited in its ability to do so by subsection (1).

### Adverse effects

#### 17. Duty to avoid, remedy, or mitigate adverse effects

- (1) Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with—
- (a) any of sections 10, 10A, 10B, and 20A; or

(b) a national environmental standard, a rule, a resource consent, or a designation.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231999.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231999.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

## Part five. Standards, policy statements, and plans

### Subpart 1—National direction

#### National environmental standards

##### 43A. Contents of national environmental standards

(3) If an activity has significant adverse effects on the environment, a national environmental standard must not, under subsections (1)(b) and (4),-

(a) allow the activity, unless it states that a resource consent is required for the activity;

Or

(b) state that the activity is a permitted activity.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM233303.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM233303.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

## Schedule 3

### Water quality classes

The standards listed for each class apply after reasonable mixing of any contaminant or water with the receiving water and disregard the effect of any natural perturbations that may affect the water body.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM241596.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM241596.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

## **Auckland Regional / Unitary Plan**

The following quoted evidence is from (*Auckland Council, 2012 – Operative from 30.09.2013: Auckland Council Regional Plan: Air, Land and Water* <http://www.aucklandcity.govt.nz/council/documents/regionalplans/airlandwater/alwp2012who leplan.pdf>)

This plan explains the purpose of the RMA is: “to promote the sustainable management of natural and physical resources” (*Chapter 1, Page 1, Para 5*) and defines “sustainable management” to mean: “managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety while –

(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.” (*Chapter 1, Page 1, Para 6-9*)

- “The control of the use of land for the purpose of –
- (i) Soil conservation;
  - (ii) The maintenance and enhancement of the quality of water in water bodies;
  - (iii) The maintenance of the quantity of water in water bodies and coastal water;
  - (iiia) The maintenance and enhancement of ecosystems in water bodies and coastal water;
  - (iv) The avoidance or mitigation of natural hazards.” (*Chapter 1, Page 4, Para 8-13*)

### **National Policy Statement for Freshwater Management 2014**

In a nutshell, the Freshwater NPS directs regional councils, in consultation with their communities, to set objectives for the state of fresh water bodies in their regions and to set limits on resource use to meet these objectives.

Some of the key requirements of the Freshwater NPS are to:

- consider and recognise Te Mana o te Wai in freshwater management
- safeguard fresh water’s life-supporting capacity, ecosystem processes, and indigenous species
- safeguard the health of people who come into contact with the water
- maintain or improve the overall quality of fresh water within a freshwater management unit
- improve water quality so that it is suitable for primary contact more often
- protect the significant values of wetlands and outstanding freshwater bodies
- follow a specific process (the national objectives framework) for identifying the values that tāngata whenua and communities have for water, and using a specified set of water quality measures (called attributes) to set objectives
- set limits on resource use (eg, how much water can be taken or how much of a contaminant can be discharged) to meet limits over time and ensure they continue to be met
- determine the appropriate set of methods to meet the objectives and limits
- take an integrated approach to managing land use, fresh water and coastal water
- involve iwi and hapū in decision-making and management of fresh water.

<https://www.mfe.govt.nz/fresh-water/national-policy-statement/about-nps>

### **Waste Minimisation Act 2008**

#### **Purpose of this Act**

The purpose of this Act is to encourage waste minimisation and a decrease in waste disposal in order to—

- (a) protect the environment from harm; and
- (b) provide environmental, social, economic, and cultural benefits.

<http://www.legislation.govt.nz/act/public/2008/0089/latest/DLM1154501.html>

#### **Waste Management and Minimisation Plan**

The Waste Management and Minimisation Plan 2018 sets out our steps for the next six years.

There are nine key actions in the plan:

- advocate to central government for an increased waste levy
- encourage producers and consumers to think more carefully about the life cycle of products (product stewardship)
- work closely with the commercial sector to manage what happens to organic, plastic, and construction and demolition waste
- create a network of 12 community recycling centres across Auckland
- focus on reducing litter, illegal dumping and marine waste
- continue to improve our kerbside rubbish and recycling collections
- begin offering kerbside collection of food scraps
- address our own waste practices
- partner with others to achieve a zero-waste Auckland.

**Various Government and Waste Industry guidelines including but not limited to:**

Centre for Advanced Engineering: Landfill Guidelines – Towards sustainable waste management in New Zealand. 2000

Ministry for the Environment: Guide for the Management of Closing and Closed Landfills in New Zealand 2001

Ministry for the Environment: Good practice guide for assessing and managing odour. 2016

Waste Management Institute New Zealand, (WasteMINZ): Technical Guidelines for Disposal to Land. 2016

Waste Management Institute New Zealand, (WasteMINZ): Technical Guidelines for Disposal to Land. 2018

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Ella Rickit

Organisation name:

Agent's full name: Ella Rickit

Email address: [ella.rickit@gmail.com](mailto:ella.rickit@gmail.com)

Contact phone number:

Postal address:

13 Leslie St  
Mangawhai  
Mangawhai 0505

### Submission details

**This is a submission to:**

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

**My submission relates to**

Rule or rules:

Property address: 1232 State Highway 1, Wayby Valley

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

The proposal is contrary to sound resource management principles; is contrary to the purpose and principles of the Resource Management Act 1991, conflicts with National Policy Statements on Freshwater Management; contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan.

I believe granting the plan change poses many unacceptable risks to the surrounding environment - the land, the flora and fauna, the Hoteo River, Kaipara Harbour, underlying water table, and the community.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

## **Attend a hearing**

Do you wish to be heard in support of your submission? No

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Heidi Burchett

Organisation name:

Agent's full name:

Email address: [sistersimmo@gmail.com](mailto:sistersimmo@gmail.com)

Contact phone number:

Postal address:  
114 Burma Road  
RD7  
Wellsford  
Auckland 0977

### Submission details

**This is a submission to:**

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

**My submission relates to**

Rule or rules:

Notified proposal for plan change or variation to an existing plan - Auckland Unitary Plan. Landfill Precinct.

Property address: 1232 State Highway 1, Wayby Valley

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

I feel the proposal conflicts with sound resource management principles; the purpose and principles of the Resource Management Act 1991, the Auckland Unitary Plan, National Policy Statements on Freshwater Management; Waste Minimisation Act 2008, Waste Industry guidelines, Ministry for the Environment guidelines and the Auckland Council Waste Management and Minimisation Plan. I object to one off bespoke objectives, policies and rules being applied to this site. I note that the plan submitted with the application indicates the extent of the landfill precinct and it's operations to encompass the entire Waste Management site (1000ha) with Sub Precincts A and B indicated. This gives me increased concerns for the effects to neighbouring properties.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

### **Attend a hearing**

Do you wish to be heard in support of your submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

### **Contact details**

Full name of submitter: Bridgit Bretherton-Jones

Organisation name: Waterfall farm (Waiwhiu) Limited

Agent's full name:

Email address:

Contact phone number: 09 6231541

Postal address:

149 Waiwhiu conical peak rd  
PO box 10350  
dome Valley  
Warkworth 0981

### **Submission details**

**This is a submission to:**

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

**My submission relates to**

Rule or rules:

We the shareholders of Waterfall Farm (Waiwhiu) Limited oppose the submission in its entirety. We do not believe that this area is appropriate for a landfill precinct.

As direct neighbors we are currently surrounded by forestry land and small rural holdings, we do not believe that a Landfill precinct in this area fits with the wider council plans, or expected use, of this rural area. This area has never been used for industrial purposes and it is inappropriate to place a landfill in this pristine environment. In addition, we believe that such a change is contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan.

Property address: 149 Waiwhui conical peak Rd, Dome Valley Warkworth, 0981

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The property at 149 Waiwhui conical peak Rd, owned by Waterfall farm (Waiwhiu) Limited is the closest property to the actual landfill site and therefore stands to be most significantly affected by a change in the unitary plan.

We have significant concerns that if this unitary plan is approved that it will have a negative impact on shareholders enjoyment of this property and the value of the property as an asset.

I or we seek the following decision by council: Decline the plan modification

154.1

Submission date: 26 May 2020

### **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Kim Lewin

Organisation name:

Agent's full name:

Email address: [kimjlewin@gmail.com](mailto:kimjlewin@gmail.com)

Contact phone number:

Postal address:  
1082 Burma Road  
Wellsford  
Auckland 0977

### Submission details

#### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

#### My submission relates to

Rule or rules:

Notified proposal for plan change or variation to an existing plan - Auckland Unitary Plan. Landfill Precinct.

Property address: 1232 State Highway 1, Wayby Valley

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

I feel the proposal conflicts with sound resource management principles; the purpose and principles of the Resource Management Act 1991, the Auckland Unitary Plan, National Policy Statements on Freshwater Management; Waste Minimisation Act 2008, Waste Industry guidelines, Ministry for the Environment guidelines and the Auckland Council Waste Management and Minimisation Plan. I object to one off bespoke objectives, policies and rules being applied to this site. I note that the plan submitted with the application indicates the extent of the landfill precinct and it's operations to encompass the entire Waste Management site (1000ha) with Sub Precincts A and B indicated. This gives me increased concerns for the effects to neighbouring properties.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

### **Attend a hearing**

Do you wish to be heard in support of your submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Craig Watson

Organisation name:

Agent's full name:

Email address: [craigwatson2012@hotmail.co.nz](mailto:craigwatson2012@hotmail.co.nz)

Contact phone number:

Postal address:

1026

### Submission details

#### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

#### My submission relates to

Rule or rules:

I object to the whole proposal because the whole proposal is contrary to sound resource management principles; is contrary to the purpose and principles of the Resource Management Act 1991, conflicts with the Auckland Unitary Plan, conflicts with National Policy Statements on Freshwater Management, contrary to the Waste Minimisation Act 2008, and the Auckland Council Waste Management and Minimisation plan.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

I object to the whole proposal because the whole proposal is contrary to sound resource management principles; is contrary to the purpose and principles of the Resource Management Act 1991, conflicts with the Auckland Unitary Plan, conflicts with National Policy Statements on Freshwater Management, contrary to the Waste Minimisation Act 2008, and the Auckland Council Waste Management and Minimisation plan.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

### **Attend a hearing**

Do you wish to be heard in support of your submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Nicola Kaye Morrison

Organisation name:

Agent's full name:

Email address: [lovelifeitsfun@hotmail.com](mailto:lovelifeitsfun@hotmail.com)

Contact phone number:

Postal address:  
17 Christine Place  
Dome Valley  
Dome Valley  
Warkworth 0981

### Submission details

**This is a submission to:**

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

**My submission relates to**

Rule or rules:  
Dome Valley Landfill

Property address: Dome Valley, Wellsford

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Has nothing been learned from the landfill environmental disaster at Fox Glacier? NZ needs to look at other ways of disposing waste.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

Supporting documents  
FIGHT THE TIP SUBMISSION GUIDE\_20200526174118.921.pdf

157.1

## **Attend a hearing**

Do you wish to be heard in support of your submission? No

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

**PUBLIC SUBMISSION GUIDE AGAINST THE PROPOSED  
WASTE MANAGEMENT LANDFILL IN THE DOME VALLEY  
Created by Fight the Tip Tiaki te Whenua**

THE FOLLOWING IS INFORMATION FOR COUNCIL SUBMISSION FORM SECT 3 "THE REASONS FOR MY/OUR SUBMISSION" Refer to our 'Sample Submission Form' for content to include in the other parts of your submission.

**Has nothing been learned from landfill environmental disaster at Fox Glacier? We do not need a landfill in a high level water catchment area. I had 35mm here over the last 2 days while my parents in Sandspit got 18mm. This landfill proposal is logistically environmentally flawed.**

1. We believe the landfill poses multiple high impact risks to the environment, particularly the Hotoe River and Kaipara Harbour, and to the community.
2. The site clearly does not align with the Resource Management Act, the Unitary/Regional Plans of the area, and to the Waste Industries own landfill siting criteria.
3. As witnessed with the Rotorua landfill court case and allegations of leaked discharges due to major weather events and the recent Fox Glacier landfill disaster the placement of this landfill in an unsuitable location is likely to lead to cost ratepayers in the area for the clean up.
4. This submission is being made because of an immediate risk to surrounding environments, people and businesses by this proposed landfill. Due to nearby extensive waterways, native and threatened species and ecosystems, and local communities in the proposed landfill area, there is clearly a lack of regard for protecting the land and its people from the far-reaching and long-lasting impacts of landfills by this proposal.
5. The land includes waterways - tributaries to the Hotoe River which lead into the Kaipara Harbour which is the beginning of the marine food chain, and a significant breeding ground for snapper, oyster and other species. Endangered Maui dolphin feed at the harbour entrance, and Fairy Terns inhabit the area. The forest on the site and neighbouring Department of Conservation reserve contains native and threatened flora and fauna. The land purchased also includes wetlands, flood plain, springs/tomos and a fresh-water aquifer, and a fresh water supply is nearby.
6. **Geology and water systems** - The proposed site consists of fractured upthrust sandstone and mudstone layers, topped with reactive clay. The cracking and swelling clay causes gradual ground movement or sudden slips. Water flows carve intermittent underground streams, forming tomos and springs. These streams will often disappear down cracks in the uplifted bedrock thus contributing to the underground aquifers. This combination also results in high risk of slips on the surface.

7. **Weather** - The elevated site is exposed to north - north westerly winds, highly localised rain, lightning and thunderstorms. The Dome Valley area experiences high rainfall, normally in the winter months, but also is prone to summer cyclones predominantly from the north east. These high rains cause extreme flood events and large slips in the area, particularly where earthworks such as a landfill site would include.

#### 8. **Related waterways**

- a) The Hoteo is the third largest river (second after rain) feeding into the Kaipara Harbour. The river provides water to the local community, farmers and livestock, and is home to many flora and fauna species including the highly endangered seagrasses that surround the rivermouth (Auckland Council, 2014).
- b) The Kaipara Harbour has a coastline which is 3,350km in length making it the largest harbour in the Southern Hemisphere. It is a major contributor to New Zealand's seafood industry as it is the major breeding ground for West Coast snapper. Due to its seagrass habitat it is a nursery and feeding ground for multiple species including snapper, mullet, trevally, sharks, seals, orca, shellfish, and the endangered maui dolphin. The dunes and shoreline are habitat to a range of bird species including endangered birds such as Fairy Terns, Black Stilt, NZ Dotterel, Bittern, Heron, Black Billed Gull, Wrybills and Oystercatchers.
- c) The site includes significant wetland areas which are highly endangered and at risk in New Zealand. They contain important flora and fauna and act as a filter for sedimentation and contaminants.
- d) The area includes flood plains below the proposed site, which regularly flood causing road closures. They are fed by the tributaries from the proposed landfill area and the Hoteo River. Flood events could carry leachates across the flood plain area, impacting agricultural areas and ground water sources.
- e) Springs/tomos spontaneously occur in the area. These could affect the integrity of the landfill liner leading to breaches.
- f) An aquifer / fresh water supply underlies the area's waterway systems and is a potential groundwater source for the Wellsford Water Treatment Plant.

9. **Landfill operation** - Due to the high rainfall in the area we believe the clay topping to cover daily rubbish would be incapable of performing its job in such wet conditions.

10. **Important species** - The proposed landfill site and surrounding area contains many native and/or threatened terrestrial and aquatic species. Such as:

##### Land based

##### Trees

- Kauri – Very Endangered and highly threatened currently by Kauri Dieback spread
- Taraire, Tawa, Podocarp, Kauri, Broadleaf and Beech forest

##### Birds

- Tui, Kereru, Morepork, Fantail
- Silver-eye, Swamp Harrier, Shining cuckoo, Welcome Swallow, Kingfisher

- Bitterns
- Fairy terns
- Grey Duck - Nationally Critical

Other

- Long-tailed bat - Nationally Vulnerable
- Flat-web spider (oldest spider in the world)
- Giant earthworms
- Forest Gecko - Declining

Amphibians

- Hochstetter frogs – At risk

Aquatic - Water based

Freshwater species found in nearby river Waiwhiu, other Hoteo tributaries and the Hoteo River itself.

- Shortfin eel, Longfin eel (Declining), Inanga, Common Bully, Redfin Bully.
- Banded Kokopu, Freshwater crayfish, Freshwater Tuna, Whitebait.

Marine life

- Seafood stocks - Snapper, Tarakihi, Mullet, multiple shellfish species

Sealife

- Maui dolphins, Orca, major shark nursery, shellfish etc.
- Seagrass - the mouth of the Hoteo River is home to a key seagrass population, which could be majorly threatened by the increased sedimentation and leachate distribution from this landfill.

## **IMPACT ON LOCAL IWI AND HAPU**

If you whakapapa as members of Te Uri o Hau, Ngati Manuhiri, Ngati Rango or Ngati Whatua, you are recognised to have rights to submit your thoughts about the proposed landfill as it falls within your tribal area including the entire Kaipara Harbour area. The following concerns may be useful for you when writing your submission as they have been written from an iwi perspective. Even if you are non-maori you may wish to include these iwi concerns in your submission as a show of support for local iwi and their rights to protect their taonga (treasure).

Note: For those who wish to have more in depth information please contact Mikaera Miru on [mirumikaera@gmail.com](mailto:mirumikaera@gmail.com)

11. Treaty of Waitangi settlements and the Resource Management Act recognise and state that organisations and individuals have obligations to local iwi / mana whenua when proposing changes or activities which will or may impact the environment.
12. Local iwi Te Uri o Hau, Ngati Manuhiri, Ngati Rango and Ngati Whatua are guardians of the land, marine and coastal area surrounding the proposed landfill site and encompassing the entire Hoteo River and Kaipara Harbour area. They separately and collectively advocate and support kaitiakitanga and the management and development of natural resources within their statutory areas. Many hapu and whanau groups live beside and rely on the Hoteo River and Kaipara Harbour for their food and recreation.
13. **Wai (Fresh water):** Degradation of this natural resource is a major issue because:
  - water is seen as sacred because of its purity and life supporting qualities
  - water plays an important role from birth to death
  - each freshwater system has its own mauri which represents the life force of the resource and the ecological systems which live within that resource.
  - the quality of the fresh water entering the harbour directly affects the quality of the marine environment
  - like all taonga, water is traditionally conserved and protected
  - traditional methods of protection included rahui and tapu

**This proposed landfill is a serious affront to the preservation of the mauri within fresh waterways as well as the physical and spiritual health of iwi, hapu, whanau members and the wider community.**

14. **Aukati Rahui:** In June 2019, Te Uri o Hau Tribal Council representing fourteen Marae (7,000 people) endorsed the placement of an aukati rahui over the proposed landfill site. This was supported and confirmed at a community meeting of 200 local people.

The aukati rahui was placed during a dawn ceremony on 15<sup>th</sup> June 2019 and witnessed by over 150 people.

To date Auckland Council have ignored the rahui but they have a legal obligation to recognise and provide for this as confirmed by the Resource Management Act.

## **IMPACT ON LAND**

15. **Habitat and species loss** caused by tree felling and excavations causing loss of biodiversity.
  - loss of habitat for species as previously listed (see #10)
  - loss of species directly through removal of species
  - indirectly over time due to loss of habitat, and/or cascading effects through ecosystems
16. **Increased erosion and sediment movement** by wind and rainfall once sediment is loosened from excavations and daily dirt layers on the landfill adversely impacting the environment.

This will cause:

- dust layers over vegetation.

- decreased availability of vegetation as a food for other species.

Note: the Kaipara Harbour is already under threat from sedimentation from its tributary rivers.

17. **Rubbish distribution** is likely throughout the surrounding environment by wind and rainfall with adverse impacts on biodiversity.

This will cause:

- negative impacts on animals when consumed.
- animals to become poisoned by toxins and chemicals in rubbish.
- the spread of contaminants into soils, waterways and affected ecosystems.
- distasteful views for the community when seen.
- danger to vehicles avoiding rubbish on State Highway 1.

18. **LFG (landfill gases)** such as methane and other gases (including carbon dioxide and sulphur dioxide) will be released into the environment from the landfill during operation having adverse impacts on biodiversity, local residents and increasing the fire risk.

## IMPACT ON THE WATER

19. **Degradation to the natural state of the land** will in turn have adverse effects on the aquatic environment/ecosystems. We believe this will occur through a breach of the landfill liner or through normal operations. Resulting in:
- (a) discharge of a contaminants or water into water
  - (b) discharge of a contaminant onto or into land
  - (c) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials.
  - (d) conspicuous change in the colour or visual clarity.
  - (e) emission of objectionable odour.
  - (f) rendering of fresh water unsuitable for consumption by farm animals or people.
  - (g) significant adverse effects on aquatic life.
20. **Increased sedimentation** caused by soil movement in wind and rainfall once loosened from excavations and daily dirt layers on the landfill and loss of trees holding soils in place, causing change in the colour or visual clarity and significant adverse effects on aquatic life.

Sediments will become more transportable from development and operational processes, spreading it into waterways causing;

- increased sedimentation causing;
  - decreased water quality (impacts species and community water supply).
  - decreased light (impacting efficiency and ability for photosynthesis).
  - negative effects on feeding by fauna (particularly filter feeders).
  - cascading effects through the environment and aquatic ecosystems, including vulnerable and threatened wetlands in the area.

21. **Leachates** will be generated and transported easily through aquatic systems from discharges from the landfill, particularly during high rainfalls. Leachates are dissolved toxic compounds produced through the landfill process. All landfills are known to release leachates into the soils and surrounding areas despite any riparian plantings both during

operation and after closure. These leachates can remain in the soil and mud for many years, and have many adverse impacts on the environment such as:

- contamination of habitats.
- causing damage to and loss of species
  - directly through consumption.
  - indirectly through impacts on processes in the ecosystem.
- degradation of water quality
  - for species.
  - of the local water table.
- spreading through the food chain

Leachates from landfills change overtime as well, so the future of the area, particularly the Hotoe River and Kaipara Harbour will be at risk long after the landfill closes as well.

Considering the huge importance of the Kaipara Harbour to our country's internal and exported seafood industry, this is a major concern. Exports of snapper are currently worth \$32 million annually.

22. **Microplastics** will be produced through the breakdown of rubbish over time in the landfill (including after closure of operation of the landfill, and after the enforced aftercare period of usually 30 years) and easily spread into the surrounding waterways rendering fresh water unsuitable for consumption by farm animals and causing significant adverse effects on aquatic life. Microplastics are a huge and growing issue globally that travel easily and cause many issues.
23. **Underground freshwater springs** – the area is called “Springhill farm” for a reason, and this landfill would likely cause significant adverse effects on the water table via these springs.
24. Even though modern landfills have improved engineering standards compared to historic landfills, there still remains the ‘unknown event’ to cause a failure. Whether this is due to climate change, environmental events of intense rainfall, earthquake, tsunami, etc., human error, product failure, or changes to site stability, the waste industry themselves cannot guarantee that their liner will never breach.

## IMPACT ON PEOPLE AND THE COMMUNITY

Any degradation to the natural state of the land will in turn have adverse effects on the morale, health and wellbeing of the local community and people.

25. **Recreation** – the area around and areas likely to be impacted by the landfill have many recreational purposes and are commonly used by community groups and clubs, but with the addition of the landfill may become unusable.
26. **Health** – there are extensive health risks associated with landfills during operation and once closed which would likely impact our local community. Leachates and rubbish spread through the environment will bring with them bacteria, carcinogens, toxins, an infection substances that will have adverse health impacts on those;
  - who come in contact with them.
  - who consume infected flora and fauna.



- who consume affected seafood or any part of the food chain.
27. **Employment issues** – although the landfill development and operation will offer a few jobs, the overall presence of the landfill will cause loss of jobs elsewhere. It is understood that many Redvale landfill employees will relocate and fill most of the job opportunities. Expected job losses elsewhere could include:
- farmers alongside the Hoteo River and Kaipara Harbour.
  - local tour operators and accommodation suppliers.
  - fisherman who both recreationally and commercially use the harbour as a resource to feed their families.
28. **Nuisances** - Odour, noise, dust, vibration, light, visual nuisance (on people and animals), rodents, invasive weeds and species caused by the development and operation of the landfill. Landfill development and operation will involve:
- extensive lighting influencing the environment and reducing our dark sky which are culturally important, a scenic and scientific resource, and are critical for nocturnal species.
  - releasing dust into the environment.
  - disrupting nearby species and people with loud noises and vibrations.
  - producing a bad smell which would spread easily on high winds in the area.
  - distasteful views of multiple rubbish trucks (300-500 a day) travelling on our small country roads.
  - potential spread of odour neutralising salts/zeolite.
  - increased rodent (rats, mice) population, increasing the mustelid population.
  - increased seagulls in the area
29. **Agriculture** – Many of the families in the area are farmers, and the addition of this landfill to the area would;
- morally degrade their ambition to care and harvest the land
  - have strong impacts on their ability to care and harvest the land by;
    - spreading leachates, sediment and rubbish debris onto agricultural lands negatively impacting crops and animals
    - degrading water sources (particularly the Hoteo River)
30. **Emergency services** – emergency services in the Wellsford and greater area are primarily volunteer services. The addition of 300-500 rubbish trucks to our already dangerous roads, plus the increased fire risk from the methane gases released, volunteer emergency services will be under excessive pressure.
- Increased heavy traffic volumes (300-500 trucks + 150 service vehicles PER DAY)
  - Increased risk of accidents/fatals (most fatals already involve trucks)
  - Increased fire risk in inaccessible forestry/farmland, and proximity to the main gas line.
31. **Roading** – the Wellsford and greater area experience large volumes of trucks such as quarry, logging and cattle trucks, and milk tankers every day which already cause major damage and congestion, and the addition of 300-500 rubbish trucks a day would cause major roading issues.
32. **Wasted previous efforts by community groups** – for years, local community groups have been working tirelessly to improve the quality of the area, and educate local

community members of the importance of looking after our lands and waterways. These efforts will largely be reversed by the addition of this landfill.

Although the proposal has plans to put money into the community and these types of programmes, the impacts of this landfill will still undo what has previously been done by the following groups:

- Integrated Kaipara Harbour Management Group (IKHMG) and Trees for Survival have been working on planting and improving the water quality in the wider catchment area and Kaipara Harbour.
- Councils and the government have put public money into this area. Around \$15M contributed to deal with sediment and water quality in Kaipara, \$2M for 5year Hoteo River Healthy Waters project
- Million Metres - planting to protect the Hoteo River.
- Forest Bridge Trust - fencing waterways and planting forest through the CatchIT programme to create a native forest corridor from Kaipara to Pakiri with the goal to reduce vermin and reintroduce Kiwi to the area.

33. **Watercare** – Watercare sources some water from the Hoteo River for Wellsford and Te Hana. The water is currently supplied to the community, tourists, and rural tank top-ups by water companies. Flooding may cause back wash of leachates, sediments and rubbish towards the water intakes and source degrading the quality of the water. Considering historic and current water shortage issues, there is the potential that this water resource could be another water supply for Auckland City.

The following customer has submitted a Unitary Plan online submission.

### Contact details

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Agent's full name: Dean Gerrard

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Contact phone number:

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Warkworth  
Warkworth 0910

### Submission details

#### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

#### My submission relates to

Rule or rules:

Property address: Wayby Valley road

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Fwd: Unitary Plan Publicly Notified Submission - Plan change 42 - Joanne Mary O'Sullivan  
J  
Joanne O'Sullivan  
to me  
5 minutes agoDetails

----- Forwarded message -----

From:

Date: Tue, May 26, 2020, 12:26 PM

Subject: Unitary Plan Publicly Notified Submission - Plan change 42 - Joanne Mary O'Sullivan

To:

Thank you for your submission.

We will contact you within 10 working days to acknowledge your submission. Keep this email as your copy of your submission.

Email [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or phone 09 301 0101 if you don't hear from us within 10 working days.

Contact details

Full name of submitter: Joanne Mary O'Sullivan

Organisation name:

Agent's full name: Joanne M OSullivan

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Contact phone number: 0226389536

Postal address:

12 Millstream Place  
Warkworth  
Warkworth 0910

Submission details

This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

My submission relates to

Rule or rules:

Resource Management Act 1991

No person may discharge a contaminant into water, land or air

Property address: 1232 State Highway 1, Dome Valley. Wellsford

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

The proposed plan change contravenes the resource management Act1991

Shows complete disregard to Mana Whenua. The immediate area is important to Maori, our whakapapa is woven into the whenua, and the waters that flow from the several tributaries and puna to the Hotoe and Kaipara Moana. Our traditional food basket of Ngāti Whātua, currently faces its greatest environmental challenge to date with the prospect of millions of tonnes of Auckland's waste that will end up polluting our waterways. We are asking why is it that antiquated methods are being proposed which are destructive for the environment, when there are proven, environmentally sound alternatives? Waste Management NZ, who are the applicants, can give no guarantees that toxic leachate and other pollutants will not find their way into the Kaipara Moana," says Dame Naida Glavish.

Health is at risk for those who live within five kilometers of a landfill site

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

### **Attend a hearing**

Do you wish to be heard in support of your submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Shona Oliver

Organisation name:

Agent's full name: Shona Oliver

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480 Waitakere Road  
RD 2  
Henderson  
Henderson 0782

### Submission details

**This is a submission to:**

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

**My submission relates to**

Rule or rules:  
Private Plan Change 42 under the Auckland Unitary Plan

Property address: Waste Management New Zealand 1232 State Highway 1 Wayby Valley

Map or maps:

Other provisions:  
Plan Change 42 and BUN603395 and all associated Consents

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
The granting of this Proposed Plan Change would open the door to the associated Applications under BUN60339589 to be assessed against an Approved Precinct. I oppose the placement of a Landfill in this location.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

Supporting documents  
Private Plan Change 42.pdf

### **Attend a hearing**

Do you wish to be heard in support of your submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

480 Waitakere Road

Taupaki

26 May 2020

Auckland Council

Re: Private Plan Change 42 - Opposed

**Ko āna takutai, moana hoki ō Kaipara he ipu kai**

**“Kaipara - the Harbour, its shores and its hinterland is the food bowl.”**

I oppose the proposal to re-designate an area of Rural Production Land area of the Dome Valley, 1232 State Highway 1 Wayby Valley, to enable use as a Landfill Precinct.

I acknowledge the deeply held beliefs and connections of those Whanau, Hapū and Iwi who Whakapapa to the Whenua, Hōteō and Kaipara Harbour. To approve this Plan Change would not acknowledge Treaty Rights and Obligations.

I oppose the dumping of Waste into the Whenua (land). If approved, this Precinct will lead to the bundled applications to establish a Landfill at 1231 State Highway 1. A Landfill requires extensive modification of the area. This modification would involve the destruction of water courses, biological and ecological habitat, pollute the land, with the associated risks, destroying the mauri and leaving an unacceptable legacy for future generations.

There are other solutions that can be invested in to dispose of Waste. As aspiring leaders in Climate Change, New Zealand should be investing in this technology and establishing true Waste Mitigation Solutions. This would see the repurposing of waste, the production of useful by-products, along with energy and water.

Auckland Council has previously stated it would not support the establishment of new landfill along with declaring a Climate Change. Why would you be adding more emissions and risk.

I oppose the Application to change the designation for this location. The slip prone geology, changing water tables, high rainfall, flooding and traffic concerns mean that there would be the potential for Non-Source Pollution from a Landfill site. This pollution could enter the Hōteō River, flow to the Kaipara and reach the food chain.

The Hōteō is recognised through its classification as a Significant Ecological Area (SEA), Outstanding Natural Feature (ONF) and Natural Stream management Area (NSMA) in the Auckland Unitary Plan (AUP). The Seaweed, kelp and seagrass habitats of the Kaipara are as productive as rainforests and provide a critical basis for coastal food chains, nutrient recycling and carbon sink.

I have no confidence that man made infrastructure, such as the base liner and associated technical solutions would preclude this unacceptable risk of an unplanned discharges, a risk that would always remain.

Shona Oliver

0224263397



The following customer has submitted a Unitary Plan online submission.

### Contact details

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Agent's full name:

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Contact phone number:

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33 Bellevue Ave  
Wellsford  
Auckland 0900

### Submission details

#### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

#### My submission relates to

Rule or rules:  
NA - New precincts

Property address: Auckland Regional Landfill Wayby Valley

Map or maps:

Other provisions:

Is understood that WMNZ has requested a private plan change to include a precinct to identify in the unitary plan the whole site for a potential landfill. The subject precinct should exclude the Springhill airfield – this should have its own airport precinct.

160.1

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

It is submitted that all of this area that is required to operate and realise the value of this private airfield should carry an airport precinct. As supplementary to the airport precinct (should Council consider granting consent to WMNZ to operate a landfill in Wayby Valley) its consent should be conditional that the airstrip and airfield be subdivided from the rest of the property so that it includes all equipment facilities hangers etc and required access in order to retain and increase the value of this private airfield. This submission is being made to the Landfill Resource Consent BUN60339589.

160.2

I or we seek the following decision by council: Accept the plan modification

Submission date: 26 May 2020

### **Attend a hearing**

Do you wish to be heard in support of your submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Chloe Thompson

Organisation name:

Agent's full name:

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Contact phone number: 0273627726

Postal address:

Central City  
Christchurch 8011

### Submission details

#### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

#### My submission relates to

Rule or rules:

I object to the whole proposal because the whole proposal is contrary to sound resource management principles; is contrary to the purpose and principles of the Resource Management Act 1991, conflicts with the Auckland Unitary Plan, conflicts with National Policy Statements on Freshwater Management, contrary to the Waste Minimisation Act 2008, and the Auckland Council Waste Management and Minimisation plan

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

I object to the whole proposal because the whole proposal is contrary to sound resource management principles; is contrary to the purpose and principles of the Resource Management Act 1991, conflicts with the Auckland Unitary Plan, conflicts with National Policy Statements on Freshwater Management, contrary to the Waste Minimisation Act 2008, and the Auckland Council Waste Management and Minimisation plan

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

### **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Chloe Thompson

Organisation name:

Agent's full name:

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Contact phone number: 0273627726

Postal address:

Christchurch 8011

### Submission details

#### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

#### My submission relates to

Rule or rules:

The proposal conflicts with sound resource management principles; the purpose and principles of the Resource Management Act 1991, the Auckland Unitary Plan, National Policy Statements on Freshwater Management; Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan. I object to objectives, policies and rules being applied to this site.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The proposal conflicts with sound resource management principles; the purpose and principles of the Resource Management Act 1991, the Auckland Unitary Plan, National Policy Statements on Freshwater Management; Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan. I object to objectives, policies and rules being applied to this site.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

## **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: gareth moon

Organisation name:

Agent's full name:

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466 New North Road  
Kingsland  
Auckland 1021

## Submission details

### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

### My submission relates to

Rule or rules:

5.2. Resource Management Act 1991 (Reprint as at 19 December 2018)

The following sections of the RMA highlight existing clauses that demonstrate that this proposed site is unsuitable for a landfill. Note: weblinks have been supplied at the end of each section for ease of locating the information.

Part two. Purpose and Principles

5. Purpose

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231905.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel\\_25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231905.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel_25_h&p=1)

National Policy Statement for Freshwater Management 2014

In a nutshell, the Freshwater NPS directs regional councils, in consultation with their communities, to set objectives for the state of fresh water bodies in their regions and to set limits on resource use to meet these objectives.

Some of the key requirements of the Freshwater NPS are to:

consider and recognise Te Mana o te Wai in freshwater management

safeguard fresh water's life-supporting capacity, ecosystem processes, and indigenous species  
safeguard the health of people who come into contact with the water  
maintain or improve the overall quality of fresh water within a freshwater management unit  
improve water quality so that it is suitable for primary contact more often  
protect the significant values of wetlands and outstanding freshwater bodies  
follow a specific process (the national objectives framework) for identifying the values that tāngata  
whenua and communities have for water, and using a specified set of water quality measures (called  
attributes) to set objectives  
set limits on resource use (eg, how much water can be taken or how much of a contaminant can be  
discharged) to meet limits over time and ensure they continue to be met  
determine the appropriate set of methods to meet the objectives and limits  
take an integrated approach to managing land use, fresh water and coastal water  
involve iwi and hapū in decision-making and management of fresh water.  
<https://www.mfe.govt.nz/fresh-water/national-policy-statement/about-nps>

#### Auckland Regional / Unitary Plan

The following quoted evidence is from (Auckland Council, 2012 – Operative from 30.09.2013:  
Auckland Council Regional Plan: Air, Land and Water

<http://www.aucklandcity.govt.nz/council/documents/regionalplans/airlandwater/alwp2012wholeplan.pdf>  
f)

This plan explains the purpose of the RMA is: “to promote the sustainable management of natural and physical resources” (Chapter 1, Page 1, Para 5) and defines “sustainable management” to mean: “managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety while –

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.” (Chapter 1, Page 1, Para 6-9)

“The control of the use of land for the purpose of –

- (i) Soil conservation;
- (ii) The maintenance and enhancement of the quality of water in water bodies;
- (iii) The maintenance of the quantity of water in water bodies and coastal water;
- (iiia) The maintenance and enhancement of ecosystems in water bodies and coastal water;
- (iv) The avoidance or mitigation of natural hazards.” (Chapter 1, Page 4, Para 8-13)

Property address: 1232 State Highway 1, Wayby Valley.

Map or maps:

Other provisions:

5.2. Resource Management Act 1991 (Reprint as at 19 December 2018)

The following sections of the RMA highlight existing clauses that demonstrate that this proposed site is unsuitable for a landfill. Note: weblinks have been supplied at the end of each section for ease of locating the information.

Part two. Purpose and Principles

#### 5. Purpose

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.
- (2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—
  - (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the



reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231905.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel\\_25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231905.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel_25_h&p=1)

#### 6. Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:

(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:

(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231907.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel\\_25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231907.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel_25_h&p=1)

#### 7. Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

(a) kaitiakitanga:

(aa) the ethic of stewardship:

(b) the efficient use and development of natural and physical resources:

(d) intrinsic values of ecosystems:

(f) maintenance and enhancement of the quality of the environment:

(g) any finite characteristics of natural and physical resources:

(h) the protection of the habitat of trout and salmon:

(i) the effects of climate change:

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231910.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel\\_25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231910.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel_25_h&p=1)

#### 8. Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231915.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel\\_25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231915.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel_25_h&p=1)

### Part three. Duties and restrictions under this Act

#### Land

##### 9. Restrictions on use of land

(1) No person may use land in a manner that contravenes a national environmental standard.

(2) No person may use land in a manner that contravenes a regional rule.

(3) No person may use land in a manner that contravenes a district rule.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231918.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel\\_25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231918.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel_25_h&p=1)

#### Coastal marine area

##### 12. Restrictions on use of coastal marine area

(1) No person may, in the coastal marine area,—

(d) deposit in, on, or under any foreshore or seabed any substance in a manner that has or is likely to have an adverse effect on the foreshore or seabed;

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231949.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel\\_25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231949.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel_25_h&p=1)

#### River and lake beds

##### 13. Restriction on certain uses of beds of lakes and rivers

(1) No person may, in relation to the bed of any lake or river,—

(d) deposit any substance in, on, or under the bed; or unless expressly allowed by a national environmental standard, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.

(2) No person may do an activity described in subsection (2A) in a manner that contravenes a national environmental standard or a regional rule unless the activity—

(2A) The activities are—

(b) to damage, destroy, disturb, or remove a plant or a part of a plant, whether exotic or indigenous, in, on, or under the bed of a lake or river:

(c) to damage, destroy, disturb, or remove the habitats of plants or parts of plants, whether exotic or indigenous, in, on, or under the bed of a lake or river:

(d) to damage, destroy, disturb, or remove the habitats of animals in, on, or under the bed of a lake or river.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231970.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel\\_25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231970.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel_25_h&p=1)

#### Discharges

##### 15. Discharge of contaminants into environment

(1) No person may discharge any—

(a) contaminant or water into water; or

(b) contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or ... unless the discharge is expressly allowed by a national environmental standard or other regulations, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231978.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel\\_25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231978.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel_25_h&p=1)

#### Noise

##### 16. Duty to avoid unreasonable noise

(1) Every occupier of land (including any premises and any coastal marine area), and every person carrying out an activity in, on, or under a water body or the coastal marine area, shall adopt the best practicable option to ensure that the emission of noise from that land or water does not exceed a reasonable level.

(2) A national environmental standard, plan, or resource consent made or granted for the purposes of any of sections 9, 12, 13, 14, 15, 15A, and 15B may prescribe noise emission standards, and is not limited in its ability to do so by subsection (1).

#### Adverse effects

##### 17. Duty to avoid, remedy, or mitigate adverse effects

(1) Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with—

any of sections 10, 10A, 10B, and 20A; or

a national environmental standard, a rule, a resource consent, or a designation.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231999.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel\\_25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231999.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel_25_h&p=1)

#### Part five. Standards, policy statements, and plans

##### Subpart 1—National direction

##### National environmental standards

##### 43A. Contents of national environmental standards

(3) If an activity has significant adverse effects on the environment, a national environmental standard must not, under subsections (1)(b) and (4),-

(a) allow the activity, unless it states that a resource consent is required for the activity;

Or

(b) state that the activity is a permitted activity.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM233303.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+\\_resel\\_25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM233303.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1)

### Schedule 3

#### Water quality classes

The standards listed for each class apply after reasonable mixing of any contaminant or water with the receiving water and disregard the effect of any natural perturbations that may affect the water body.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM241596.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+\\_resel\\_25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM241596.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1)

#### Auckland Regional / Unitary Plan

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Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

This plan change undermines the cultural and ecological values of the Manu Whenua and local community.

I or we seek the following decision by council: Decline the plan modification

162.1

Submission date: 26 May 2020

### Attend a hearing

Do you wish to be heard in support of your submission? No

### Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Glenn Ruddell

Organisation name: New Zealand Native Riverwood

Agent's full name:

Email address: [glenn@nzriverwood.com](mailto:glenn@nzriverwood.com)

Contact phone number: 0274431049

Postal address:

88b Omaha Flats Road,  
Matakana  
Auckland 0986

## Submission details

**This is a submission to:**

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

**My submission relates to**

Rule or rules:

5.2. Resource Management Act 1991 (Reprint as at 19 December 2018)

The following sections of the RMA highlight existing clauses that demonstrate that this proposed site is unsuitable for a landfill. Note: weblinks have been supplied at the end of each section for ease of locating the information.

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(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

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[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231905.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel\\_25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231905.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel_25_h&p=1)

National Policy Statement for Freshwater Management 2014

In a nutshell, the Freshwater NPS directs regional councils, in consultation with their communities, to set objectives for the state of fresh water bodies in their regions and to set limits on resource use to meet these objectives.

Some of the key requirements of the Freshwater NPS are to:

consider and recognise Te Mana o te Wai in freshwater management

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 safeguard the health of people who come into contact with the water  
 maintain or improve the overall quality of fresh water within a freshwater management unit  
 improve water quality so that it is suitable for primary contact more often  
 protect the significant values of wetlands and outstanding freshwater bodies  
 follow a specific process (the national objectives framework) for identifying the values that tāngata  
 whenua and communities have for water, and using a specified set of water quality measures (called  
 attributes) to set objectives  
 set limits on resource use (eg, how much water can be taken or how much of a contaminant can be  
 discharged) to meet limits over time and ensure they continue to be met  
 determine the appropriate set of methods to meet the objectives and limits  
 take an integrated approach to managing land use, fresh water and coastal water  
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This plan explains the purpose of the RMA is: “to promote the sustainable management of natural and  
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 1, Page 1, Para 6-9)

“The control of the use of land for the purpose of –

- (i) Soil conservation;
- (ii) The maintenance and enhancement of the quality of water in water bodies;
- (iii) The maintenance of the quantity of water in water bodies and coastal water;
- (iiia) The maintenance and enhancement of ecosystems in water bodies and coastal water;
- (iv) The avoidance or mitigation of natural hazards.” (Chapter 1, Page 4, Para 8-13)

Property address: 1232 State Highway 1, Wayby Valley.

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions  
 identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

This plan change undermines the cultural and ecological values of the Manu Whenua and local  
 community, this entire project is in opposition to the many of the ecological safe guards put in place  
 by successive Governments to protect our Waterways and Whenua.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

Supporting documents  
NZ Riverwood submission \_20200526184233.102.pdf

### **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



Glenn Ruddell  
Tel 0274431049  
E: [glenn@nzriverwood.com](mailto:glenn@nzriverwood.com)  
88b Omaha Flats Road,  
Matakana  
0986 New Zealand

26 May 2020

Auckland Council  
Resource Consents  
Private Bag 92300  
Auckland 1142

New Zealand Native Riverwood is a timber salvage company based in Mangakahia. We have had the privilege to work on the rivers of the upper Kiapara catchment for over 20 years. We are a 4th generation farming family with long standing ties to the area.

We **Strongly oppose** both the resource consent and the plan change for the proposed Waste Management Land fill in the Dome Valley area.

The proposal is contrary to sound resource management principles; is contrary to the purpose and principles of the Resource Management Act 1991, conflicts with National Policy Statements on Freshwater Management; contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan.

New Zealand Native Riverwood have been granted resource consent to work on these rivers by the Manu Whenua, Ngati Whataua and the Northland regional council.

As part of our connection to the area and our activities on these rivers we have become intrinsically aware of the rapid degradation of both the water ways and surrounding Whenua. As part of our activities we have undergone considerable consultation with the Manu Whenua, Wider Iwi, Land wonders, NGO's, Local and National government and of the one of the aspects we all agree on is the urgent requirement for action to mitigate the on going effects of human impacts on these ecosystems.

To put a waste dump at the head waters of the Hoteo river catchment will create toxic legacy for generations to come.

We would like to to make an oral submission to these proposed changes.

Your sincerely Glenn Ruddell

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Ricardo Castillo

Organisation name:

Agent's full name:

Email address: [rmulato22@gmail.com](mailto:rmulato22@gmail.com)

Contact phone number: 7077918561

Postal address:

Sebastopol 9547

### Submission details

**This is a submission to:**

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

**My submission relates to**

Rule or rules:

Create a clean renewable economy

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Healthy planet. Creating a renewable clean economy

I or we seek the following decision by council: Decline the plan modification

164.1

Submission date: 26 May 2020

### Attend a hearing

Do you wish to be heard in support of your submission? Yes



Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Charlotte King

Organisation name:

Agent's full name:

Email address: [charlotteking\\_18@hotmail.com](mailto:charlotteking_18@hotmail.com)

Contact phone number: 021883648

Postal address:  
20 Batten Street  
Wellsford  
Auckland 0972

### Submission details

#### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

#### My submission relates to

Rule or rules:

Notified proposal for plan change or variation to an existing plan - Auckland Unitary Plan. Landfill precinct.

Property address: 1232 State Highway 1, Wayby Valley

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

We feel the proposal conflicts with sound resource management principles; the purpose and principles of the Resource Management Act 1991, the Auckland Unitary Plan, National Policy Statements on Freshwater Management; Waste Minimisation Act 2008, Waste Industry guidelines, Ministry for the Environment guidelines and the Auckland Council Waste Management and Minimisation Plan. We object to one off bespoke objectives, policies and rules being applied to this site. We note that the plan submitted with the application indicates the extent of the landfill precinct and it's operations to encompass the entire Waste Management site (1000ha) with Sub Precincts A and B indicated. This gives us increased concerns for the effects to neighbouring properties. For specific information see attached document 'Fight the Tip Plan Change Submission 24 May 2020'.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

Supporting documents

Auckland Regional Landfill Plan Change Submission charlotte.pdf

### **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

**PLAN CHANGE SUBMISSION AGAINST THE PROPOSED  
WASTE MANAGEMENT LANDFILL PRECINCT**

**By Charlotte King  
26th May 2020**

I feel the proposal conflicts with sound resource management principles; the purpose and principles of the Resource Management Act 1991, the Auckland Unitary Plan, National Policy Statements on Freshwater Management; Waste Minimisation Act 2008, Waste Industry guidelines, Ministry for the Environment guidelines and the Auckland Council Waste Management and Minimisation Plan. I object to one off bespoke objectives, policies and rules being applied to this site. I note that the plan submitted with the application indicates the extent of the landfill precinct and it's operations to encompass the entire Waste Management site (1000ha) with Sub Precincts A and B indicated. This gives us increased concerns for the effects to neighbouring properties. For more specific information see below.

**5.2. Resource Management Act 1991 (Reprint as at 19 December 2018)**

The following sections of the RMA highlight existing clauses that demonstrate that this proposed site is unsuitable for a landfill. Note: weblinks have been supplied at the end of each section for ease of locating the information.

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  - (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
  - (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231905.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231905.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

6. Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:

(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231907.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231907.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### 7. Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

(a) kaitiakitanga:

(aa) the ethic of stewardship:

(b) the efficient use and development of natural and physical resources:

(d) intrinsic values of ecosystems:

(f) maintenance and enhancement of the quality of the environment:

(g) any finite characteristics of natural and physical resources:

(h) the protection of the habitat of trout and salmon:

(i) the effects of climate change:

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231910.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231910.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### 8. Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231915.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231915.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

### Part three. Duties and restrictions under this Act

#### Land

##### 9. Restrictions on use of land

(1) No person may use land in a manner that contravenes a national environmental standard.

(2) No person may use land in a manner that contravenes a regional rule.

(3) No person may use land in a manner that contravenes a district rule.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231918.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231918.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### Coastal marine area

##### 12. Restrictions on use of coastal marine area

(1) No person may, in the coastal marine area,—

(d) deposit in, on, or under any foreshore or seabed any substance in a manner that has or is likely to have an adverse effect on the foreshore or seabed;

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231949.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231949.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

### River and lake beds

#### 13. Restriction on certain uses of beds of lakes and rivers

- (1) No person may, in relation to the bed of any lake or river,—
- (d) deposit any substance in, on, or under the bed; or unless expressly allowed by a national environmental standard, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.
- (2) No person may do an activity described in subsection (2A) in a manner that contravenes a national environmental standard or a regional rule unless the activity—
- (2A) The activities are—
- (b) to damage, destroy, disturb, or remove a plant or a part of a plant, whether exotic or indigenous, in, on, or under the bed of a lake or river:
- (c) to damage, destroy, disturb, or remove the habitats of plants or parts of plants, whether exotic or indigenous, in, on, or under the bed of a lake or river:
- (d) to damage, destroy, disturb, or remove the habitats of animals in, on, or under the bed of a lake or river.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231970.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+resel+25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231970.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+resel+25_h&p=1)

### Discharges

#### 15. Discharge of contaminants into environment

- (1) No person may discharge any—
- (a) contaminant or water into water; or
- (b) contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or

... unless the discharge is expressly allowed by a national environmental standard or other regulations, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231978.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+resel+25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231978.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+resel+25_h&p=1)

### Noise

#### 16. Duty to avoid unreasonable noise

- (1) Every occupier of land (including any premises and any coastal marine area), and every person carrying out an activity in, on, or under a water body or the coastal marine area, shall adopt the best practicable option to ensure that the emission of noise from that land or water does not exceed a reasonable level.
- (2) A national environmental standard, plan, or resource consent made or granted for the purposes of any of sections 9, 12, 13, 14, 15, 15A, and 15B may prescribe noise emission standards, and is not limited in its ability to do so by subsection (1).

### Adverse effects

#### 17. Duty to avoid, remedy, or mitigate adverse effects

- (1) Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with—
- (a) any of sections 10, 10A, 10B, and 20A; or

(b) a national environmental standard, a rule, a resource consent, or a designation.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231999.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231999.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### Part five. Standards, policy statements, and plans

##### Subpart 1—National direction

##### National environmental standards

##### 43A. Contents of national environmental standards

(3) If an activity has significant adverse effects on the environment, a national environmental standard must not, under subsections (1)(b) and (4),-

(a) allow the activity, unless it states that a resource consent is required for the activity;

Or

(b) state that the activity is a permitted activity.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM233303.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM233303.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### Schedule 3

##### Water quality classes

The standards listed for each class apply after reasonable mixing of any contaminant or water with the receiving water and disregard the effect of any natural perturbations that may affect the water body.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM241596.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM241596.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### **Auckland Regional / Unitary Plan**

The following quoted evidence is from (*Auckland Council, 2012 – Operative from 30.09.2013: Auckland Council Regional Plan: Air, Land and Water*

<http://www.aucklandcity.govt.nz/council/documents/regionalplans/airlandwater/alwp2012who leplan.pdf>)

This plan explains the purpose of the RMA is: “to promote the sustainable management of natural and physical resources” (*Chapter 1, Page 1, Para 5*) and defines “sustainable management” to mean: “managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety while –

(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.” (*Chapter 1, Page 1, Para 6-9*)

- “The control of the use of land for the purpose of –
- (i) Soil conservation;
  - (ii) The maintenance and enhancement of the quality of water in water bodies;
  - (iii) The maintenance of the quantity of water in water bodies and coastal water;
  - (iiia) The maintenance and enhancement of ecosystems in water bodies and coastal water;
  - (iv) The avoidance or mitigation of natural hazards.” (*Chapter 1, Page 4, Para 8-13*)

### **National Policy Statement for Freshwater Management 2014**

In a nutshell, the Freshwater NPS directs regional councils, in consultation with their communities, to set objectives for the state of fresh water bodies in their regions and to set limits on resource use to meet these objectives.

Some of the key requirements of the Freshwater NPS are to:

- consider and recognise Te Mana o te Wai in freshwater management
- safeguard fresh water’s life-supporting capacity, ecosystem processes, and indigenous species
- safeguard the health of people who come into contact with the water
- maintain or improve the overall quality of fresh water within a freshwater management unit
- improve water quality so that it is suitable for primary contact more often
- protect the significant values of wetlands and outstanding freshwater bodies
- follow a specific process (the national objectives framework) for identifying the values that tāngata whenua and communities have for water, and using a specified set of water quality measures (called attributes) to set objectives
- set limits on resource use (eg, how much water can be taken or how much of a contaminant can be discharged) to meet limits over time and ensure they continue to be met
- determine the appropriate set of methods to meet the objectives and limits
- take an integrated approach to managing land use, fresh water and coastal water
- involve iwi and hapū in decision-making and management of fresh water.

<https://www.mfe.govt.nz/fresh-water/national-policy-statement/about-nps>

### **Waste Minimisation Act 2008**

#### **Purpose of this Act**

The purpose of this Act is to encourage waste minimisation and a decrease in waste disposal in order to—

- (a) protect the environment from harm; and
- (b) provide environmental, social, economic, and cultural benefits.

<http://www.legislation.govt.nz/act/public/2008/0089/latest/DLM1154501.html>

#### **Waste Management and Minimisation Plan**

The Waste Management and Minimisation Plan 2018 sets out our steps for the next six years.



There are nine key actions in the plan:

- advocate to central government for an increased waste levy
- encourage producers and consumers to think more carefully about the life cycle of products (product stewardship)
- work closely with the commercial sector to manage what happens to organic, plastic, and construction and demolition waste
- create a network of 12 community recycling centres across Auckland
- focus on reducing litter, illegal dumping and marine waste
- continue to improve our kerbside rubbish and recycling collections
- begin offering kerbside collection of food scraps
- address our own waste practices
- partner with others to achieve a zero-waste Auckland.

**Various Government and Waste Industry guidelines including but not limited to:**

Centre for Advanced Engineering: Landfill Guidelines – Towards sustainable waste management in New Zealand. 2000

Ministry for the Environment: Guide for the Management of Closing and Closed Landfills in New Zealand 2001

Ministry for the Environment: Good practice guide for assessing and managing odour. 2016

Waste Management Institute New Zealand, (WasteMINZ): Technical Guidelines for Disposal to Land. 2016

Waste Management Institute New Zealand, (WasteMINZ): Technical Guidelines for Disposal to Land. 2018

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Susan Crockett

Organisation name:

Agent's full name:

Email address: [crockett\\_sb@xtra.co.nz](mailto:crockett_sb@xtra.co.nz)

Contact phone number: 021942417

Postal address:  
694 Silver Hill Rd  
R D 4 Wellsford  
Auckland 0974

## Submission details

### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

### My submission relates to

Rule or rules:

Notified proposal for plan change or variation to an existing plan - Auckland Unitary Plan. Landfill Precinct.

Property address: 1232 State Highway 1, Wayby Valley

Map or maps:

Other provisions:

- \* To recognise landfills as infrastructure within the Auckland Unitary Plan,
- \* To identify a site within Auckland that has been assessed as being suitable for a new landfill
- \* To manage future effects of activities within the precinct through bespoke objectives, policies and rules;
- \* In anticipation of a landfill being established at the site, to recognise the site in the planning framework for the Auckland Region, like other large scale infrastructure in the region
- \* To manage potential future reverse sensitivity effects
- \* To enable the operation of a future landfill at the site by targeting future re-consenting requirements to the nature of the discharge and measures to avoid, remedy or mitigate effects.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

The reason for my views are:

I feel the proposal conflicts with sound resource management principles; the purpose and principles of the Resource Management Act 1991, the Auckland Unitary Plan, National Policy Statements on Freshwater Management; Waste Minimisation Act 2008, Waste Industry guidelines, Ministry for the Environment guidelines and the Auckland Council Waste Management and Minimisation Plan. This sets a precedent for the acceptance of landfills as an appropriate way to dispose of waste that cannot be recycled or people are too lazy to recycle.

I object to one off bespoke objectives, policies and rules being applied to this site.

I note that the plan submitted with the application indicates the extent of the landfill precinct and it's operations to encompass the entire Waste Management site (1000ha) with Sub Precincts A and B indicated. This gives us increased concerns for the effects to neighbouring properties. For more specific information see below. For specific information see attached document 'Auckland Regional Landfill Plan Change Submission - Michelle Carmichael 24 May 2020 '.

I or we seek the following decision by council: Decline the plan modification

166.1

Submission date: 26 May 2020

Supporting documents

Susan Crockett PLAN CHANGE SUBMISSION .pdf

### **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

**PLAN CHANGE SUBMISSION GUIDE AGAINST THE PROPOSED  
WASTE MANAGEMENT LANDFILL PRECINCT  
By Susan Crockett 26 May 2020**

As I have said in my submission I feel the proposal conflicts with sound resource management principles; the purpose and principles of the Resource Management Act 1991, the Auckland Unitary Plan, National Policy Statements on Freshwater Management; Waste Minimisation Act 2008, Waste Industry guidelines, Ministry for the Environment guidelines and the Auckland Council Waste Management and Minimisation Plan.

I object to one off bespoke objectives, policies and rules being applied to this site.

I note that the plan submitted with the application indicates the extent of the landfill precinct and it's operations to encompass the entire Waste Management site (1000ha) with Sub Precincts A and B indicated. This gives me increased concerns for the effects to neighbouring properties.

For more specific information on the appropriate Acts and guidelines that I have used to form my opinion that this Plan Change conflicts with sound environmental principles, does not consider the future appropriateness of landfills and should therefore not be consented, see below.

### **5.2. Resource Management Act 1991 (Reprint as at 19 December 2018)**

The following sections of the RMA highlight existing clauses that demonstrate that this proposed site is unsuitable for a landfill. Note: weblinks have been supplied at the end of each section for ease of locating the information.

#### **Part two. Purpose and Principles**

##### **5. Purpose**

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231905.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+resel+25+h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231905.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+resel+25+h&p=1)

##### **6. Matters of national importance**

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:

(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:

(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231907.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231907.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### 7. Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

(a) kaitiakitanga:

(aa) the ethic of stewardship:

(b) the efficient use and development of natural and physical resources:

(d) intrinsic values of ecosystems:

(f) maintenance and enhancement of the quality of the environment:

(g) any finite characteristics of natural and physical resources:

(h) the protection of the habitat of trout and salmon:

(i) the effects of climate change:

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231910.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231910.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### 8. Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231915.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231915.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

### Part three. Duties and restrictions under this Act

#### Land

##### 9. Restrictions on use of land

(1) No person may use land in a manner that contravenes a national environmental standard.

(2) No person may use land in a manner that contravenes a regional rule.

(3) No person may use land in a manner that contravenes a district rule.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231918.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231918.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### Coastal marine area

##### 12. Restrictions on use of coastal marine area

- (1) No person may, in the coastal marine area,—  
(d) deposit in, on, or under any foreshore or seabed any substance in a manner that has or is likely to have an adverse effect on the foreshore or seabed;  
[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231949.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231949.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### River and lake beds

### 13. Restriction on certain uses of beds of lakes and rivers

- (1) No person may, in relation to the bed of any lake or river,—  
(d) deposit any substance in, on, or under the bed; or unless expressly allowed by a national environmental standard, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.
- (2) No person may do an activity described in subsection (2A) in a manner that contravenes a national environmental standard or a regional rule unless the activity—  
(2A) The activities are—  
(b) to damage, destroy, disturb, or remove a plant or a part of a plant, whether exotic or indigenous, in, on, or under the bed of a lake or river:  
(c) to damage, destroy, disturb, or remove the habitats of plants or parts of plants, whether exotic or indigenous, in, on, or under the bed of a lake or river:  
(d) to damage, destroy, disturb, or remove the habitats of animals in, on, or under the bed of a lake or river.  
[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231970.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231970.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### Discharges

### 15. Discharge of contaminants into environment

- (1) No person may discharge any—  
(a) contaminant or water into water; or  
(b) contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or  
... unless the discharge is expressly allowed by a national environmental standard or other regulations, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.  
[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231978.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231978.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### Noise

### 16. Duty to avoid unreasonable noise

- (1) Every occupier of land (including any premises and any coastal marine area), and every person carrying out an activity in, on, or under a water body or the coastal marine area, shall adopt the best practicable option to ensure that the emission of noise from that land or water does not exceed a reasonable level.
- (2) A national environmental standard, plan, or resource consent made or granted for the purposes of any of sections 9, 12, 13, 14, 15, 15A, and 15B may prescribe noise emission standards, and is not limited in its ability to do so by subsection (1).

#### Adverse effects

##### 17. Duty to avoid, remedy, or mitigate adverse effects

(1) Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with—

(a) any of sections 10, 10A, 10B, and 20A; or

(b) a national environmental standard, a rule, a resource consent, or a designation.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231999.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231999.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### Part five. Standards, policy statements, and plans

##### Subpart 1—National direction

##### National environmental standards

##### 43A. Contents of national environmental standards

(3) If an activity has significant adverse effects on the environment, a national environmental standard must not, under subsections (1)(b) and (4),-

(a) allow the activity, unless it states that a resource consent is required for the activity;

Or

(b) state that the activity is a permitted activity.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM233303.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM233303.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### Schedule 3

##### Water quality classes

The standards listed for each class apply after reasonable mixing of any contaminant or water with the receiving water and disregard the effect of any natural perturbations that may affect the water body.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM241596.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM241596.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### **Auckland Regional / Unitary Plan**

The following quoted evidence is from (*Auckland Council, 2012 – Operative from 30.09.2013: Auckland Council Regional Plan: Air, Land and Water* <http://www.aucklandcity.govt.nz/council/documents/regionalplans/airlandwater/alwp2012who leplan.pdf>)

This plan explains the purpose of the RMA is: “to promote the sustainable management of natural and physical resources” (*Chapter 1, Page 1, Para 5*) and defines “sustainable management” to mean: “managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety while –

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.” (*Chapter 1, Page 1, Para 6-9*)

“The control of the use of land for the purpose of –

- (i) Soil conservation;
- (ii) The maintenance and enhancement of the quality of water in water bodies;
- (iii) The maintenance of the quantity of water in water bodies and coastal water;
- (iiia) The maintenance and enhancement of ecosystems in water bodies and coastal water;
- (iv) The avoidance or mitigation of natural hazards.” (*Chapter 1, Page 4, Para 8-13*)

### **National Policy Statement for Freshwater Management 2014**

In a nutshell, the Freshwater NPS directs regional councils, in consultation with their communities, to set objectives for the state of fresh water bodies in their regions and to set limits on resource use to meet these objectives.

Some of the key requirements of the Freshwater NPS are to:

- consider and recognise Te Mana o te Wai in freshwater management
- safeguard fresh water’s life-supporting capacity, ecosystem processes, and indigenous species
- safeguard the health of people who come into contact with the water
- maintain or improve the overall quality of fresh water within a freshwater management unit
- improve water quality so that it is suitable for primary contact more often
- protect the significant values of wetlands and outstanding freshwater bodies
- follow a specific process (the national objectives framework) for identifying the values that tāngata whenua and communities have for water, and using a specified set of water quality measures (called attributes) to set objectives
- set limits on resource use (eg, how much water can be taken or how much of a contaminant can be discharged) to meet limits over time and ensure they continue to be met
- determine the appropriate set of methods to meet the objectives and limits
- take an integrated approach to managing land use, fresh water and coastal water
- involve iwi and hapū in decision-making and management of fresh water.

<https://www.mfe.govt.nz/fresh-water/national-policy-statement/about-nps>

### **Waste Minimisation Act 2008**

#### **Purpose of this Act**

The purpose of this Act is to encourage waste minimisation and a decrease in waste disposal in order to—

- (a) protect the environment from harm; and
- (b) provide environmental, social, economic, and cultural benefits.



<http://www.legislation.govt.nz/act/public/2008/0089/latest/DLM1154501.html>

### **Waste Management and Minimisation Plan**

The Waste Management and Minimisation Plan 2018 sets out our steps for the next six years.

There are nine key actions in the plan:

- advocate to central government for an increased waste levy
- encourage producers and consumers to think more carefully about the life cycle of products (product stewardship)
- work closely with the commercial sector to manage what happens to organic, plastic, and construction and demolition waste
- create a network of 12 community recycling centres across Auckland
- focus on reducing litter, illegal dumping and marine waste
- continue to improve our kerbside rubbish and recycling collections
- begin offering kerbside collection of food scraps
- address our own waste practices
- partner with others to achieve a zero-waste Auckland.

### **Various Government and Waste Industry guidelines including but not limited to:**

Centre for Advanced Engineering: Landfill Guidelines – Towards sustainable waste management in New Zealand. 2000

Ministry for the Environment: Guide for the Management of Closing and Closed Landfills in New Zealand 2001

Ministry for the Environment: Good practice guide for assessing and managing odour. 2016

Waste Management Institute New Zealand, (WasteMINZ): Technical Guidelines for Disposal to Land. 2016

Waste Management Institute New Zealand, (WasteMINZ): Technical Guidelines for Disposal to Land. 2018

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Linda M Clapham

Organisation name:

Agent's full name:

Email address: [linda.lca@xtra.co.nz](mailto:linda.lca@xtra.co.nz)

Contact phone number: 021283244

Postal address:  
117 Shegadeen Road  
Wharehine  
Auckland 0973

### Submission details

#### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

#### My submission relates to

Rule or rules:  
The entire plan change proposal

Property address: Wayby Valley

Map or maps:

Other provisions:  
The entire Plan Change submission.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

- 1.The Auckland Council has a conflicted interest in the processing of this Plan Change Proposal.The Plan Change Application contravenes S102 of 1991 RMA Act and should be processed and heard jointly by the Northland Regional Council, the Kaipara District Council and the Auckland Council and the IKHMG on the grounds that the possible affects of the Plan Change Proposal stretch far greater than the Auckland Council Territorial Authorities boundary and venture into the Kaipara Harbour Catchment which is under the durisdiction of the NRC and KDC.
2. The Plan Change Application contravenes Section 2 /8 ,9,12,13,14,15 of the 1991 RMA Act.
3. The PC Application contravenes the National Policy Statement on Freshwater Management.
4. The PC Application contravenes Watercare's Statement of Intent 2018-2021
- 5.The PC Application contravenes NZ Coastal Policy Statement 2010, Policy 2,3,4,5, 6,7,11,13,15,21,23.

6. The PC Application does not acknowledge the principle of "Te Mana o te Wai. "
7. The PC Application endangers all the snapper fish stocks and the entire snapper industry in NZ by exposing to contaminants the rare and dwindling Zostera sea grasses at the mouth of the Hotoe River which is the main nursery and food source for all snapper juveniles in the Kaipara Harbour catchment
8. The PC Application has underlying geological conditions, which include a volcanic faultline, Onerahi Chaos, multitudinous aquafier, and is therefore not appropriate for the activity of the Plan Change.
9. The PC Application limits the long term sustainability of Auckland's growth, and fails to identify the strategic location as an area for the essential location of regional water supply and storage infrastructure for North Auckland. Areas close by have been previously identified by Auckland Regional Authority Water Board as an important possible water source and storage area, because of its very high rainfall and topography. Highly topical with Auckland's current water crisis and the ever present threat of volcanic disruption to Waikato River supply which Auckland Watercare is currently relying on to provide essential water supply needs. Importantly this plan change also endangers the future security of the town water supply for 1800 residents in Wellsford and Te Hana.
10. The Application is contrary to the Waste Minimisation Act 2008
11. The PC Application is contrary to the Auckland Council Waste Management and Minimisation guidelines.
12. The Proposed plan change location is not supported by MFE Government guidelines for siting of Landfills.

I or we seek the following decision by council: Decline the plan modification

167.1

Submission date: 26 May 2020

### **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Donald George Scandrett

Organisation name:

Agent's full name:

Email address: [don.scandrett@gmail.com](mailto:don.scandrett@gmail.com)

Contact phone number: 0274883001

Postal address:  
65 Scandrett Road  
RD2  
Warkworth  
Auckland 0982

### Submission details

#### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

#### My submission relates to

Rule or rules:  
The application is classified overall as a noncomplying activity under the Auckland Unitary Plan

Property address: 1232 State Highway 1, Wayby Valley, between Wellsford and Warkworth, adjoining Dome Valley

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
I oppose the siting of the landfill at this location as I believe that the effects on the environment can not be mitigated sufficiently to meet sound resource management principles and are not aligned to the Resource Management Act 1991. The proposed use will have significant adverse effects on traffic in the surrounding area and in my opinion, a landfill of this type and scale does not make economic sense and is contrary to both the Waste Minimisation Act 2008 and Auckland Council Waste Management and Minimisation Plan.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

### **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Emma Woolcock

Organisation name:

Agent's full name:

Email address: [bnewoolcock@gmail.com](mailto:bnewoolcock@gmail.com)

Contact phone number:

Postal address:  
193A Glengarry Rod  
Glen Eden  
Auckland 0604

### Submission details

**This is a submission to:**

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

**My submission relates to**

Rule or rules:

.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The landfill is being built in close proximity to waterways leading to the Kaipara Harbour. I'm afraid the toxic chemicals from the landfill will leach into the soil and further into the waterways.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

### Attend a hearing

Do you wish to be heard in support of your submission? No

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Ruth Morrow

Organisation name:

Agent's full name:

Email address: [ruthiem69@gmail.com](mailto:ruthiem69@gmail.com)

Contact phone number: +6421910379

Postal address:  
428 old kaipara Road  
Kaipara flats  
Auckland 0981

### Submission details

**This is a submission to:**

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

**My submission relates to**

Rule or rules:  
Plan change

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
I object to it due to concerns about one off rules or exemptions being applied to bypass environmental regulations already in place

I or we seek the following decision by council: Decline the plan modification

170.1

Submission date: 26 May 2020

### Attend a hearing

Do you wish to be heard in support of your submission? Yes



Would you consider presenting a joint case at a hearing if others have made a similar submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Corene Humphreys

Organisation name:

Agent's full name:

Email address: [corene@biocidin.nz](mailto:corene@biocidin.nz)

Contact phone number: 0210324928

Postal address:  
PO Box 9  
Snell's Beach  
Warkworth 0942

## Submission details

### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

### My submission relates to

Rule or rules:

As an option submission, I am opting not to apply content here.

Property address: As an option submission, I am opting not to apply content here.

Map or maps: As an option submission, I am opting not to apply content here.

Other provisions:

As an option submission, I am opting not to apply content here.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

I believe the landfill poses multiple high impact risks to the environment, particularly the Hotoe River and Kaipara Harbour, and to the surrounding community. Due to nearby extensive waterways, native and threatened species and ecosystems, and local communities in the proposed landfill area, there appears to be a lack of regard in this submission for protecting the land and its people from the far-reaching and long-lasting impacts of landfills by this proposal.

Additionally, the site does not align with the Resource Management Act, the Unitary/Regional Plans of the area, and to the Waste Industries own landfill siting criteria.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

### **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Hanna Kloosterboer

Organisation name:

Agent's full name:

Email address: [hannakloosterboer@xtra.co.nz](mailto:hannakloosterboer@xtra.co.nz)

Contact phone number: 0277765223

Postal address:  
1182 Oneriri Road  
Kaiwaka  
Kaipara 0573

### Submission details

**This is a submission to:**

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

**My submission relates to**

Rule or rules:

Property address: Wayby Valley Road Landfill

Map or maps:

Other provisions:

I oppose in full, the attempt for a deviation or exemption sought.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

There are no grounds which justify a one off exemption or departure. This unlawful and a breach of the very safety mechanisms which are in place to prevent this ever happening.

I or we seek the following decision by council: Decline the plan modification

172.1

Submission date: 26 May 2020

### Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: John Taylor

Organisation name:

Agent's full name:

Email address: [john@biocidin.nz](mailto:john@biocidin.nz)

Contact phone number: 021941556

Postal address:  
PO Box 9  
Snell's Beach  
Warkworth 0942

### Submission details

#### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

#### My submission relates to

Rule or rules:  
Land change

Property address: Wayby Valley

Map or maps: Dome Valley

Other provisions:  
Too many truck movements.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
Because my views are sensible

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

### Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

## Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Lawrence Bruce Whistler

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

102 Omaha Flats Rd  
R06 Warkworth

Telephone:

0274776646

Fax/Email:

matakanapalms@gmail.com

Contact Person: (Name and designation, if applicable)

## Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number PC 42

Plan Change/Variation Name Auckland Regional Landfill Wayby Valley

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Landfill Precinct

Or

Property Address

1232 State Highway 1, Wayby Valley

Or

Map

Or

Other (specify)

## Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes  No



The reasons for my views are: **The proposal is conflicts with sound resource management principles; the purpose and principles of the Resource Management Act 1991, the Auckland Unitary Plan, National Policy Statements on Freshwater Management; Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan. I object to one off bespoke objectives, policies and rules being applied to this site. See attached information.**

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

174.1

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



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

Date 25<sup>th</sup> May 2020

**Notes to person making submission:**

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  / could not  gain an advantage in trade competition through this submission.

**If you could gain an advantage in trade competition through this submission please complete the following:**

I am  / am not  directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

# Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

## Submitter details

Full Name or Name of Agent (if applicable)

Mr/Ms/Ms/Ms/Ms (Full Name)

*Christopher Paul Riley*

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

*177 Shollum Rd Matakana*

Telephone:

*0276163481*

Fax/Email:

*chrisriley@xtra.co.nz*

Contact Person: (Name and designation, if applicable)

## Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number *PC 42*

Plan Change/Variation Name *Auckland Regional Landfill Wayby Valley*

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s) *Landfill Precinct*

Or

Property Address *1232 State Highway 1, Wayby Valley*

Or

Map

Or

Other (specify)

## Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes  No

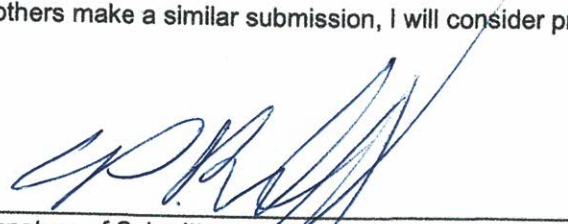
The reasons for my views are: **The proposal is conflicts with sound resource management principles; the purpose and principles of the Resource Management Act 1991, the Auckland Unitary Plan, National Policy Statements on Freshwater Management; Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan. I object to one off bespoke objectives, policies and rules being applied to this site. See attached information.** (continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

175.1

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

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

25/ May 2020  
 Date

**Notes to person making submission:**  
 If you are making a submission to the Environmental Protection Authority, you should use Form 16B.  
 Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.  
 If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.  
 I could  /could not  gain an advantage in trade competition through this submission.  
 If you could gain an advantage in trade competition through this submission please complete the following:  
 I am  / am not  directly affected by an effect of the subject matter of the submission that:  
 (a) adversely affects the environment; and  
 (b) does not relate to trade competition or the effects of trade competition.

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Craig Purvis

Organisation name:

Agent's full name:

Email address: [cp64@xtra.co.nz](mailto:cp64@xtra.co.nz)

Contact phone number: 0274100567

Postal address:

POBox 566

Warkworth

0941

Dome Valley

Warkworth 0941

### Submission details

**This is a submission to:**

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

**My submission relates to**

Rule or rules:

Environmental issues, Transport issues, effect on property value, effect on health and wellbeing

Property address: 761a State Highway One, Dome Valley

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

We run two businesses from our certified organic property in the Dome Valley. 'Organic Herbs and Seedlings' and 'Organic Blooms'. If we have fumes, dust and pollution blowing onto our property, it will impact on our livelihood and quality of life.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

### Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Kirstin Lawson

Organisation name:

Agent's full name:

Email address: [kirstinlawson@gmail.com](mailto:kirstinlawson@gmail.com)

Contact phone number: 021983565

Postal address:  
243A Mountain Road  
RD2  
Maungaturoto 0587

### Submission details

#### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

#### My submission relates to

Rule or rules:

It is of great concern that one off rules or exemptions are being applied to bypass environmental regulations already in place

Property address: 1232 State Highway 1, Waybe Valley

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

The site is not suitable for a landfill. Landfills are obsolete technology, a state of the art Waste to Energy plant should be being built in a more suitable location.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

### Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Kathleen Smith

Organisation name:

Agent's full name: Kathleen Smith

Email address: [katvsmith@mail.com](mailto:katvsmith@mail.com)

Contact phone number: 02102429902

Postal address:  
914 Burma Road  
tapora  
tapora 0977

## Submission details

### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

### My submission relates to

Rule or rules:

As stated in the Summary of the Plan Change Documentation: Table 3.1 Feedback Given  
Alternative sites considered...What sites were these? what considerations were given and testing  
was applied to these sites before deeming them less suitable than that of a location at Wayby valley  
that Statistically has more rain than any other Akl region.  
Reference of the Redvale Landfill as been 'Also in Northern Auckland' Is misleading, if Wellsford is an  
hour north of Auckland and Redvale less than 30minutes how can they both be classified as Northern.

Property address: Proposed Landfill at Wayby Valley, Wellsford

Map or maps:

Other provisions:

This Submission supports the Communities voice in opposition of the above proposed activity at this  
location. Relating to details of;  
Unsuitable Location...Contra indicators with Environmental Management Act Principles...a Plan  
Change shouldn't be allowable just to suit a proposed Enterprise from carrying out its Objectives.  
What would be the point of the Act, if it cant be relied upon to preserve and protect the countries  
environment from unsuitably sited activities.  
Unsuitable ground....leading to extensive ground preparation having adverse effects on environment  
and the ecological system in area. (documents stating 'ecological values would decrease' equates to  
the demise of existing organisms.) Stating they will recover is naive and dismissive.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions  
identified

Do you wish to have the provisions you have identified above amended? Yes



The reason for my or our views are:

The reason for my views are due to concerns about one off rules or exemptions being applied to bypass environmental regulations already in place.

I or we seek the following decision by council: Decline the plan modification

178.1

Submission date: 26 May 2020

### **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?

Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Andrew Scott

Organisation name:

Agent's full name:

Email address: [andrewscott94@gmail.com](mailto:andrewscott94@gmail.com)

Contact phone number: 0273872798

Postal address:  
1182 Oneriri Rd  
Kaiwaka  
Kaipara 0573

## Submission details

### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

### My submission relates to

Rule or rules:

Unlawful too provide an exemption to any change whatsoever to the Land and Environment Act - that is why our current legislation already exists.

Property address: Wayby Valley Road Landfill

Map or maps:

Other provisions:

I oppose in full the attempt for a deviation or modification sought.

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Total breach of Land and Environment Act

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Sylvia Irene Adams

Organisation name:

Agent's full name:

Email address: [sylviaiadams@yahoo.co.nz](mailto:sylviaiadams@yahoo.co.nz)

Contact phone number: 02102565874

Postal address:  
62 School Road  
Wellsford  
North Auckland 0900

### Submission details

#### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

#### My submission relates to

Rule or rules:

Property address: 1232 State Highway 1, Wayby Valley.

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The proposal conflicts with sound resource management principles; the purpose and principles of the Resource Management Act 1991, the Auckland Unitary Plan, National Policy Statements on Freshwater Management; Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan. I object to one off bespoke objectives, policies and rules being applied to this site. Please see the attached information provided.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

Supporting documents  
Plan Change.pdf

## **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

My submission relates to the following rules:

Restriction on certain uses of beds of lakes and rivers

- (1) No person may, in relation to the bed of any lake or river,—
- (d) deposit any substance in, on, or under the bed; or unless expressly allowed by a national environmental standard, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.
- (2) No person may do an activity described in subsection (2A) in a manner that contravenes a national environmental standard or a regional rule unless the activity—
- (2A) The activities are—
- (b) to damage, destroy, disturb, or remove a plant or a part of a plant, whether exotic or indigenous, in, on, or under the bed of a lake or river:
- (c) to damage, destroy, disturb, or remove the habitats of plants or parts of plants, whether exotic or indigenous, in, on, or under the bed of a lake or river:
- (d) to damage, destroy, disturb, or remove the habitats of animals in, on, or under the bed of a lake or river.

Please see the relevant resource management act:

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231970.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+\\_resel\\_25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231970.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1)

Discharges

15. Discharge of contaminants into environment

- (1) No person may discharge any—
- (a) contaminant or water into water; or
- (b) contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or

... unless the discharge is expressly allowed by a national environmental standard or other regulations, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.

Please see the relevant resource management act:

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231978.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+\\_resel\\_25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231978.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1)

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Fleur Tomlinson

Organisation name:

Agent's full name: phil tomlinson

Email address: [fleur@37southyachts.com](mailto:fleur@37southyachts.com)

Contact phone number: 0224113226

Postal address:  
48 Brick Bay drive  
Warkworth  
Auckland 0982

### Submission details

#### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

#### My submission relates to

Rule or rules:

Notified Proposal for plan change or variation to an existing plan - Auckland Unitary plan. Landfill Precinct.

Property address: 1232 state highway 1 Wayby valley.

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

We feel the proposal conflicts with sound resource management principles; the purpose and principles of the Resource Management Act 1991, the Auckland Unitary Plan, National Policy Statements on Freshwater Management; Waste Minimisation Act 2008, Waste Industry guidelines, Ministry for the Environment guidelines and the Auckland Council Waste Management and Minimisation Plan. We object to one off bespoke objectives, policies and rules being applied to this site. We note that the plan submitted with the application indicates the extent of the landfill precinct and it's operations to encompass the entire Waste Management site (1000ha) with Sub Precincts A and B indicated. This gives us increased concerns for the effects to neighbouring properties. For specific information see attached document 'Fight the Tip Plan Change Submission 26 May 2020'.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

Supporting documents

Auckland Regional Landfill Plan Change Submission Fleur\_20200526213629.715.pdf

### **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



**PLAN CHANGE SUBMISSION AGAINST THE PROPOSED  
WASTE MANAGEMENT LANDFILL PRECINCT**

**By Fleur Tomlinson**

**26th May 2020**

I feel the proposal conflicts with sound resource management principles; the purpose and principles of the Resource Management Act 1991, the Auckland Unitary Plan, National Policy Statements on Freshwater Management; Waste Minimisation Act 2008, Waste Industry guidelines, Ministry for the Environment guidelines and the Auckland Council Waste Management and Minimisation Plan. I object to one off bespoke objectives, policies and rules being applied to this site. I note that the plan submitted with the application indicates the extent of the landfill precinct and it's operations to encompass the entire Waste Management site (1000ha) with Sub Precincts A and B indicated. This gives us increased concerns for the effects to neighbouring properties. For more specific information see below.

**5.2. Resource Management Act 1991 (Reprint as at 19 December 2018)**

The following sections of the RMA highlight existing clauses that demonstrate that this proposed site is unsuitable for a landfill. Note: weblinks have been supplied at the end of each section for ease of locating the information.

Part two. Purpose and Principles

5. Purpose

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.
- (2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—
  - (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
  - (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
  - (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231905.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231905.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

6. Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:

(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231907.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231907.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### 7. Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

(a) kaitiakitanga:

(aa) the ethic of stewardship:

(b) the efficient use and development of natural and physical resources:

(d) intrinsic values of ecosystems:

(f) maintenance and enhancement of the quality of the environment:

(g) any finite characteristics of natural and physical resources:

(h) the protection of the habitat of trout and salmon:

(i) the effects of climate change:

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231910.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231910.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### 8. Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231915.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231915.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

### Part three. Duties and restrictions under this Act

#### Land

##### 9. Restrictions on use of land

(1) No person may use land in a manner that contravenes a national environmental standard.

(2) No person may use land in a manner that contravenes a regional rule.

(3) No person may use land in a manner that contravenes a district rule.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231918.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231918.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### Coastal marine area

##### 12. Restrictions on use of coastal marine area

(1) No person may, in the coastal marine area,—

(d) deposit in, on, or under any foreshore or seabed any substance in a manner that has or is likely to have an adverse effect on the foreshore or seabed;

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231949.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+ resel 25 h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231949.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+ resel 25 h&p=1)

#### River and lake beds

### 13. Restriction on certain uses of beds of lakes and rivers

- (1) No person may, in relation to the bed of any lake or river,—
- (d) deposit any substance in, on, or under the bed; or unless expressly allowed by a national environmental standard, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.
- (2) No person may do an activity described in subsection (2A) in a manner that contravenes a national environmental standard or a regional rule unless the activity—
- (2A) The activities are—
- (b) to damage, destroy, disturb, or remove a plant or a part of a plant, whether exotic or indigenous, in, on, or under the bed of a lake or river:
  - (c) to damage, destroy, disturb, or remove the habitats of plants or parts of plants, whether exotic or indigenous, in, on, or under the bed of a lake or river:
  - (d) to damage, destroy, disturb, or remove the habitats of animals in, on, or under the bed of a lake or river.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231970.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+resel+25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231970.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+resel+25_h&p=1)

#### Discharges

### 15. Discharge of contaminants into environment

- (1) No person may discharge any—
- (a) contaminant or water into water; or
  - (b) contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or

... unless the discharge is expressly allowed by a national environmental standard or other regulations, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231978.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+resel+25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231978.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+resel+25_h&p=1)

#### Noise

### 16. Duty to avoid unreasonable noise

- (1) Every occupier of land (including any premises and any coastal marine area), and every person carrying out an activity in, on, or under a water body or the coastal marine area, shall adopt the best practicable option to ensure that the emission of noise from that land or water does not exceed a reasonable level.
- (2) A national environmental standard, plan, or resource consent made or granted for the purposes of any of sections 9, 12, 13, 14, 15, 15A, and 15B may prescribe noise emission standards, and is not limited in its ability to do so by subsection (1).

#### Adverse effects

### 17. Duty to avoid, remedy, or mitigate adverse effects

- (1) Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with—
- (a) any of sections 10, 10A, 10B, and 20A; or

(b) a national environmental standard, a rule, a resource consent, or a designation.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231999.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+resel\\_25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231999.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+resel_25_h&p=1)

## Part five. Standards, policy statements, and plans

### Subpart 1—National direction

#### National environmental standards

#### 43A. Contents of national environmental standards

(3) If an activity has significant adverse effects on the environment, a national environmental standard must not, under subsections (1)(b) and (4),-

(a) allow the activity, unless it states that a resource consent is required for the activity;

Or

(b) state that the activity is a permitted activity.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM233303.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+resel\\_25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM233303.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+resel_25_h&p=1)

## Schedule 3

### Water quality classes

The standards listed for each class apply after reasonable mixing of any contaminant or water with the receiving water and disregard the effect of any natural perturbations that may affect the water body.

[http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM241596.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource+management+act+resel\\_25\\_h&p=1](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM241596.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+resel_25_h&p=1)

## **Auckland Regional / Unitary Plan**

The following quoted evidence is from (*Auckland Council, 2012 – Operative from 30.09.2013: Auckland Council Regional Plan: Air, Land and Water*

<http://www.aucklandcity.govt.nz/council/documents/regionalplans/airlandwater/alwp2012who/leplan.pdf>)

This plan explains the purpose of the RMA is: “to promote the sustainable management of natural and physical resources” (*Chapter 1, Page 1, Para 5*) and defines “sustainable management” to mean: “managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety while –

(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.” (*Chapter 1, Page 1, Para 6-9*)

- “The control of the use of land for the purpose of –
- (i) Soil conservation;
  - (ii) The maintenance and enhancement of the quality of water in water bodies;
  - (iii) The maintenance of the quantity of water in water bodies and coastal water;
  - (iiia) The maintenance and enhancement of ecosystems in water bodies and coastal water;
  - (iv) The avoidance or mitigation of natural hazards.” (*Chapter 1, Page 4, Para 8-13*)

### **National Policy Statement for Freshwater Management 2014**

In a nutshell, the Freshwater NPS directs regional councils, in consultation with their communities, to set objectives for the state of fresh water bodies in their regions and to set limits on resource use to meet these objectives.

Some of the key requirements of the Freshwater NPS are to:

- consider and recognise Te Mana o te Wai in freshwater management
- safeguard fresh water’s life-supporting capacity, ecosystem processes, and indigenous species
- safeguard the health of people who come into contact with the water
- maintain or improve the overall quality of fresh water within a freshwater management unit
- improve water quality so that it is suitable for primary contact more often
- protect the significant values of wetlands and outstanding freshwater bodies
- follow a specific process (the national objectives framework) for identifying the values that tāngata whenua and communities have for water, and using a specified set of water quality measures (called attributes) to set objectives
- set limits on resource use (eg, how much water can be taken or how much of a contaminant can be discharged) to meet limits over time and ensure they continue to be met
- determine the appropriate set of methods to meet the objectives and limits
- take an integrated approach to managing land use, fresh water and coastal water
- involve iwi and hapū in decision-making and management of fresh water.

<https://www.mfe.govt.nz/fresh-water/national-policy-statement/about-nps>

### **Waste Minimisation Act 2008**

#### **Purpose of this Act**

The purpose of this Act is to encourage waste minimisation and a decrease in waste disposal in order to—

- (a) protect the environment from harm; and
- (b) provide environmental, social, economic, and cultural benefits.

<http://www.legislation.govt.nz/act/public/2008/0089/latest/DLM1154501.html>

#### **Waste Management and Minimisation Plan**

The Waste Management and Minimisation Plan 2018 sets out our steps for the next six years.

There are nine key actions in the plan:

- advocate to central government for an increased waste levy
- encourage producers and consumers to think more carefully about the life cycle of products (product stewardship)
- work closely with the commercial sector to manage what happens to organic, plastic, and construction and demolition waste
- create a network of 12 community recycling centres across Auckland
- focus on reducing litter, illegal dumping and marine waste
- continue to improve our kerbside rubbish and recycling collections
- begin offering kerbside collection of food scraps
- address our own waste practices
- partner with others to achieve a zero-waste Auckland.

**Various Government and Waste Industry guidelines including but not limited to:**

Centre for Advanced Engineering: Landfill Guidelines – Towards sustainable waste management in New Zealand. 2000

Ministry for the Environment: Guide for the Management of Closing and Closed Landfills in New Zealand 2001

Ministry for the Environment: Good practice guide for assessing and managing odour. 2016

Waste Management Institute New Zealand, (WasteMINZ): Technical Guidelines for Disposal to Land. 2016

Waste Management Institute New Zealand, (WasteMINZ): Technical Guidelines for Disposal to Land. 2018

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Lesley Munro

Organisation name:

Agent's full name: Lesley Munro

Email address: [lornum278@gmail.com](mailto:lornum278@gmail.com)

Contact phone number: 094314563

Postal address:

278 Ryan Rd,  
Wellsford  
Orkland 0975

### Submission details

**This is a submission to:**

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

**My submission relates to**

Rule or rules:

???????

Property address: Auckland Landfill, Wayby Valley Rd, Wellsford

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

"The site has been assessed as being suitable for a new landfill."

Really???

In an area with the highest rainfall in the Auckland region, on a narrow, winding single lane state highway, with a steep climb into the dome valley that ALL vehicles struggle to get up coming north of Warkworth, and 300-500 extra truck movements a day proposed for this landfill operation???

Not to mention direct downstream flow of any breach eventually into the vulnerable Kaipara harbour...By whose yardstick was this site ever considered suitable?

Was this decision based on a site visit or in an office with a couple of maps?????

I have major concerns if this plan change is allowed.

Will a future extension of the landfill itself be allowed without public notification or consultation???

Does this mean any protective environmental regulations in place can be ignored or overridden?

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

### **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Kaye Maree Dunn

Organisation name: Making Everything Achievable Ltd

Agent's full name: Kaye Maree

Email address: [kayemareedunn@gmail.com](mailto:kayemareedunn@gmail.com)

Contact phone number: 0210292239

Postal address:  
55 Bledisloe Crescent  
Wainuiomata  
Wainuiomata  
Lower Hutt  
Lower Hutt 5014

### Submission details

#### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

#### My submission relates to

Rule or rules:

I object to the plan change due to concerns about one off rules or exemptions being applied to bypass environmental regulations already in place

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

I object to the plan change due to concerns about one off rules or exemptions being applied to bypass environmental regulations already in place

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

### Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Ngadia Jones

Organisation name:

Agent's full name:

Email address: [ngadiajo@gmail.com](mailto:ngadiajo@gmail.com)

Contact phone number: 0211566197

Postal address:  
15 Monowai street  
Wellsford  
Auckland 0900

### Submission details

#### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

#### My submission relates to

Rule or rules:

The whole proposal. The proposal is contrary to sound resource management principles; is contrary to the purpose and principles of the Resource Management Act 1991, conflicts with the Auckland Unitary Plan, conflicts with the National Policy Statements on Freshwater Management; contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan.

Property address: 1232 State Highway 1, Wayby Valley

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Due to concerns about one off rules or exemptions being applied to by bypass environmental regulations already in place.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

### **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Reina Penney

Organisation name: Reina Penney

Agent's full name: Reina Penney

Email address: [reinapenney@gmail.com](mailto:reinapenney@gmail.com)

Contact phone number:

Postal address:  
65 Castledine crescent  
Glen innis  
Auckland 1072

### Submission details

#### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

#### My submission relates to

Rule or rules:  
42

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:  
Rethink waste. We cannot keep increasing landfill.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

### Attend a hearing

Do you wish to be heard in support of your submission? No

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Susan Elizabeth Stevens

Organisation name:

Agent's full name:

Email address: [sue.stevens@outlook.co.nz](mailto:sue.stevens@outlook.co.nz)

Contact phone number:

Postal address:  
95 Ridge Road  
Mahurangi East  
Auckland 0982

### Submission details

**This is a submission to:**

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

**My submission relates to**

Rule or rules:

Property address: Land south of Wayby Valley.

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

The zoning of the farm and forestry land must remain as rural production.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

### Attend a hearing

Do you wish to be heard in support of your submission? No

### Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



The following customer has submitted a Unitary Plan online submission.

### Contact details

Full name of submitter: Haley Rebecca Warman

Organisation name:

Agent's full name:

Email address: [haley.warman@gmail.com](mailto:haley.warman@gmail.com)

Contact phone number: 021 08422113

Postal address:  
55 Chatham Ave  
Paremoremo  
Auckland 0632

### Submission details

#### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

#### My submission relates to

Rule or rules:

The whole proposal, as it is not safe

Property address: 1232 State Highway 1, Wayby Valley

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

I believe the landfill poses multiple high impact risks to the environment, particularly the Hoteo River and Kaipara Harbour, and to the community.

The site clearly does not align with the Resource Management Act, the Unitary/Regional Plans of the area, and to the Waste Industries own landfill siting criteria.

As witnessed with the Rotorua landfill court case and allegations of leaked discharges due to major weather events and the recent Fox Glacier landfill disaster (that I helped clean up) the placement of this landfill in an unsuitable location is likely to lead to cost ratepayers in the area for the clean up.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 May 2020

## **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Eliana Darroch

Organisation name:

Agent's full name:

Email address: [eliana.darroch@gmail.com](mailto:eliana.darroch@gmail.com)

Contact phone number: 02108887036

Postal address:  
50 Norana Ave  
Auckland  
Auckland 2024

## Submission details

### This is a submission to:

Plan modification number: Plan change 42

Plan modification name: PC 42 (Private) Auckland Regional Landfill Wayby Valley

### My submission relates to

Rule or rules:

I am against the development of a waste site in the Dome Valley, specifically: " The landfill ... a Class 1 landfill, being one that accepts municipal solid waste, which includes residential and commercial waste, construction and demolition waste, some industrial wastes (that meet strict acceptance criteria) and contaminated soils. " I oppose resource consent for the aforementioned proposed project under Waste Management New Zealand Ltd ('WMNZ') under Schedule 1 to the Resource Management Act 1991 ('RMA'). I also oppose the Resource Consent application relating to Section 95A of the RMA.

Property address: Wayby Valley

Map or maps:

Other provisions:

I would like to present to you information concerned with the impacts the proposed landfill upon natural life in the area:

"We believe the landfill poses multiple high impact risks to the environment, particularly the Hoteo River and Kaipara Harbour, and to the community.

The site clearly does not align with the Resource Management Act, the Unitary/Regional Plans of the area, and to the Waste Industries own landfill siting criteria.

As witnessed with the Rotorua landfill court case and allegations of leaked discharges due to major weather events and the recent Fox Glacier landfill disaster the placement of this landfill in an unsuitable location is likely to lead to cost ratepayers in the area for the clean up.

This submission is being made because of an immediate risk to surrounding environments, people and businesses by this proposed landfill. Due to nearby extensive waterways, native and threatened species and ecosystems, and local communities in the proposed landfill area, there is clearly a lack of regard for protecting the land and its people from the far-reaching and long-lasting impacts of landfills

by this proposal.

The land includes waterways - tributaries to the Hoteo River which lead into the Kaipara Harbour which is the beginning of the marine food chain, and a significant breeding ground for snapper, oyster and other species. Endangered Maui dolphin feed at the harbour entrance, and Fairy Terns inhabit the area. The forest on the site and neighbouring Department of Conservation reserve contains native and threatened flora and fauna. The land purchased also includes wetlands, flood plain, springs/tomos and a fresh-water aquifer, and a fresh water supply is nearby.

**Geology and water systems** - The proposed site consists of fractured upthrust sandstone and mudstone layers, topped with reactive clay. The cracking and swelling clay causes gradual ground movement or sudden slips. Water flows carve intermittent underground streams, forming tomos and springs. These streams will often disappear down cracks in the uplifted bedrock thus contributing to the underground aquifers. This combination also results in high risk of slips on the surface.

**Weather** - The elevated site is exposed to north - north westerly winds, highly localised rain, lightning and thunderstorms. The Dome Valley area experiences high rainfall, normally in the winter months, but also is prone to summer cyclones predominantly from the north east. These high rains cause extreme flood events and large slips in the area, particularly where earthworks such as a landfill site would include.

**Related waterways**

The Hoteo is the third largest river (second after rain) feeding into the Kaipara Harbour. The river provides water to the local community, farmers and livestock, and is home to many flora and fauna species including the highly endangered seagrasses that surround the rivermouth (Auckland Council, 2014).

The Kaipara Harbour has a coastline which is 3,350km in length making it the largest harbour in the Southern Hemisphere. It is a major contributor to New Zealand's seafood industry as it is the major breeding ground for West Coast snapper. Due to its seagrass habitat it is a nursery and feeding ground for multiple species including snapper, mullet, trevally, sharks, seals, orca, shellfish, and the endangered maui dolphin. The dunes and shoreline are habitat to a range of bird species including endangered birds such as Fairy Terns, Black Stilt, NZ Dotterel, Bittern, Heron, Black Billed Gull, Wrybills and Oystercatchers.

The site includes significant wetland areas which are highly endangered and at risk in New Zealand. They contain important flora and fauna and act as a filter for sedimentation and contaminants.

The area includes flood plains below the proposed site, which regularly flood causing road closures. They are fed by the tributaries from the proposed landfill area and the Hoteo River. Flood events could carry leachates across the flood plain area, impacting agricultural areas and ground water sources.

Springs/tomos spontaneously occur in the area. These could affect the integrity of the landfill liner leading to breaches.

An aquifer / fresh water supply underlies the area's waterway systems and is a potential groundwater source for the Wellsford Water Treatment Plant.

**Landfill operation** - Due to the high rainfall in the area we believe the clay topping to cover daily rubbish would be incapable of performing its job in such wet conditions.

**Important species** - The proposed landfill site and surrounding area contains many native and/or threatened terrestrial and aquatic species. Such as:

Land based

Trees

Kauri – Very Endangered and highly threatened currently by Kauri Dieback spread

Taraire, Tawa, Podocarp, Kauri, Broadleaf and Beech forest

Birds

Tui, Kereru, Morepork, Fantail

Silver-eye, Swamp Harrier, Shining cuckoo, Welcome Swallow, Kingfisher

Bitterns

Fairy terns

Grey Duck - Nationally Critical

Other

Long-tailed bat - Nationally Vulnerable

Flat-web spider (oldest spider in the world)  
Giant earthworms  
Forest Gecko - Declining  
Amphibians  
Hochstetter frogs – At risk

Aquatic - Water based  
Freshwater species found in nearby river Waiwhiu, other Hoteo tributaries and the Hoteo River itself.  
Shortfin eel, Longfin eel (Declining), Inanga, Common Bully, Redfin Bully.  
Banded Kokopu, Freshwater crayfish, Freshwater Tuna, Whitebait.  
Marine life  
Seafood stocks - Snapper, Tarakihi, Mullet, multiple shellfish species  
Sealife  
Maui dolphins, Orca, major shark nursery, shellfish etc.  
Seagrass - the mouth of the Hoteo River is home to a key seagrass population, which could be majorly threatened by the increased sedimentation and leachate distribution from this landfill."

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Under the Te Tiriti o Waitangi I submit to the Aukati rahui and authority held by mana whenua Te Uri o Hau, Ngati Manuhiri, Ngati Rango and Ngati Whatua and support their wisdom in protecting the environment. Many who care for the environment stand united in preventing the waste site. Due to the cultural, ecological and environmental impacts of the proposed landfill we come to the conclusion that the landfill project be terminated before damage occurs.

I or we seek the following decision by council: Decline the plan modification

188.1

Submission date: 26 May 2020

### **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

### **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

To whom it may concern

I wish to register my opposition to the proposed tip site at the dome valley. This is a pristine situated close to the Kaipara Harbour. Both the dome valley and harbour area will be spoiled and potentially polluted by this tip. This will have long lasting effects on bird life in the dome valley and marine life in the harbour. Further to this the road struggles to cope already with traffic volumes, exacerbated even further during holiday periods.

| 189.1

Regards  
Chris Jensen

[chrob.jen@xtra.co.nz](mailto:chrob.jen@xtra.co.nz)

# Submission on Resource Consent Application



## 1.0 SUBMITTER DETAILS

Name of submitter(s)  
(please write all names in full)

JOHN TIEZMAN

Physical Address:

136 A MONARCH DOWNS WAY - WAIKAWAI

Postcode: 0982

Address for service: (if different)

Postcode:

Telephone (day):

0272890013

Mobile:

Fax:

Email:

john@lpa.co.nz

## 2.0 APPLICATION DETAILS

Application Number:

PC42 (Private) Auckland Regional Landfill Wayby Valley

Name of applicant:  
(please write all names in full)

Auckland Regional Council

Address of proposed activity:

Auckland Regional Landfill Wayby Valley

Postcode:

Description of proposed activity: 1232 State Highway 1, Wayby Valley

Dome Valley Landfill -

Zone change from rural production to a special landfill precinct

## 3.0 SUBMISSION DETAILS

My/our submission: (please tick one)

Supports the Application

Opposes the Application

Neutral regarding the Application

The specific parts of the application to which my/our submission relates to are: (use additional pages if required.)

- Pollution + runoff to Kaipara Harbour waterways (Heritage)
- Destruction of a block of heritage native bush that many people use for recreational pursuits.
- Traffic/truck pollution on an already highly congested road with a high crash rate - insufficient condition for heavy transport.
- Smell pollution
- Increased rubbish blowing off trucks into surrounding area.
- Local iwi is opposed on a cultural, heritage and environmental level

3.0 SUBMISSION DETAILS contd

The reasons for my/our submission are: (use additional pages if required.)

Warkworth is a high growth area - marked in Auckland's unitary plan - as a satellite city of Auckland. There has been no development/investment/improvement in roading & local environment to cater for increasing population let alone thousands of trucks and waste vehicles.

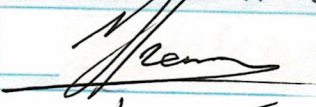
The decision I/we would like the Council to make is (including, if relevant, the parts of the application you wish to have amended and the general nature of any conditions sought):

Find a remote location - not containing waterways, not in a high population development area, destroying our dwindling native forest.

4.0 SUBMISSION AT THE HEARING

- I/we wish to speak in support of my/our submission.
- I/we do not wish to speak in support of my/our submission.
- If others make a similar submission, I/we will consider presenting a joint case with them at the hearing.

Signature of submitter(s) or agent of submitter(s)

  
 \_\_\_\_\_  
 JOHN TILLYMAN  
 \_\_\_\_\_  
 \_\_\_\_\_

Date: 24/5/2020  
 Date: \_\_\_\_\_  
 Date: \_\_\_\_\_

IMPORTANT INFORMATION

The Council must receive this submission before the date and time indicated. A copy of this submission must also be given as soon as reasonably practicable to the applicant at the applicant's address for service.

All submitters will be advised of hearing details at least 10 working days before the hearing. If you change your mind as to whether you wish to attend the hearing, please phone the Council so that the necessary arrangements can be made.

PRIVACY INFORMATION

The information you have provided on this form is required so that your submission can be processed under the RMA, so that statistics can be collected by the Council. The information will be stored on a public register, and held by the Council. The details may also be made available to the public on the Council's website. These details are collected to inform the general public and community groups about all consents which have been issued through the Council. If you would like to request access to, or correction of your details, please contact the Council.



**I am making a submission of opposition to the Plan Change 42**

I believe that the proposal conflicts with sound resource management principles; the purpose and principles of the Resource Management Act 1991, the Auckland Unitary Plan, National Policy Statements on Freshwater Management; Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan.

I object to one off bespoke objectives, policies and rules being applied to this site.

I am particularly concerned with the following principles outlined in the Resource Management Act 1991 and particular with Part three. Duties and restrictions under this Act

Section 12 Restriction on use of Coastal Marine Areas

- The Kaipara Harbour is the inevitable recipient of any additional material or contaminants flowing from the landfill, and these will be widely dispersed and remain on the harbour surface for centuries.

Section 13 Restriction on certain uses of beds of lakes and rivers

- The Hotea river, will surely be the recipient of water from the same catchment as the landfill - making it the inevitable recipient of additional material from both the development and operation of the landfill - and for centuries beyond its eventual closure

Section 15 Discharge of contaminants into the environment

- There can be no guarantee that the risk of a serious leakage of leachate or other contaminants will occur, and the effects could be disastrous

Section 17 Duty to avoid, remedy or mitigate adverse effects

- The added volumes of heavy trucks on the main highway in what is (and will remain) a 2-lane road through the Dome Valley

And also with that the plan change conflicts with the principles of the following:

The National Policy Statement for Freshwater Management 2014

The Waste Management and Minimisation Plan 2018

I would be prepared to speak to my submission and a hearing

I would be willing to present with others who have made similar objections to mine

Sincerely

Glenn Clark

38 Hukanui Crescent, Ponsonby, Auckland 1021

[lbclarks56@gmail.com](mailto:lbclarks56@gmail.com)

ph 021827065



Wayby Valley Road  
Zone change rural to special  
landfill precinct

## 1.0 SUBMITTER DETAILS

Name of submitter(s)  
(please write all names in full)

ZOE DUFFY

Physical Address:

159 MAHURANGI EAST RD Postcode: 0920

Address for service: (if different)

Postcode:

Telephone (day):

Mobile: 021 331159 Fax:

Email:

ZOE.DUFFY@TVNZ.CO.NZ

## 2.0 APPLICATION DETAILS

Application Number:

PC42 (Private) Auckland Regional Landfill  
Wayby ValleyName of applicant:  
(please write all names in full)

Auckland Regional Council

Address of proposed activity:

Auckland Regional Landfill Wayby Valley Postcode:

Description of proposed activity: 1/3 State Highway 1, Wayby Valley

Dome Valley Landfill -

Zone change from rural production to  
a special landfill precinct

## 3.0 SUBMISSION DETAILS

My/our submission: (please tick one)

 Supports the Application Opposes the Application Neutral regarding the Application

192.1

The specific parts of the application to which my/our submission relates to are: (use additional pages if required.)

- Pollution + runoff to Kaipara Harbour waterways (Heritage)
- Destruction of a block of heritage native bush that many people use for recreational pursuits.
- Traffic/truck pollution on an already highly congested road with a high crash rate - insufficient condition for heavy transport.
- Smell pollution
- Increased rubbish blowing off trucks into surrounding area.
- Local iwi is opposed on a cultural, environmental level

## 3.0 SUBMISSION DETAILS contd

The reasons for my/our submission are: (use additional pages if required.)

Warkworth is a high growth area - marked in Auckland's unitary plan - as a satellite city of Auckland. There has been no development/investment/improvement in roading & local environment to cater for increasing population let alone thousands of trucks and waste vehicles.

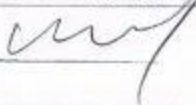
The decision I/we would like the Council to make is (including, if relevant, the parts of the application you wish to have amended and the general nature of any conditions sought):

- 1 → Find a remote location - not containing waterways, not in a high population development area, destroying our dwindling native forest. 192.2
- OR Develop culture of Waste recycling - build industry to generate energy from waste. Similar to Japan. 192.3

## 4.0 SUBMISSION AT THE HEARING

- I/we wish to speak in support of my/our submission.
- I/we do not wish to speak in support of my/our submission.
- If others make a similar submission, I/we will consider presenting a joint case with them at the hearing.

Signature of submitter(s) or agent of submitter(s)



Date: 24/5/2020

Date:

Date:

## IMPORTANT INFORMATION

The Council must receive this submission before the date and time indicated. A copy of this submission must also be given as soon as reasonably practicable to the applicant at the applicant's address for service.

All submitters will be advised of hearing details at least 10 working days before the hearing. If you change your mind as to whether you wish to attend the hearing, please phone the Council so that the necessary arrangements can be made.

## PRIVACY INFORMATION

The information you have provided on this form is required so that your submission can be processed under the RMA, so that statistics can be collected by the Council. The information will be stored on a public register, and held by the Council. The details may also be made available to the public on the Council's website. These details are collected to inform the general public and community groups about all consents which have been issued through the Council. If you would like to request access to, or correction of your details, please contact the Council.

# Details of submission

## Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hotoe River and passing to the east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** [warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable the construction, operation and maintenance for a new four lane state highway. Key components of the proposal include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the existing SH1 and Hotoe River, a bridge over Maeneene Stream, a series of cut and fills across the project area and changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water, discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

## Submitter contact details

**Full name:** Barbara Just

**Organisation name:**

**Contact phone number:** 094238812

**Email address:** [badgerandgreystoke@gmail.com](mailto:badgerandgreystoke@gmail.com)

**Postal address:**

110 Port Albert Road  
Wellsford  
Auckland 0900

## Submission details

**This submission:** opposes the application in whole or in part

**Specify the aspects of the application you are submitting on:**

contrary to sound resource management principles. I believe waste should be eliminated NOT buried...as in Singapore, technology is available to transform waste into electricity. Surely, NZ is enough of a "go-ahead" country to investigate this option!

193.1

**What are the reasons for your submission?**

Consideration for flora and fauna of the Dome Valley, the surrounding areas and the future of our country.

**What decisions and amendments would you like the council to make?**

Investigate other options to dispose of waste... not just for the Dome Valley but for the rest of NZ and our future.

193.2

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** No

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**

I object to this dump site because of environmental reasons, pollution to our land and waters.

194.1

Paul Shepherd

shepherdpaul7ps@gmail.com

Kia ora,

Sending this email to oppose the planning and construction of the Dome Valley dump.

195.1

Nga mihi,

Charlotte  
charlotterudolph40@gmail.com

# Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

## Submitter details

### Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Till Schlimme

### Organisation Name (if submission is made on behalf of Organisation)

### Address for service of Submitter

364 Oneriri Rd, RD2, Kaiwaka 0573

PO Box 27, Kaiwaka 0542

Telephone:  Fax/Email:

Contact Person: (Name and designation, if applicable)

## Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

Plan Change/Variation Name

### The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or  
Property Address

Or  
Map

Or  
Other (specify)

## Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes  No



The reasons for my views are: **The proposal conflicts with sound resource management principles; the purpose and principles of the Resource Management Act 1991, the Auckland Unitary Plan, National Policy Statements on Freshwater Management; Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan. I object to one off bespoke objectives, policies and rules being applied to this site. See attached information.** (continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

196.1

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

*Till Schumme*

*5 June 2020*

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

Date

**Notes to person making submission:**

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  / could not  gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am  / am not  directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

I oppose the creation of a Precinct for the proposed Auckland Landfill due to concerns about one off rules or exemptions being applied to bypass environmental regulations already in place.

The proposed landfill is contrary to sound resource management principles enshrined in the purpose and principles of the Resource Management Act 1991; it conflicts with National Policy Statements on Freshwater Management; is contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan.

This plan change proposal to create a Precinct for the proposed landfill incorporates within its' arguments that landfills should be classed as infrastructure on the same grounds as are ports, airports and defense force bases. A further argument is that landfill activities move from the status of non complying to the status of discretionary or restricted discretionary activities in terms of consent applications to council.

As a Precinct enables existing zoning to be bypassed, if approved, this will create what is essentially an industrial activity in a Rural Production Zone. If the proposals that landfills be classed as infrastructure and activities become discretionary or restricted discretionary then it reduces the scrutiny necessary to such activities by the planning authority.

All of which is of concern as within the documents provided with the plan change application is the following statement, " Ultimately the project will result in some adverse effects due to the location, size and nature. Some of these adverse effects are ones that ordinarily, in relation to a project which is not infrastructure, may be deemed to be unacceptable and contrary to objectives and policy" (Appendix C page 78)

For these reasons I object to the plan change application and would request Council to reject this application.

197.1

I would wish to be heard in support of this submission and would consider presenting a joint case with others who have made a similar submission.

I am directly affected by the subject of this submission as a resident and rate payer of Auckland Council and I am not a trade competitor.

I understand that by taking part in this public submission process that my submission, including personal details will be made public.

This submission has been delayed beyond date by Covid 19 issues.

Submitter:

Russell Braham  
35 Gumtree Lane, Wellsford, 0973

021 029 20157  
russbraham@hotmail.com

## **Before you fill out the attached submission form, you should know:**

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

# Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only

Submission No:

Receipt Date:

## Submitter details

**Full Name or Name of Agent (if applicable)**

Mr/Mrs/Miss/Ms(Full Name)

Mr Allen and Mrs Dorothy Dove

**Organisation Name (if submission is made on behalf of Organisation)**

**Address for service of Submitter**

1 Grice Road, Wharehine, RD3, Wellsford 0973

Telephone:

09 423 7366

Fax/Email:

allenanddorothy@slingshot.co.nz

Contact Person: (Name and designation, if applicable)

## Scope of submission

**This is a submission on the following proposed plan change / variation to an existing plan:**

Plan Change/Variation Number

PC 42

Plan Change/Variation Name

Auckland Regional Landfill Wayby Valley

**The specific provisions that my submission relates to are:**

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Landfill Precinct

Or

Property Address

1232 State Highway 1, Wayby Valley

Or

Map

Or

**Other (specify)**

## Submission

**My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)**

I **support** the specific provisions identified above

I **oppose** the specific provisions identified above

I wish to have the provisions identified above amended Yes  No

The reasons for my views are:  
**The proposal is conflicts with sound resource management principles; the purpose and principles of the Resource Management Act 1991, the Auckland Unitary Plan, National Policy Statements on Freshwater Management; Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan. I object to one off bespoke objectives, policies and rules being applied to this site. See attached information.** (continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

198.1

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

*Allen Dove & Dorothy Dove*

13/06/2020

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

Date

**Notes to person making submission:**

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  /could not  gain an advantage in trade competition through this submission.

**If you could gain an advantage in trade competition through this submission please complete the following:**

I am  / am not  directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

## **Before you fill out the attached submission form, you should know:**

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

# Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only Submission No:
Receipt Date:

## Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

MS LISA KNIGHT

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

Telephone:

Fax/Email:

knightowlnz@gmail.com

Contact Person: (Name and designation, if applicable)

## Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 42

Plan Change/Variation Name

Auckland Regional Landfill Wayby Valley

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or

Property Address

1232 State Highway 1, Wayby Valley

Or

Map

Or

Other (specify)

## Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes  No

**In particular the proposal conflicts with Part 2, sections 2 a  
Resource Management Act 1991 (see attached for further details).**

The reasons for my views are:

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(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

199.1

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

*L Knight*

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

15 June 2020  
Date

**Notes to person making submission:**  
If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  /could not  gain an advantage in trade competition through this submission.  
***If you could gain an advantage in trade competition through this submission please complete the following:***

I am  / am not  directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.



## **SUPPORTING DOCUMENT**

### **SUBMISSION ON: PLAN CHANGE 42: 1232 STATE HIGHWAY 1 WAYBY VALLEY**

I live in Tāmaki Makaurau , my marae is Otamatea marae, the tupuna marae of Ngāti Whātua iwi. As a kaitiaki of the Kaipara Moana I am objecting to the actual and potential significant adverse effects on the mauri of the Kaipara of the proposed landfill development.

The land includes waterways - tributaries to the Hoteo River which lead into the Kaipara moana. I object to the whole proposal because it is:

- Contrary to sound resource management principles and the purpose and principles of the Resource Management Act 1991,
- Conflicts with the Auckland Unitary Plan
- Conflicts with National Policy Statements on Freshwater Management
- Contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan.

#### **Hoteo River and Kaipara moana**

The Hoteo is the third largest river feeding into the Kaipara Harbour. The river provides water to the local community, farmers and livestock, and is home to many flora and fauna species including the highly endangered seagrasses that surround the rivermouth (Auckland Council, 2014).

The Kaipara Moana is the largest estuarine ecosystem in New Zealand and one of the largest harbours in the Southern hemisphere. It is the breeding ground to around 90% of West Coast snapper. Due to its sea-grass habitat it is a nursery and feeding ground for multiple species. The dunes and shoreline are habitat to a range of bird species including endangered birds. There are also significant wetland areas which are highly endangered and at risk in New Zealand. Any negative impact on the mauri of the Hoteo will directly impact the mauri of the Kaipara.

#### **Other waterways**

**SUBMITTED BY: LISA KNIGHT**  
[knightowlnz@gmail.com](mailto:knightowlnz@gmail.com)

A. The site includes significant wetland areas which are highly endangered and at risk in New Zealand. They contain important flora and fauna and act as a filter for sedimentation and contaminants.

B. The area includes flood plains below the proposed site, which regularly flood causing road closures. They are fed by the tributaries from the proposed landfill area and the Hoteo River. Flood events could carry leachates across the flood plain area, impacting agricultural areas and ground water sources.

C. Springs/tomos spontaneously occur in the area. These could affect the integrity of the landfill liner leading to breaches.

E. An aquifer / fresh water supply underlies the area's waterway systems and is a potential groundwater source for the Wellsford Water Treatment Plant.

### **Actual and potential adverse impacts on land**

The proposed landfill development will have an adverse effect on native habitat, ecosystems and species including trees and birds leading to a loss of biodiversity.

The development and operation will also give rise to increase sedimentation and the distribution of leachates particularly during high rainfalls.

An example of dangers of leaching of contaminants into groundwater is the old fertiliser site in Onehunga which polluted the groundwater leading into a stream and then the Manukau harbour. I am concerned that this can also happen with the proposed land fill.

### **Actual and potential adverse impacts on water**

**SUBMITTED BY: LISA KNIGHT**  
[knightowlnz@gmail.com](mailto:knightowlnz@gmail.com)

The proposed landfill development will have an adverse effect on freshwater and marine habitats, ecosystems and species .

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Furthermore sedimentation will impact the Hoteo and the Kaipara reversing the work that has been done over many years to improve water quality particularly in the Kaipara.

Climate change will also produce unexpected events which can increase the risk of adverse land impacts on the water ways.

There is a severe risk to the health of the people who consume polluted fish and seafood resulting from leachates and bacteria and other toxins produced as a result of the proposal.

### **Support for mana whenua**

Treaty of Waitangi settlements and the Resource Management Act recognise and state that organisations and individuals have obligations to local iwi / mana whenua when proposing changes or activities which will or may impact the environment. I support the objections to resource consent application raised by Environs Holdings Ltd (Te Uri o Hau), Ngā Maunga Whakahii o Kaipara and Te Rūnanga o Ngāti Whātua.

### **Poor use of local, regional and national government resources.**

Iwi, hapū, whānau and many others in the community have been working on planting and improving the water quality in the wider catchment area and Kaipara moana over many years. Council and government have contributed large amounts of funds to improve towards these projects.

Additionally local, regional and central government funds are being spent on Waimā Waitai Waiora to improve its mauri by reducing sediment and bacteria which in turn will help to improve the mauri of the Kaipara. Million meters have raised money for planting projects to protect the Hoteo.

**SUBMITTED BY: LISA KNIGHT**  
[knightowlnz@gmail.com](mailto:knightowlnz@gmail.com)

Approval of the application for the landfill development will reverse the positive impacts of this investment of money, time and effort and makes no sense, especially in light of council's commitment to mana whenua and the community to improve water quality across Tāmaki Makaurau.

## **CONCLUSION**

The proposal to build a landfill which has actual and potential significant adverse risks for the Hoteo river and the Kaipara moana and puts at risk the social, economic and cultural wellbeing and the health and safety of the whānau, hapū and wider community. That is, anything that significantly affects the mauri of the flora, fauna and waterways will directly and indirectly impact the social, economic and cultural wellbeing of the people. Furthermore the proposal will adversely affect the ability of the flora, fauna and waterways to sustainably meet the reasonable needs of future generations.

The Kaipara moana is an outstanding natural feature and needs to be protected from inappropriate subdivision, use and development.

Council, regional and central government have invested significant amounts of money to protect New Zealand's waterways and native flora and fauna and have promised to protect these for future generations. Additional landfills will see these investments and the hard work of many New Zealanders wasted.

Furthermore the proposal for a landfill is Inconsistent with the vision of "Our Water Future - Tō Tātou Wai Ahu Ake Nei" which is the protection and enhancement of the life supporting capacity of Auckland's water (te mauri o te wai). Public engagement on the discussion document reinforced the strength of this vision as a unifying ambition for Auckland's water future.

Council must look to increasing the circular economy rather than continue to encourage wasteful and destructive lifestyles and habits. There are significant opportunities and benefits for region in fully transitioning to a circular economy which include long-term cost savings, more jobs, encouraging innovation amongst our rangatahi and youth, reducing the amount of waste and mitigating the affects of climate change.

**SUBMITTED BY: LISA KNIGHT**  
[knightownz@gmail.com](mailto:knightownz@gmail.com)

**From:** NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz  
<NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz>

**Sent:** Monday, 25 May 2020 3:46 PM

**To:** Resource Consent Admin <resourceconsentadmin@aucklandcouncil.govt.nz>

**Cc:** warkworth-wellsford@nzta.govt.nz

**Subject:** BUN60354951 [ID:9835] Submission received on notified resource consent

We have received a submission on the notified resource consent for Land between Wyllie Road and passing to the

west of the existing SH1 alignment near The Dome, before crossing SH1 south of the Hoteo River and passing to the

east of Wellsford and Te Hana, tying into the existing SH1 to the north of Te Hana. .

## Details of submission

### Notified resource consent application details

**Property address:** Land between Wyllie Road and passing to the west of the existing SH1 alignment near The

Dome, before crossing SH1 south of the Hoteo River and passing to the east of Wellsford and Te Hana, tying into the

existing SH1 to the north of Te Hana.

**Application number:** BUN60354951

**Applicant name:** Waka Kotahi - New Zealand Transport Agency

**Applicant email:** [warkworth-wellsford@nzta.govt.nz](mailto:warkworth-wellsford@nzta.govt.nz)

**Application description:** Waka Kotahi - The New Zealand Transport Agency has applied for a Notice of

Requirement to amend the Auckland Unitary Plan and applied for associated Regional Resource Consents to enable

the construction, operation and maintenance for a new four lane state highway. Key components of the proposal

include a four lane dual carriageway, three interchanges, twin bore tunnels under Kraack Road, a viaduct over the

existing SH1 and Hoteo River, a bridge over Maeneene Stream, a series of cut and fills across the project area and

changes to local roads. Resource consents are required in relation to earthworks, vegetation removal, structures and

associated temporary works in, on, under or over watercourses and wetlands, diversion of streams and ground water,

discharge to air, and stormwater management including the on-going stormwater discharge from the road surface.

2

### Submitter contact details

**Full name:** Anna Steedman

**Organisation name:**

**Contact phone number:** 09 4202553

**Email address:** [paisteed@gmail.com](mailto:paisteed@gmail.com)

**Postal address:**

170 Fuller Road

South Head, R D 1, Helensville.

Auckland. 0874

### Submission details

**This submission:** opposes the application in whole or in part

**Specify the aspects of the application you are submitting on:**

The aspects in regard to the application are:

1. Private Plan Change
2. Resource Consent Application

**What are the reasons for your submission?**

The reason for this submission is to question the Resource Management Act, Unitary/Regional Plans of such areas

and to the Waste Industries own landfill criteria.

We are on the South Kaipara Peninsula, therefore the contour of the land is similar, in regards to water and waterways which run and eventually enter the Kaipara Harbour. We are not in favour of placing waste inland where water and waterways feed into one of the largest land surrounding harbours.

We are not in favour of these applications being allowed for such major matters, with very little attention given to those, families, communities, working dry stock and dairy farmers who live in the immediate area and the impact of everything related to using the designated area, as a dump for garbage. We do not agree with permission being granted, as the impact on people, fresh water, fresh water waterways, the Hoteo River and Kaipara Harbour will be realised when the damage is done.

200.1

**What decisions and amendments would you like the council to make?**

I ask the Council to delay deciding on this matter, so there is more time to consider a more detailed understanding of the process of how waste management are going to organise the waste to be dumped in this area. We ask the Council for more transparency in planning for this site to be developed. As public have a high level of concern in this matter.

200.2

**Are you a trade competitor of the applicant?** I am not a trade competitor of the applicant.

**Do you want to attend a hearing and speak in support of your submission?** Yes

**If other people make a similar submission I will consider making a joint case with them at the hearing:** Yes

**Supporting information:**