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I hereby give notice that a hearing by commissioners will be held on:

**Date Dates:**            **Monday 9 - Thursday 12 November 2020**  
                                 **Tuesday 17 - Friday 20 November 2020**  
                                 **Tuesday 24 - Friday 27 November 2020**  
                                 **Monday 30 November - Thursday 3 December 2020**  
                                 **Tuesday 8 - Friday 11 December 2020**

Overflow days should the panel require them  
**Wednesday 16 - Friday 18 December 2020**

**Time:**                    **9.30am each day**  
**Meeting Room:**      **Warkworth Town Hall**  
**Venue:**                 **2 Alnwick Street, Warkworth**

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## **FURTHER SUBMISSIONS**

### **PLAN CHANGE 42**

**1232 STATE HIGHWAY 1, WAYBY VALLEY**

**WASTE MANAGEMENT NZ LIMITED**

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#### **COMMISSIONERS**

**Chairperson**            **Sheena Tepania**  
**Commissioners**      **Alan Watson**  
                                 **David Mead**  
                                 **Wayne Donovan**  
                                 **Michael Parsonson**

**Sam Otter**  
**SENIOR HEARINGS ADVISOR**

Telephone: 09 353 9587 or 021 196 2582  
Email: [sam.otter@aucklandcouncil.govt.nz](mailto:sam.otter@aucklandcouncil.govt.nz)  
Website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)

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**Note:** The reports contained within this document are for consideration and should not be construed as a decision of Council. Should commissioners require further information relating to any reports, please contact the hearings advisor.



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45	FS08	Skywork Helicopters Limited
53	FS09	Mere Wirihana
55	FS10	Susan Speedy
57	FS11	Auckland Conservation Board



The following customer has submitted a Unitary Plan online further submission.

### Contact details

Full name of person making a further submission: Dave Fletcher

Organisation name: nil personal

Full name of your agent: Dave Fletcher

Email address: [d\\_fletcher@xtra.co.nz](mailto:d_fletcher@xtra.co.nz)

Contact phone number: 021927206

Postal address:  
70 Spindler Road  
RD2,  
Wellsford  
Wellsford 0972

### Submission details

**This is a further submission to:**

Plan modification number: Plan Change 42

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

### Original submission details

Original submitters name and address:  
Dave Fletcher  
70 Spindler Road  
RD2  
Wellsford 0972

Submission number: 92

Do you support or oppose the original submission? I or we oppose the submission

Specific parts of the original submission that your submission relates to:  
Point number See below

The reasons for my or our support or opposition are:

The use of the liner in the USA has been proved to fail after 15 years, reference research the net. Lipo batteries from residential rubbish can start a fire and burn through the liner, contents of residential rubbish not checked.

If there is an accident/burn through the leachate will end up in the Hotoe River as Tip is on top of many waterways thence the Kaipara Harbour which has had Millions of dollars thrown at it to clean up the harbour. Major fish spawning grounds.

The land in the Dome continuously moves, State highway 1 is slowly moving east into Springhill land and NZTA say they can't stop it so put a new entry into the Springhill front paddocks so access could be gained. Here is a point that the liner will/could split over time.

The highest rainfall area in Auckland, plans in the 1980.s were to put a reservoir in the same place to feed Auckland's water shortage. I would support that.

Against Maori culture of protecting the environment.

I or we want Auckland council to make a decision to: Disallow the whole original submission

Submission date: 25 June 2020

### **Attend a hearing**

I or we wish to be heard in support of this submission: Yes

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

### **Declaration**

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:

I have springs on my property that never stopped during the drought. These springs are fed underground from the area that the tip is proposed to be built.

I managed the farm at Springhill for many years and understand the rainfall figures which differ completely to those put up by Waste Management.

With the best of intentions by Waste Management they cannot guarantee that there will never be a spillage from the site and leachate would enter the Hoteo through many channels not just the planted catchment area designated by Waste Management. The area is called Springhill, there is a good reason for that name.

I hope I have done this right because the process seems very complicated to me. So I don't want the tip in the Dome and I don't want the change of category from Rural to Commercial tip. I hope I have covered the bases.

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



HERITAGE NEW ZEALAND  
POUHERE TAONGA

9<sup>th</sup> July 2020

Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1143

Dear Sir or Madam

**FURTHER SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA  
PROPOSED PRIVATE PLAN CHANGE 42: AUCKLAND REGIONAL LANDFILL WAYBY VALLEY**

**To:** Auckland Council

**Name of Submitter:** Heritage New Zealand Pouhere Taonga

1. This is a further submission in respect of submissions on the following proposed change to the Auckland Unitary Plan (Operative in Part):

Proposed Private Plan Change 42: Auckland Regional Landfill Wayby Valley

2. Heritage New Zealand is *a person who has an interest in the proposal that is greater than the interest the general public has:*

Heritage New Zealand Pouhere Taonga (formerly New Zealand Historic Places Trust) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation and conservation of New Zealand's historical and cultural heritage. Heritage New Zealand is New Zealand's lead agency for heritage protection.

3. Heritage New Zealand supports the submission of:
  - Refer to Appendix A for a list of those submissions which Heritage New Zealand supports.
4. The particular parts of the submission Heritage New Zealand supports are:
  - Refer to Appendix A.
5. The reasons for Heritage New Zealand's support are listed in the table attached as Appendix A.
6. Heritage New Zealand seeks that the whole/part of the submission be allowed as listed in the tables in Appendix A.
7. Heritage New Zealand wishes to be heard in support of our further submission.

Yours sincerely

  
Sherry Reynolds  
Director Northern Region

Address for Service:  
Heritage New Zealand Northern Regional Office  
PO Box 105 291, Auckland  
Telephone: 09 307 9920  
Email: [PlannerMN@heritage.org.nz](mailto:PlannerMN@heritage.org.nz)  
[sandrews@heritage.org.nz](mailto:sandrews@heritage.org.nz)

Attachment: Appendix A



The following customer has submitted a Unitary Plan online further submission.

### Contact details

Full name of person making a further submission: Susan Andrews

Organisation name: Heritage New Zealand Pouhere Taonga

Full name of your agent:

Email address: [sandrews@heritage.org.nz](mailto:sandrews@heritage.org.nz)

Contact phone number: 09 307 9920

Postal address:

### Submission details

**This is a further submission to:**

Plan modification number: Plan Change 42

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

### Original submission details

Original submitters name and address:  
Please see attached further submission and appendix.

Submission number: Please see attached further submission and appendix.

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:  
Point number Please see attached submission and appendix.

The reasons for my or our support or opposition are:  
Please see attached further submission and appendix.

I or we want Auckland council to make a decision to: Allow part of original submission

Specify the parts of the original submission you want to allow or disallow:  
Please see attached further submission and appendix.

Submission date: 9 July 2020

Supporting documents  
HNZPT Further Submission PPC42 - Auckland Regional Landfill Wayby Valley.pdf  
HNZPT Further Submission PPC42 - Appendix A.pdf

### Attend a hearing

I or we wish to be heard in support of this submission: Yes

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

## Declaration

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:

Heritage New Zealand Pouhere Taonga (formerly New Zealand Historic Places Trust) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation and conservation of New Zealand's historical and cultural heritage. Heritage New Zealand is New Zealand's lead agency for heritage protection.

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

## Appendix A: Heritage New Zealand Pouhere Taonga Further Submission on Private Plan Change 42 – Auckland Regional Landfill Wayby Valley

No.	Submitter Details	Support or Oppose	Reasons for Submission	Decision Sought
35	Environs Holding Ltd Environmental Subsidiy of Te Uri o Hau Settlement Trust c/- Fiona Kemp <a href="mailto:fkemp@uriohau.co.nz">fkemp@uriohau.co.nz</a>	Support	Heritage NZ supports mana whenua in the exercising of kaitiakitanga; and supports the submission in seeking that best practice consultation and engagement is carried out to ensure cultural heritage effects of the proposal are fully assessed, understood, and addressed for all impacted mana whenua and tangata whenua.	Allow Submission
45	Ngati Whatua Orakei c/- Renata Blair and c/- Andrew Brown <a href="mailto:ren@evitan.co.nz">ren@evitan.co.nz</a> <a href="mailto:andrewb@nwo.iwi.nz">andrewb@nwo.iwi.nz</a>	Support	Heritage NZ supports mana whenua in the exercising of kaitiakitanga; and supports the submission in seeking that best practice consultation and engagement is carried out to ensure cultural heritage effects of the proposal are fully assessed, understood, and addressed for all impacted mana whenua and tangata whenua.	Allow Submission

107	Mikaera Miru <a href="mailto:mirumikaera@gmail.com">mirumikaera@gmail.com</a>	Support	Heritage NZ supports mana whenua in the exercising of kaitiakitanga; and supports the submission in seeking that best practice consultation and engagement is carried out to ensure cultural heritage effects of the proposal are fully assessed, understood, and addressed for all impacted mana whenua and tangata whenua.	Allow Submission
132	Te Rūnanga o Ngāti Whātua c/- Rob Enright <a href="mailto:rob@publiclaw9.com">rob@publiclaw9.com</a> <a href="mailto:officeoftheChairman@ngatiwhatua.iwi.nz">officeoftheChairman@ngatiwhatua.iwi.nz</a>	Support	Heritage NZ supports mana whenua in the exercising of kaitiakitanga; and supports the submission in seeking that best practice consultation and engagement is carried out to ensure cultural heritage effects of the proposal are fully assessed, understood, and addressed for all impacted mana whenua and tangata whenua.	Allow Submission
138	Ngati Manuhiri Settlement Trust c/- Pieter Tuinder <a href="mailto:p.tuinder@ngatimanuhiri.iwi.nz">p.tuinder@ngatimanuhiri.iwi.nz</a>	Support	Heritage NZ supports mana whenua in the exercising of kaitiakitanga; and supports the submission in seeking that best practice consultation and engagement is carried out to ensure cultural heritage effects of the proposal are fully assessed, understood, and addressed for all impacted mana whenua and tangata whenua.	Allow Submission

<p>149</p>	<p>Ngā Māunga Whakahii o Kaipara Development Trust c/- Jane Sherard  <a href="mailto:jane@kaiparamoana.com">jane@kaiparamoana.com</a></p>	<p>Support</p>	<p>Heritage NZ supports mana whenua in the exercising of kaitiakitanga; and supports the submission in seeking that best practice consultation and engagement is carried out to ensure cultural heritage effects of the proposal are fully assessed, understood, and addressed for all impacted mana whenua and tangata whenua.</p>	<p>Allow Submission</p>
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9 July 2020

Plans and Places  
Auckland Council  
Private Bag 92300  
Auckland 1142

Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Re: Further Submission for Proposed Private Plan Change 42 – Auckland Regional Landfill Wayby Valley**

Please find attached Auckland Transport's further submission to the submissions lodged on Proposed Private Plan Change 42 Auckland Regional Landfill - Wayby Valley for Waste Management New Zealand Ltd.

If you have any queries in relation to this further submission, please contact me at [katherine.dorofaeff@at.govt.nz](mailto:katherine.dorofaeff@at.govt.nz), or on 09 447 4547.

Yours sincerely



Katherine Dorofaeff  
**Principal Planner, Land Use Policy and Planning North / West**

cc:  
Tonkin and Taylor (for Waste Management New Zealand)  
Via email: [rsignal-ross@tonkintaylor.co.nz](mailto:rsignal-ross@tonkintaylor.co.nz)

## Further submission by Auckland Transport on Proposed Private Plan Change 42 – Auckland Regional Landfill – Wayby Valley

**To:** Auckland Council  
Private Bag 92300  
Auckland 1142

**Further submission on:** Proposed Private Plan Change 42 from Waste Management New Zealand Ltd for a new precinct within the Unitary Plan

**From:** Auckland Transport  
Private Bag 92250  
Auckland 1142

### 1. Introduction

- 1.1 Auckland Transport represents a relevant aspect of the public interest and also has an interest in the proposal that is greater than the interest that the general public has. Auckland Transport's grounds for specifying this are that it is a Council-Controlled Organisation of Auckland Council ('the Council') and Road Controlling Authority for the Auckland region.
- 1.2 Auckland Transport's legislated purpose is "to contribute to an effective, efficient and safe Auckland land transport system in the public interest."

### 2. Scope of further submission

- 2.1 The specific parts of the submissions supported and the reasons for that support are set out in **Attachment 1**.
- 2.2 The decisions which Auckland Transport seeks from the Council in terms of allowing or disallowing submissions are also set out in **Attachment 1**.

### 3. Appearance at the hearing

- 3.1 Auckland Transport wishes to be heard in support of this further submission.
- 3.2 If others make a similar submission, Auckland Transport will consider presenting a joint case with them at the hearing.



Signed for and on behalf of Auckland Transport

Christina Robertson  
Group Manager: Strategic Land Use and Spatial Management

9 July 2020

Address for service of further submitter:

Katherine Dorofaeff, Principal Planner  
Auckland Transport  
20 Viaduct Harbour Avenue  
Auckland Central  
Auckland 1010  
Email: [Katherine.Dorofaeff@at.govt.nz](mailto:Katherine.Dorofaeff@at.govt.nz)



## Attachment 1

#	Submitter	Summary of submission	Support or oppose	Reasons	Decision sought
113.3	The New Zealand Transport Agency c/- Evan Keating Evan.Keating@nzta.govt.nz	Support the requirement for public notification of any application for landfill activities in I617.5	Support	Due to the potential for traffic generation or other transport effects, all applications to develop the site for landfill activities need to be publicly notified	Allow
120.11	Watercare Services Limited c/- Shane Morgan & Lindsay Wilson lindsay.wilson@water.co.nz	Support a Non-complying activity status for new landfills outside Sub-precinct A (Table I617.4.1 (A4))	Support	A Non-complying activity status is appropriate for new landfills outside Sub-precinct A (A4).	Allow

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**Form 6: Further submission in support of, or in opposition to,  
submission on notified proposed policy statement or plan, change or  
variation**

*Pursuant to clause 8 of the First Schedule of the Resource Management Act 1991*

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**To:** Auckland Council

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

1. This is a further submission in support of (or in opposition to) a submission on a change proposed to the Auckland Unitary Plan – Proposed Plan Change 42 (the **Proposal**):
  
2. The **Director-General** represents relevant aspects of public interest and has interest in the proposal that is greater than the interest the general public. The Director-General has all the powers reasonably necessary to enable the Department of Conservation (**DOC**) to perform its functions<sup>1</sup>. The Conservation Act 1987 (the **CA**) sets out DOC's functions which include (amongst other things) management of land and natural and historic resources for conservation purposes, preservation so far as is practicable of all indigenous freshwater fisheries, protection of recreational freshwater fisheries and freshwater fish habitats and advocacy for the conservation of natural resources and historic heritage<sup>2</sup>. Section 2 of the CA defines 'conservation' to mean *'the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations'*.
  
3. I have outlined my views on specific submissions in a table on the **attached** table in the required format.
  
4. I wish to be heard in support of my further submission.
  
5. If others make a similar submission, I will consider presenting a joint case with them at a hearing.
  
6. A copy of this submission has been served on the original submitters.

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<sup>1</sup> Refer section 53 Conservation Act 1987.

<sup>2</sup> Conservation Act 1987, section 6.

Kirsty Prior

Operations Manager

Auckland Region

Acting pursuant to delegated authority on behalf of Lou Sanson, Director-General of Conservation

Date: 9 July 2020

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

**Address for service:**

crendall@doc.govt.nz

Attn: Chris Rendall, Planner

Telephone: 027 408 3526

Department of Conservation

Whare Kaupapa Atawhai / Conservation House

PO Box 10420, Wellington 6143

I support (or oppose) the submission of:	The particular parts of the submission I support (or oppose) are:	The reasons for my support (or opposition) are:	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed):
<p>Enviro ns Holding Ltd environmental subsidy of Te Uri o Hau Settlement Trust (Sub #35)</p>	<p>I support their rationale for opposing the landfill and incorporating the relief they seek if the Proposal is granted.</p>	<p>The Director-General seeks to work with the Crown’s Treaty partners on matters of mutual interest and supports those submission points that align with his submission.                      The Director-General supports consistency with the regulatory and statutory provisions that are relevant to this submission, in relation to cultural associations and interests.                      Incorporating the relief they seek will better enable the Proposal to provide a framework for sustainable management.</p>	<p>I seek that the supported submission points be allowed.</p>
<p>Ngati Whatua Orakei (Sub #45)</p>	<p>I support their rationale for opposing the landfill and incorporating the relief they seek if the Proposal is granted.</p>	<p>The Director-General seeks to work with the Crown’s Treaty partners on matters of mutual interest and supports those submission points that align with his submission.                      The Director-General supports consistency with the regulatory and statutory provisions that are relevant to this submission, in relation to cultural associations and interests.                      Incorporating the relief they seek will better enable the Proposal to provide a framework for sustainable management.                      The Director-General is unclear on the practical make-up and tangible outcomes sought via the partnership.</p>	<p>I seek that the supported submission points be allowed.</p>

<p>Te Rūnanga o Ngāti Whātua (Sub #132)</p>	<p>I support their rationale for opposing the landfill and incorporating the relief they seek if the Proposal is granted.</p>	<p>The Director-General seeks to work with the Crown’s Treaty partners on matters of mutual interest and supports those submission points that align with his submission. The Director-General supports consistency with the regulatory and statutory provisions that are relevant to this submission, in relation to cultural associations and interests. Incorporating the relief they seek will better enable the Proposal to provide a framework for sustainable management.</p>	<p>I seek that the supported submission points be allowed.</p>
<p>Ngāti Manuhiri Settlement Trust (Sub #138)</p>	<p>I support their rationale for opposing the landfill and incorporating the relief they seek if the Proposal is granted.</p>	<p>The Director-General seeks to work with the Crown’s Treaty partners on matters of mutual interest and supports those submission points that align with his submission. The Director-General supports consistency with the regulatory and statutory provisions that are relevant to this submission, in relation to cultural associations and interests. Incorporating the relief they seek will better enable the Proposal to provide a framework for sustainable management.</p>	<p>I seek that the supported submission points be allowed.</p>
<p>Te Ohu Kaimoana (Sub #143)</p>	<p>I support their rationale for opposing the landfill and incorporating the relief they seek if the Proposal is granted.</p>	<p>The Director-General supports those submission points that align with his submission. The Director-General supports consistency with the regulatory and statutory provisions that are relevant to this submission, in relation to cultural associations and interests. Incorporating the relief they seek will better enable the Proposal to provide a framework for sustainable management.</p>	<p>I seek that supported submission points be allowed.</p>

<p>Ngā Māunga Whakahii o Kaipara Development Trust (Sub #149)</p>	<p>I support their rationale for opposing the landfill and incorporating the relief they seek if the Proposal is granted.</p>	<p>The Director-General seeks to work with the Crown’s Treaty partners on matters of mutual interest and supports those submission points that align with his submission. The Director-General supports consistency with the regulatory and statutory provisions that are relevant to this submission, in relation to cultural associations and interests. Incorporating the relief they seek will better enable the Proposal to provide a framework for sustainable management.</p>	<p>I seek that the supported submission points be allowed.</p>
<p>Bioenergy Association (Sub #62)</p>	<p>I support their rationale for opposing the Proposal.</p>	<p>The rationale provided reinforces my submission that the location is inappropriate. The Director-General supports the submission points regarding the need for a landfill and their reference to the Waste Management and Minimisation Plan. The rationale provided supplements matters raised in the Director-General’s submission.</p>	<p>I seek that the whole of the submission be allowed.</p>
<p>Forest and Bird Warkworth Area (Sub #124)</p>	<p>I support their rationale for opposing the Proposal.</p>	<p>The rationale provided reinforces the Director-General’s submission that the location is inappropriate and in addition highlights that further provisions should be incorporated including measures to ensure appropriate management of leachate, water and any final landform and associated vegetation and that bonds are in place to ensure that remediation can occur if something goes wrong.</p>	<p>I seek that the part of their submission relating to additional criteria be allowed.</p>
<p>David Bruce Mason (Sub #100)</p>	<p>I support incorporating the relief they seek if the Proposal is granted.</p>	<p>Incorporating the relief they seek would better enable any future application assessments to identify potential adverse effects on the environment if the Proposal is granted.</p>	<p>I seek that the part of their submission relating to additional criteria be allowed.</p>

<p>Watercare Services Limited (Sub #120)</p>	<p>I support incorporating the relief they seek if the Proposal is granted</p>	<p>The Director-General supports incorporating the relief they seek as it would better reflect the importance of the Regional Aquifer and enable appropriate identification and assessment of the effects of any proposal on the aquifer including the expectation that adverse effects be avoided.</p> <p>The Director-General also supports clarity on what would constitute 'landfill activity', what existing provisions of the Auckland Unitary Plan would continue to apply.</p> <p>The Director-General supports ensuring that any proposed precinct provisions appropriately address potential/actual environmental effects, should Council be minded to grant.</p>	<p>I seek that the supported submission points be allowed.</p>
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**From:** [Christopher Rendall](#)  
**To:** [Unitary Plan](#)  
**Cc:** [Kirsty Prior \(Department of Conservation\)](#)  
**Subject:** RE: Submitter 148 - Further Submission - Proposed Private Plan Change 42 Auckland Regional Landfill: Wayby Valley  
**Date:** Friday, 17 July 2020 2:01:17 PM

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Kia ora Bronnie

Thanks for your email – I understand that this is for administrative purposes? The Director-General does not want his discretion to call evidence fettered by limiting his consideration of others submissions to the ‘submission points’ noted by Auckland Council but understands that it is helpful for Auckland Council to have specific points to refer back to. So for Auckland Council’s administrative purposes the Director-General’s further submission supports/refers to the following submission points: 35.1, 35.2, 45.1, 45.3 - 45.9, 132.1 -132.9. 138.1, 143.1, 149.1, 62.1, 124.1 & 124.2, 100.1 – 100.8, 15.1, 15.3, 120.1 – 120.9, 120.11, 120.13 – 120.19.

Thanks

**Chris Rendall**

Senior Advisor – Government Liaison | Jobs for Nature Unit  
 Department of Conservation | *Te Papa Atawhai*  
 027 408 3526

**Conservation House | *Whare Kaupapa Atawhai***  
 18 - 32 Manners Street | PO Box 10420, Wellington 6143  
 T: +64 4 471 0726

**Kia piki te oranga o te ao tūroa, i roto i te ngātahitanga, ki Aotearoa.**  
**To work with others to increase the value of conservation for New Zealanders.**  
[www.doc.govt.nz](http://www.doc.govt.nz)

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**From:** Unitary Plan <unitaryplan@aklc.govt.nz>  
**Sent:** Tuesday, 14 July 2020 3:10 p.m.  
**To:** Christopher Rendall <crendell@doc.govt.nz>  
**Cc:** Kirsty Prior <kprior@doc.govt.nz>; Unitary Plan <unitaryplan@aklc.govt.nz>  
**Subject:** RE: Submitter 148 - Further Submission - Proposed Private Plan Change 42 Auckland Regional Landfill: Wayby Valley

Good afternoon Chris

Thank you for your further submission on Proposed Private Plan Change 42 Auckland Regional Landfill : Wayby Valley.

Auckland Council cannot assume which submission points the Department of Conservation would like to support. I note that in your further submission you state “I seek that the whole of the submission be allowed” in this instance Auckland Council will note that you support the entire submission. However, where the Department of Conversation state “I seek that the supported submission points be allowed” please clearly indicate in each instance which submission points you would like to support ie. David Bruce Mason (sub # 100) 100.1 – 100.8 please clearly advise which submission points you support, Auckland Council is not authorised to make an assumption.

Please supply this information by return as soon as possible.

Thank you and regards



Bronnie

**Bronnie Styles - Planning Technician**  
**Auckland-wide | Plans and Places**  
**Auckland Council**

Ph 09 3010101 | DDI 09 890 2718 | 021 801 640  
 Level 24, 135 Albert Street, Auckland  
 Visit our website : [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)

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**From:** Christopher Rendall <crendell@doc.govt.nz>  
**Sent:** Thursday, 9 July 2020 3:09 PM  
**To:** Unitary Plan <unitaryplan@aklc.govt.nz>  
**Cc:** Kirsty Prior (Department of Conservation) <kprior@doc.govt.nz>  
**Subject:** Submitter 148 - Further Submission - Proposed Private Plan Change 42 Auckland  
 Regional Landfill: Wayby Valley

Kia ora

Please find attached a further on behalf of the Director-General of Conservation

Ngā mihi

**Chris Rendall**

Senior Advisor – Government Liaison | Jobs for Nature Unit  
 Department of Conservation | *Te Papa Atawhai*  
 027 408 3526

**Conservation House | *Whare Kaupapa Atawhai***

18 - 32 Manners Street | PO Box 10420, Wellington 6143

T: +64 4 471 0726

**Kia piki te oranga o te ao tūroa, i roto i te ngātahitanga, ki Aotearoa.**

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The following customer has submitted a Unitary Plan online further submission.

## Contact details

Full name of person making a further submission: Lou Sanson Director General of Conservation

Organisation name: Department of Conservation

Full name of your agent: Amy Young

Email address: [ayoung@doc.govt.nz](mailto:ayoung@doc.govt.nz)

Contact phone number: 0272253171

Postal address:  
Level 1 John Wickliffe House  
265 Princes Street

Dunedin 9054

## Submission details

**This is a further submission to:**

Plan change number: Plan Change 42

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

## Original submission details

Original submitters name and address:

Mikaera Miru  
Kaitiaki  
Waiaotea Marae  
Te Uri o Hau/Ngati Whatua  
Ngatoto Rd  
Tinopai 0593  
Email: [mirumikaera@gmail.com](mailto:mirumikaera@gmail.com)

Submission number: 107

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:  
Point number 107.1

The reasons for my or our support or opposition are:

The Director-General seeks to work with the Crown's Treaty partners on matters of mutual interest and supports those submission points that align with his submission.

The Director-General supports consistency with the regulatory and statutory provisions that are relevant to this submission, in relation to cultural associations and interests.

Incorporating the relief they seek will better enable the proposal to provide a framework for sustainable management.

See attached form

I or we want Auckland council to make a decision to: Allow the whole original submission

Submission date: 18 September 2020

Supporting documents

RMA - Further Submissions September 2020 - PC 42 Wayby Valley Final - DOC-6437600.pdf

### **Attend a hearing**

I or we wish to be heard in support of this submission: Yes

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

Yes

### **Declaration**

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:

The Director-General represents relevant aspects of public interest and has interest in the proposal that is greater than the interest the general public.

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

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**Form 6: Further submission in support of, or in opposition to,  
submission on notified proposed policy statement or plan, change or  
variation**

*Pursuant to clause 8 of the First Schedule of the Resource Management Act 1991*

---

**To:** Auckland Council

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

1. This is a further submission in support of a submission on the Auckland Unitary Plan – Proposed Plan Change 42 (Private) Auckland Regional Landfill Wayby Valley (the **Proposal**):
  
2. The **Director-General** represents relevant aspects of public interest and has interest in the proposal that is greater than the interest the general public. The Director-General has all the powers reasonably necessary to enable the Department of Conservation (**DOC**) to perform its functions<sup>1</sup>. The Conservation Act 1987 (the **CA**) sets out DOC's functions which include (amongst other things) management of land and natural and historic resources for conservation purposes, preservation so far as is practicable of all indigenous freshwater fisheries, protection of recreational freshwater fisheries and freshwater fish habitats and advocacy for the conservation of natural resources and historic heritage<sup>2</sup>. Section 2 of the CA defines 'conservation' to mean *'the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations'*.
  
3. I have outlined my views on specific submissions in a table on the **attached** table in the required format.
  
4. I wish to be heard in support of my further submission.
  
5. If others make a similar submission, I will consider presenting a joint case with them at a hearing.
  
6. A copy of this submission has been served on the original submitters.

---

<sup>1</sup> Refer section 53 Conservation Act 1987.

<sup>2</sup> Conservation Act 1987, section 6.

Andrew Baucke  
Director Operations/ Kaihautū Matarautaki  
Tāmaki Makaurau / Auckland Office

Acting pursuant to delegated authority on behalf of Lou Sanson, Director-General of Conservation

Date: 18 September 2020

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

**Address for service:**

ayoung@doc.govt.nz  
Attn: Amy Young, Planner  
Telephone: 027 225 3171  
Department of Conservation  
Otepoti/Dunedin Office  
PO Box 5244  
Dunedin 9054

The following customer has submitted a Unitary Plan online further submission.

## Contact details

Full name of person making a further submission: Lou Sanson Director-General of Conservation

Organisation name: Department of Conservation

Full name of your agent: Amy Young

Email address: [ayoung@doc.govt.nz](mailto:ayoung@doc.govt.nz)

Contact phone number: 0272253171

Postal address:  
Level 1 John Wickliffe House  
265 Princes Street  
Dunedin  
Dunedin 9054

## Submission details

**This is a further submission to:**

Plan change number: Plan Change 42

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

## Original submission details

Original submitters name and address:  
Royal Forest and Bird Protection Society of New Zealand Incorporated  
C/O Nick Beveridge  
PO Box 108 055  
Symonds Street  
Auckland 1150

Submission number: 394

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:  
Point number 394.1

The reasons for my or our support or opposition are:  
The rationale provided supplements matters raised in the Director-General's submission.

I or we want Auckland council to make a decision to: Allow the whole original submission

Submission date: 18 September 2020

Supporting documents  
RMA - Further Submissions September 2020 - PC 42 Wayby Valley Final - DOC-6437600\_20200918135133.686.pdf

## **Attend a hearing**

I or we wish to be heard in support of this submission: Yes

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

## **Declaration**

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:

The Director-General represents relevant aspects of public interest and has interest in the proposal that is greater than the interest the general public.

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



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**Form 6: Further submission in support of, or in opposition to,  
submission on notified proposed policy statement or plan, change or  
variation**

*Pursuant to clause 8 of the First Schedule of the Resource Management Act 1991*

---

**To:** Auckland Council

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

1. This is a further submission in support of a submission on the Auckland Unitary Plan – Proposed Plan Change 42 (Private) Auckland Regional Landfill Wayby Valley (the **Proposal**):
  
2. The **Director-General** represents relevant aspects of public interest and has interest in the proposal that is greater than the interest the general public. The Director-General has all the powers reasonably necessary to enable the Department of Conservation (**DOC**) to perform its functions<sup>1</sup>. The Conservation Act 1987 (the **CA**) sets out DOC's functions which include (amongst other things) management of land and natural and historic resources for conservation purposes, preservation so far as is practicable of all indigenous freshwater fisheries, protection of recreational freshwater fisheries and freshwater fish habitats and advocacy for the conservation of natural resources and historic heritage<sup>2</sup>. Section 2 of the CA defines 'conservation' to mean *'the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations'*.
  
3. I have outlined my views on specific submissions in a table on the **attached** table in the required format.
  
4. I wish to be heard in support of my further submission.
  
5. If others make a similar submission, I will consider presenting a joint case with them at a hearing.
  
6. A copy of this submission has been served on the original submitters.

---

<sup>1</sup> Refer section 53 Conservation Act 1987.

<sup>2</sup> Conservation Act 1987, section 6.

Andrew Baucke  
Director Operations/ Kaihautū Matarautaki  
Tāmaki Makaurau / Auckland Office

Acting pursuant to delegated authority on behalf of Lou Sanson, Director-General of Conservation

Date: 18 September 2020

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

**Address for service:**

ayoung@doc.govt.nz  
Attn: Amy Young, Planner  
Telephone: 027 225 3171  
Department of Conservation  
Otepoti/Dunedin Office  
PO Box 5244  
Dunedin 9054

The following customer has submitted a Unitary Plan online further submission.

## Contact details

Full name of person making a further submission: Lou Sanson Director-General of Conservation

Organisation name: Department of Conservation

Full name of your agent: Amy Young

Email address: [ayoung@doc.govt.nz](mailto:ayoung@doc.govt.nz)

Contact phone number: 0272253171

Postal address:  
Level 1 John Wickliffe House  
265 Princes Street  
Dunedin  
Dunedin 9054

## Submission details

**This is a further submission to:**

Plan change number: Plan Change 42

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

## Original submission details

Original submitters name and address:  
William Kapea  
[will.aepak@gmail.com](mailto:will.aepak@gmail.com)

Submission number: 412

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:

Point number 412.1

Point number 412.2

Point number 412.3

The reasons for my or our support or opposition are:

Ngati Rango SUB #412 I support their rationale for opposing the landfill and incorporating the relief they seek if the Proposal is granted.

For administrative purposes, I support the relief sought and recorded as submission points recorded as 412.1 – 412.3, inclusive. The Director-General seeks to work with the Crown's Treaty partners on matters of mutual interest and supports those submission points that align with his submission.

The Director-General supports consistency with the regulatory and statutory provisions that are relevant to this submission, in relation to cultural associations and interests.

Incorporating the relief they seek will better enable the Proposal to provide a framework for sustainable management. I seek that the supported submission points be allowed.

I or we want Auckland council to make a decision to: Allow part of original submission

Specify the parts of the original submission you want to allow or disallow:  
412.1, 412.2 and 412.3

Submission date: 18 September 2020

Supporting documents

RMA - Further Submissions September 2020 - PC 42 Wayby Valley Final - DOC-6437600\_20200918134521.817.pdf

### **Attend a hearing**

I or we wish to be heard in support of this submission: Yes

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

### **Declaration**

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:

The Director-General represents relevant aspects of public interest and has interest in the proposal that is greater than the interest the general public. The Director-General has all the powers reasonably necessary to enable the Department of Conservation (DOC) to perform its functions.

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

---

**Form 6: Further submission in support of, or in opposition to,  
submission on notified proposed policy statement or plan, change or  
variation**

*Pursuant to clause 8 of the First Schedule of the Resource Management Act 1991*

---

**To:** Auckland Council

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

1. This is a further submission in support of a submission on the Auckland Unitary Plan – Proposed Plan Change 42 (Private) Auckland Regional Landfill Wayby Valley (the **Proposal**):
  
2. The **Director-General** represents relevant aspects of public interest and has interest in the proposal that is greater than the interest the general public. The Director-General has all the powers reasonably necessary to enable the Department of Conservation (**DOC**) to perform its functions<sup>1</sup>. The Conservation Act 1987 (the **CA**) sets out DOC's functions which include (amongst other things) management of land and natural and historic resources for conservation purposes, preservation so far as is practicable of all indigenous freshwater fisheries, protection of recreational freshwater fisheries and freshwater fish habitats and advocacy for the conservation of natural resources and historic heritage<sup>2</sup>. Section 2 of the CA defines 'conservation' to mean *'the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations'*.
  
3. I have outlined my views on specific submissions in a table on the **attached** table in the required format.
  
4. I wish to be heard in support of my further submission.
  
5. If others make a similar submission, I will consider presenting a joint case with them at a hearing.
  
6. A copy of this submission has been served on the original submitters.

---

<sup>1</sup> Refer section 53 Conservation Act 1987.

<sup>2</sup> Conservation Act 1987, section 6.

Andrew Baucke  
Director Operations/ Kaihautū Matarautaki  
Tāmaki Makaurau / Auckland Office

Acting pursuant to delegated authority on behalf of Lou Sanson, Director-General of Conservation

Date: 18 September 2020

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

**Address for service:**

ayoung@doc.govt.nz  
Attn: Amy Young, Planner  
Telephone: 027 225 3171  
Department of Conservation  
Otepoti/Dunedin Office  
PO Box 5244  
Dunedin 9054

I support (or oppose) the submission of:	The particular parts of the submission I support (or oppose) are:	The reasons for my support (or opposition) are:	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed):
<p>Mikaera Miru Kaitiaki Waiatea Marae Te Uri o Hau/Ngati Whatu SUB #107</p>	<p>I support their rationale for opposing the landfill and incorporating the relief they seek if the Proposal is granted.</p> <p>For administrative purposes, I support the relief sought and recorded as submission point 107.1.</p>	<p>The Director-General seeks to work with the Crown's Treaty partners on matters of mutual interest and supports those submission points that align with his submission.</p> <p>The Director-General supports consistency with the regulatory and statutory provisions that are relevant to this submission, in relation to cultural associations and interests.</p> <p>Incorporating the relief they seek will better enable the proposal to provide a framework for sustainable management.</p> <p>The rationale provided supplements matters raised in the Director-General's submission.</p>	<p>I seek that the supported submission points be allowed.</p>
<p>Royal Forest and Bird Protection Society of New Zealand Incorporated Sub # 394</p>	<p>I support their rationale for opposing the Proposal.</p> <p>For administrative purposes, I support the relief sought and recorded as submission point 394.1.</p>	<p>The Director-General seeks to work with the Crown's Treaty partners on matters of mutual interest and supports those submission points that align with his submission.</p> <p>The Director-General supports consistency with the regulatory and statutory provisions that are relevant to this submission, in relation to cultural associations and interests.</p>	<p>I seek that the whole of the submission be allowed.</p>
<p>Ngati Rango SUB #412</p>	<p>I support their rationale for opposing the landfill and incorporating the relief they seek if the Proposal is granted.</p> <p>For administrative purposes, I support the relief sought and recorded as submission points recorded as 412.1 – 412.3, inclusive.</p>	<p>The Director-General seeks to work with the Crown's Treaty partners on matters of mutual interest and supports those submission points that align with his submission.</p> <p>The Director-General supports consistency with the regulatory and statutory provisions that are relevant to this submission, in relation to cultural associations and interests.</p>	<p>I seek that the supported submission points be allowed.</p>

	Incorporating the relief they seek will better enable the Proposal to provide a framework for sustainable management.	
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## FORM 6

**Further submission in support of, or in opposition to, submission on a notified proposal for  
Private Plan Change 42 Auckland Regional Landfill, Wayby Valley under  
Resource Management Act 1991**

9 July 2020

Auckland Council  
Plans and Places  
Private Bag 92300  
Auckland 1142  
Attn: John Duguid

Email: [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

**Name of further submitter: The New Zealand Transport Agency**

This is a further submission opposing (in part) two submissions on Private Plan Change 42 Auckland Regional Landfill, Wayby Valley (**Plan Change**) to the Auckland Unitary Plan (operative in Part).

The Transport Agency is a person who has an interest in the proposal that is greater than the interest of the general public. The Transport Agency made a submission on the Plan Change dated 26 May 2020. The submission states that the Transport Agency is neutral regarding the Plan Change, but supports the provisions relating to transportation (I617 Objective 3, I617.4.1, I617.5, and I617.10).

The Transport Agency opposes (in part) the submissions of Skywork Helicopters Limited (submission number 116) and Goatley Holding Limited (submission number 117). Submissions 116 and 117 are identical. The Transport Agency opposes (in part) the entire submissions, both of which raise concerns about effects of additional traffic on the safe and efficient operation of the Goatley Road/Kaipara Flats Road/SH1 intersection. In particular:

- The submissions are broadly concerned that the Precinct Plan (provision number I617.10) does not appropriately capture traffic effects.
- The submitters request that “appropriate objectives and policies supported by assessment criteria be added to the Precinct provisions to enable the assessment of traffic effects that may arise in the future associated with activities that the Precinct enables such as new landfills and renewable energy for example.”
- The submitters consider that the Waste Management proposal will directly negatively impact the safety and efficient operation of the Goatley Road/Kaipara Flats Road/SH1 intersection, and considers that these actual, cumulative and future effects need to be considered.

- The relief sought by the submitters is that Plan Change is approved, but only on the basis that suitable objectives, policies and assessment criteria that address traffic effects on the wider roading network are incorporated.

The reasons for the Transport Agency's opposition (in part) are:

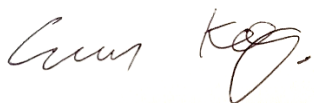
- The Transport Agency's position in its original submission on the Plan Change dated 26 May 2020 remains the same. The Transport Agency supports the provisions in the Plan Change (as lodged) relating to transportation and seeks to understand what provisions the submitters are seeking.
- Given the broad nature of the relief sought in both submissions 116 and 117, it is not entirely clear what changes to the Plan Change provisions the submitters are seeking. As such, the Transport Agency wishes to be involved in any transport issues relating to the Plan Change provisions to ensure that any amendments to the provisions adequately address effects on the transportation network.

The Transport Agency seeks that the submissions be disallowed to the extent that they are inconsistent with the Transport Agency's position on the Plan Change provisions relating to transportation, as outlined in the Transport Agency's original submission.

### Hearings

The Transport Agency wishes to be heard in support of its further submission. If others make a similar submission, the Transport Agency will consider presenting a joint case with them at a hearing.

Signature of person authorised to sign on behalf of further submitter:



### **Evan Keating**

Principal Planner

NZ Transport Agency

Address for Service of person making submission:

NZ Transport Agency

Contact Person: Evan Keating

Email: [Evan.Keating@nzta.govt.nz](mailto:Evan.Keating@nzta.govt.nz)

The following customer has submitted a Unitary Plan online further submission.

### Contact details

Full name of person making a further submission: Royal Forest and Bird Protection Society of NZ Inc

Organisation name: Royal Forest and Bird Protection Society of NZ Inc

Full name of your agent: Att. Natasha Sitarz

Email address: [n.sitarz@forestandbird.org.nz](mailto:n.sitarz@forestandbird.org.nz)

Contact phone number: 03 9405520

Postal address:  
PO Box 2516

Christchurch 8140

### Submission details

**This is a further submission to:**

Plan change number: Plan Change 42

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

### Original submission details

Original submitters name and address:  
Department of Conservation  
c/- Chris Rendall  
Whare Kaupapa Atawhai / Conservation House  
PO Box 10420, Wellington 6143  
[crendall@doc.govt.nz](mailto:crendall@doc.govt.nz)

Submission number: 148

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:  
Point number all parts of the submission

The reasons for my or our support or opposition are:  
Agree with the reasons set out in the original submission as this aligns with Forest & Birds submission on the combined resource consent and PC42

I or we want Auckland council to make a decision to: Allow the whole original submission

Submission date: 27 August 2020

### Attend a hearing

I or we wish to be heard in support of this submission: Yes

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

## Declaration

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:

Forest & Bird represents a relevant aspect of the public interest, and has an interest greater than the public generally.

Forest & Bird is a non profit organisation representing many members and supporters. Forest & Bird made a submission on the resource consent application which is combined with PC42.

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



26 August 2020

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

To whom it may concern

FURTHER SUBMISSION RE PLAN CHANGE 42 (PRIVATE) AUCKLAND REGIONAL LANDFILL WAYBY  
VALLEY

Please find attached, on behalf of my clients Skywork Helicopters Limited, a submission table and  
completed Form 6 for acceptance into the further submission stage of the above plan change.

Yours sincerely

Burnette O'Connor  
Planner / Director  
The Planning Collective Ltd  
[burnette@thepc.co.nz](mailto:burnette@thepc.co.nz)  
021-422-346

Sub #	Sub Point	Submitter Name	Summary	Further Submission
134	134.1	Auckland Transport c/- Katherine Dorofaeff	Amend the objectives and policies to include the following additional objective and policy: "Objective - The Auckland Regional Landfill is designed and operated so as to avoid, remedy or mitigate adverse effects on the transport network" "Policy - Require any development to provide access and manage operations so as to support safe and efficient movement of vehicles, in particular heavy vehicles, accessing the site to or from the public road network."	Skywork Helicopters Limited support the submission to the extent it seeks an additional objective relating to effects on the road network.  The policy is limited to access and management of operations. This should be extended to include the effects on the wider road network – specifically key intersections of local roads (with SH1) that AT is the road controlling authority for will be adversely impacted by the proposal.
134	134.2	Auckland Transport c/- Katherine Dorofaeff	Retain the discretionary activity status for (A1) Landfill in Sub-Precinct A	Support discretionary activity status with appropriate objectives and policies to require a thorough assessment of transportation effects on the wider road network.

# Further Submission in support of, or opposition to, a notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991  
FORM 6



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 Further Submission No:
Receipt Date:

## Further Submitter details

**Full Name or Name of Agent (if applicable)**

Mr/Mrs/Miss/Ms(Full Name) Ms Burnette O'Connor

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

Skywork Helicopters Limited

**Address for service of Further Submitter**

c/- The Planning Collective Limited

PO Box 591, Warkworth 0941

Telephone:

021-422-346

Fax/Email:

burnette@thepc.co.nz

Contact Person: (Name and designation, if applicable)

## Scope of Further Submission

**This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:**

Plan Change/Variation Number	42 (Private)
Plan Change/Variation Name	Auckland Regional Landfill Wayby Valley

**I support :**  Oppose  (tick one) **the submission of:**

(Original Submitters Name and Address)

(Please identify the specific parts of the original submission)

**Submission Number**

**Point-Number**

please see attached table

--	--

**The reasons for my support / opposition are:**

please see attached table

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part  (describe precisely which part) please see attached table

of the original submission be **allowed**

**disallowed**

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

26 August 2020

\_\_\_\_\_  
Date

**PLEASE COMPLETE THE FOLLOWING SECTION**

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

\_\_\_\_\_  
\_\_\_\_\_

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

\_\_\_\_\_  
\_\_\_\_\_

**Notes to person making submission:**

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

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





28 August 2020

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

To whom it may concern

FURTHER SUBMISSION RE PLAN CHANGE 42 (PRIVATE) AUCKLAND REGIONAL LANDFILL WAYBY  
VALLEY

Please find attached, on behalf of my clients Goatley Holdings Limited, a submission table and  
completed Form 6 for acceptance into the further submission stage of the above plan change.

Yours sincerely

Burnette O'Connor  
Planner / Director  
The Planning Collective Ltd  
[burnette@thepc.co.nz](mailto:burnette@thepc.co.nz)  
021-422-346

Sub #	Sub Point	Submitter Name	Summary	Further Submission
134	134.1	Auckland Transport c/- Katherine Dorofaeff	Amend the objectives and policies to include the following additional objective and policy: "Objective - The Auckland Regional Landfill is designed and operated so as to avoid, remedy or mitigate adverse effects on the transport network" "Policy - Require any development to provide access and manage operations so as to support safe and efficient movement of vehicles, in particular heavy vehicles, accessing the site to or from the public road network."	Goatley Holdings Limited support the submission to the extent it seeks an additional objective relating to effects on the road network.  The policy is limited to access and management of operations. This should be extended to include the effects on the wider road network – specifically key intersections of local roads (with SH1) that AT is the road controlling authority for will be adversely impacted by the proposal.
134	134.2	Auckland Transport c/- Katherine Dorofaeff	Retain the discretionary activity status for (A1) Landfill in Sub-Precinct A	Support discretionary activity status with appropriate objectives and policies to require a thorough assessment of transportation effects on the wider road network.

# Further Submission in support of, or opposition to, a notified proposed plan change or variation

Clause 8 of Schedule 1, Resource Management Act 1991  
FORM 6



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 Further Submission No:
Receipt Date:

## **Further Submitter details**

**Full Name or Name of Agent (if applicable)**

Mr/Mrs/Miss/Ms(Full Name) Ms Burnette O'Connor

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

Goatley Holdings Limited

**Address for service of Further Submitter**

c/- The Planning Collective Limited

PO Box 591, Warkworth 0941

Telephone:

021-422-346

Fax/Email:

burnette@thepec.co.nz

Contact Person: (Name and designation, if applicable)

## **Scope of Further Submission**

**This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:**

Plan Change/Variation Number	42 (Private)
Plan Change/Variation Name	Auckland Regional Landfill Wayby Valley

**I support :**  Oppose  (tick one) **the submission of:**

(Original Submitters Name and Address)

(Please identify the specific parts of the original submission)

**Submission Number**

**Point-Number**

please see attached table

--	--

**The reasons for my support / opposition are:**

please see attached table

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part  (describe precisely which part) please see attached table

of the original submission be **allowed**

**disallowed**

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

26 August 2020

\_\_\_\_\_  
Date

**PLEASE COMPLETE THE FOLLOWING SECTION**

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

\_\_\_\_\_  
\_\_\_\_\_

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

\_\_\_\_\_  
\_\_\_\_\_

**Notes to person making submission:**

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

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

The following customer has submitted a Unitary Plan online further submission.

### Contact details

Full name of person making a further submission: Mere wirihana

Organisation name: Nil

Full name of your agent: Nil

Email address: [mhtwirihana70@gmail.com](mailto:mhtwirihana70@gmail.com)

Contact phone number: 0225744384

Postal address:  
2873 mangakahia Rd rd2 Whangarei  
Parakao  
Whangarei 0172

### Submission details

**This is a further submission to:**

Plan change number: Plan Change 42

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

### Original submission details

Original submitters name and address:  
Mere wirihana  
2873 mangakahia Rd rd2 Whangarei

Submission number: 394/412

Do you support or oppose the original submission? I or we oppose the submission

Specific parts of the original submission that your submission relates to:

Point number 1) the kaipara harbour is where my family live we  
Point number 2)we are the Paikeas from otamatea my family

The reasons for my or our support or opposition are:

We oppose any work that is currently been done to support ur landfill ur rubbish won't take long to come around that kaipara corneron to Maori owned land aaaa which is us in our kaipara not ur Auckland so once again it come down to white an chinese privilege cause that's what it looks like I have raised up my family against ur land fill

I or we want Auckland council to make a decision to: Allow the whole original submission

Submission date: 4 September 2020

### Attend a hearing

I or we wish to be heard in support of this submission: Yes

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

## Declaration

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:

Tangata whenua

Person of the land an the water

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- 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 further submission.

## Contact details

Full name of person making a further submission: Susan Debra Thorne Speedy

Organisation name:

Full name of your agent:

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

Contact phone number: 02108313354

Postal address:  
728 State Highway 1 Dome Valley  
Dome Valley  
Warkworth  
Auckland 0941

## Submission details

**This is a further submission to:**

Plan change number: Plan Change 42

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

## Original submission details

Original submitters name and address:  
Susan Debra Thorne Speedy

Submission number: 39

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:

Point number 1. Noise and vibration  
Point number 6. Land should be wildlife sanctuary.  
Point number 2. Residents dropping land values.

The reasons for my or our support or opposition are:

Referring to the Marshall Day Acoustics findings: 3.0 existing noise environments. They state that readings were not included at receivers 17, 18, 19 or 29 as too close to the road and dominated by road noise. The footnote says the lower the ambient noise level the greater the potential effect when introducing new noise. However they failed to mention that between 10 and 4 am SH1 is currently quiet, dead quiet. This is when residents sleep well and nocturnal species such as longtail bats, Australasian Bittern, morepork, Spotless Crake, call at night utilising the quiet time. If WM operates 24/7 trucks arriving at the bin exchange this will severely impede the booming calls of Bitterns and long tail bats. Also human residents and ratepayers will suffer loss of value and inability to attract buyers because of 24/ 7 operations bring hundreds of heavy vehicles through the Dome at night, which is currently very quiet at night. Australasian Bitterns and longtail bats are both critically endangered with Bittern numbers only around 900 left! Also the wetlands they inhabit are close to the road in some areas and their booms can be heard at night time by residents now because of breeding season mating calls. This is entirely an inappropriate location for an industrial facility of any kind to

operate 24/7, let alone one of this immense size and nature. Very very bad site selection and must not be a zone change. The zoning is reflective of the current environment. The current residents, flora and fauna belong there, WM does not.

I or we want Auckland council to make a decision to: Allow the whole original submission

Submission date: 15 September 2020

### **Attend a hearing**

I or we wish to be heard in support of this submission: Yes

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

### **Declaration**

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:  
I live in Dome Valley

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- 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 further submission.

## Contact details

Full name of person making a further submission: Lyn Mayes

Organisation name: Auckland Conservation Board

Full name of your agent: Laura Chartres, Board Support Officer, Department of Conservation

Email address: [aucklandconservationboard@doc.govt.nz](mailto:aucklandconservationboard@doc.govt.nz)

Contact phone number: 027 317 8723

Postal address:  
c/o Department of Conservation  
Private Bag 98908  
Newton  
Auckland 1141

## Submission details

**This is a further submission to:**

Plan change number: Plan Change 42

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

## Original submission details

Original submitters name and address:  
Department of Conservation  
Conservation House  
PO Box 10420  
Wellington 6143

Submission number: #148

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:  
Point number whole submission

The reasons for my or our support or opposition are:  
The proposed location is inappropriate due to the conservation/biodiversity values the site contains, the context in which it exists and the risks that a landfill would pose to downstream environments.

For many species, the effects would go beyond direct habitat losses. The plan change would foreshadow increased levels of noise, light and habitat fragmentation.

The Proposal has the potential to undermine efforts to engage the community and maintain and improve the Hōteio catchment, and the Kaipara Harbour.

The approach and weighting used by the Applicant to determine its preferred location for this Proposal do not sufficiently explore the natural values and context. The weightings appear to favour remoteness over for example, management techniques to reduce effects on sensitive receivers,

which is likely to have led to the Applicants choice of a proposed location which contains significant conservation values. The creation of a landfill at this site of the scale and nature outlined in the Proposal would have significant adverse effects on conservation values. In considering alternate locations where lower conservation values may have been present it is unclear whether extension or consolidation of existing landfills was explored.

The application is inconsistent with relevant provisions of the Auckland Unitary Plan (AUP), including but not limited to E3.2 and E3.3 (protecting waterbodies and specifically avoiding significant adverse effects within Natural Stream Management Areas (NSMA), Wetland Management Areas and Significant Ecological Areas (SEAs), and B7.2 identification, protection and maintenance of indigenous biodiversity.

I or we want Auckland council to make a decision to: Allow the whole original submission

Submission date: 17 September 2020

Supporting documents

ACB-2003-Submission on PPC42 WMNZ Wayby Valley Landfill-17 September 2020.pdf

### **Attend a hearing**

I or we wish to be heard in support of this submission: Yes

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

### **Declaration**

What is your interest in the proposal? I am the person representing a relevant aspect of the public interest

Specify upon which grounds you come within this category:

The Auckland Conservation Board is an independent statutory body with a role in advocating its interests in any public forum or in any statutory planning process under section 6L of the Conservation Act 1987.

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# AUCKLAND CONSERVATION BOARD

## *Te Rūnanga Papa Atawhai o Tāmaki Makaurau*

Board File Ref: ACB-2003

17 September 2020

Auckland Council  
Resource Consents  
Private Bag 92300  
Auckland 1142

### **Further submission in support of, or in opposition to, submission on notified proposed policy statement or plan, change or variation.**

This is a further submission in support of (or in opposition to) a submission on a change proposed to the Auckland Unitary Plan – Proposed Plan Change 42) and for a resource consent. Specifically, with regard to:

- PC65 Private Plan Change 42. We seek to make a further submission against the plan change. We endorse the submission of the Department of Conservation and ask Auckland Council to accept it in full.
- NC101 Notified Resource Consent. We endorse the further submission of the Department of Conservation and ask Auckland Council to accept it in full.

The Tāmaki Makaurau – Auckland Conservation Board (the Board) is an independent statutory body appointed by the Minister for Conservation. It was established by section 6L of the Conservation Act 1987. The Board has a statutory role in advocating its interests in any public forum or in any statutory planning process.

In this regard, the Board would like to make a further submission in relation to the Waste Management NZ (WMNZ) application for a resource consent to construct and operate a new regional Class 1 landfill at Wayby Valley between Wellsford and Warkworth, adjoining Dome Valley and to support the submission of the Department of Conservation with respect to the applicant's request for a change to the Auckland Unitary Plan.

The Director General of Conservation supports the submissions of Treaty partners in relation to the plan change and the resource consent. Our Board endorses this and further notes that the Ngāti Manuhiri Claims Settlement Act 2012 confirms that the Ngāti Manuhiri Area of Interest is inclusive of the Dome Valley area.

We have outlined our views on specific submissions on the table at Appendix 1 in the required format.

...2

#### **SERVICED BY**

DEPARTMENT OF CONSERVATION  
TĀMAKI MAKĀURAU AUCKLAND

Private Bag 68908, Newton, Auckland 1141, New Zealand  
Telephone (09) 307 9279 | Email [aucklandconservationboard@doc.govt.nz](mailto:aucklandconservationboard@doc.govt.nz)

In our original submission of 20 May 2020 in opposition to the resource consent application, we asked for “the advice provided to the applicant on other sites which were considered and rejected to understand why this site with its significant ecological values has been selected over others”. We would like to reiterate our request for this information, which is pivotal to understanding why the applicant chose this particular site.

Whilst WMNZ is the applicant, we do not consider that it is acceptable for Auckland Council as the unitary authority to re-designate an area with such high biodiversity, mana whenua and water values for such a high-impact, high-risk purpose. There is no detail provided about why existing landfills at Redvale, Whitford or Hampton Downs, which already service the Auckland region, have not been selected.

The Board wishes to be heard in support of our original and this further submission.

Yours faithfully



Lyn Mayes

**Chair – Auckland Conservation Board**

cc: Rachel Signal-Ross, Tonkin & Taylor

Attachment: Appendix 1 – comments on specific submissions

Appendix 1 – comments on specific submissions

I support (or oppose) the submission of:	The particular parts of the submission I support (or oppose) are:	The reasons for my support (or opposition) are:	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed):
Department of Conservation (Sub #148)	I support the Director General's submission opposing the landfill.	<p>The reasons set out in the Director General's submission on the Notified Resource Consent (NC101) and the Private Plan Change 42 PC65 are aligned with the Board's position including:</p> <ul style="list-style-type: none"> <li>• The proposed location is inappropriate due to the conservation/biodiversity values the site contains, the context in which it exists and the risks that a landfill would pose to downstream environments.</li> <li>• For many species, the effects would go beyond direct habitat losses. The plan change would foreshadow increased levels of noise, light and habitat fragmentation</li> <li>• The Proposal has the potential to undermine efforts to engage the community and maintain and improve the Hōteu catchment, and the Kaipara Harbour</li> <li>• The approach and weighting used by the Applicant to determine its preferred location for this Proposal do not sufficiently explore the natural values and context. The weightings appear to favour remoteness over for example, management techniques to reduce effects on sensitive receivers, which is likely to have led to the Applicant's choice of a proposed location which contains significant conservation values. The creation of a landfill at this site of the scale and nature outlined in the Proposal would have significant adverse effects on conservation values. In considering alternate locations where lower conservation values may have been present it is unclear whether extension or consolidation of existing landfills was explored.</li> <li>• The application is inconsistent with relevant provisions of the Auckland Unitary Plan (AUP), including but not limited to E3.2 and E3.3 (protecting waterbodies and specifically avoiding significant adverse effects within Natural Stream Management Areas (NSMA),</li> </ul>	I seek that the whole of the submission be allowed.

I support (or oppose) the submission of:	The particular parts of the submission I support (or oppose) are:	The reasons for my support (or opposition) are:	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed):
		Wetland Management Areas and Significant Ecological Areas (SEAs), and B7.2 identification, protection and maintenance of indigenous biodiversity.	
Enviros Holding Ltd environmental subsidiary of Te Uri o Hau Settlement Trust (Sub #35)	I support their rationale for opposing the landfill and incorporating the relief they seek if the Proposal is granted.	Under the Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014, three members of the Board are appointed by the Minister on the recommendation of the Ngāti Whātua rūpū; Marutūāhu rūpū and the Waiohūa Tāmaki rūpū.  The Board seeks to work with the Crown's Treaty partners on matters of mutual interest and supports their submission.  Incorporating the relief they seek will better enable the Proposal to provide a framework for sustainable management.	I seek that the whole of the submission be allowed.
Ngāti Whātua Orakei (Sub #45)	I support their rationale for opposing the landfill and incorporating the relief they seek if the Proposal is granted.	Under the Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014, three members of the Board are appointed by the Minister on the recommendation of the Ngāti Whātua rūpū; Marutūāhu rūpū and the Waiohūa Tāmaki rūpū.  The Board seeks to work with the Crown's Treaty partners on matters of mutual interest and supports their submission.  Incorporating the relief they seek will better enable the Proposal to provide a framework for sustainable management.	I seek that the whole of the submission be allowed.
Forest and Bird Warkworth Area (Sub #124)	I support their rationale for opposing the Proposal.	The rationale provided supplements matters raised in the Board's submission.	I seek that the whole of the submission be allowed.

I support (or oppose) the submission of:	The particular parts of the submission I support (or oppose) are:	The reasons for my support (or opposition) are:	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed):
Te Rūnanga o Ngāti Whātua (Sub #132)	I support their rationale for opposing the landfill and incorporating the relief they seek if the Proposal is granted.	<p>Under the Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014, three members of the Board are appointed by the Minister on the recommendation of the Ngāti Whātua rūpū; Marutūāhu rūpū and the Waiohūa Tāmaki rūpū.</p> <p>The Board seeks to work with the Crown's Treaty partners on matters of mutual interest and supports their submission.</p> <p>Incorporating the relief they seek will better enable the Proposal to provide a framework for sustainable management.</p>	I seek that the whole of the submission be allowed.
Ngāti Manuhiri Settlement Trust (Sub #138)	I support their rationale for opposing the landfill and incorporating the relief they seek if the Proposal is granted.	<p>The Ngāti Manuhiri Claims Settlement Act 2012 confirms that the Ngāti Manuhiri Area of Interest is inclusive of the Dome Valley area.</p> <p>As we noted in our submission- The Hōteu River is of major cultural, spiritual and historic significance to Ngāti Manuhiri.</p>	I seek that the whole of the submission be allowed.

