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

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

SUBMISSIONS – RESOURCE CONSENT
1232 STATE HIGHWAY 1, WAYBY VALLEY
WASTE MANAGEMENT NZ LIMITED
VOLUME 1

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
Website: www.aucklandcouncil.govt.nz

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.

WHAT HAPPENS AT A HEARING

At the start of the hearing, the Chairperson will introduce the commissioners and council staff and will briefly outline the procedure. The Chairperson may then call upon the parties present to introduce themselves to the panel. The Chairperson is addressed as Mr Chairman or Madam Chair.

Any party intending to give written or spoken evidence in Māori or speak in sign language should advise the hearings advisor at least five working days before the hearing so that a qualified interpreter can be provided.

Catering is not provided at the hearing. Please note that the hearing may be audio recorded.

Scheduling submitters to be heard

A timetable will be prepared approximately one week before the hearing for all submitters who have returned their hearing appearance form. Please note that during the course of the hearing changing circumstances may mean the proposed timetable is delayed or brought forward. Submitters wishing to be heard are requested to ensure they are available to attend the hearing and present their evidence when required. The hearings advisor will advise submitters of any changes to the timetable at the earliest possible opportunity.

The Hearing Procedure

The usual hearing procedure is:

- The applicant will be called upon to present his/her case. The applicant may be represented by legal counsel or consultants and may call witnesses in support of the application. After the applicant has presented his/her case, members of the hearing panel may ask questions to clarify the information presented.
- The relevant local board may wish to present comments. These comments do not constitute a submission however the Local Government Act allows the local board to make the interests and preferences of the people in its area known to the hearing panel. If present, the local board will speak between the applicant and any submitters.
- Submitters (for and against the application) are then called upon to speak. Submitters may also be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker. The council officer's report will identify any submissions received outside of the submission period. At the hearing, late submitters may be asked to address the panel on why their submission should be accepted. Late submitters can speak only if the hearing panel accepts the late submission.
- Should you wish to present written information (evidence) in support of your application or your submission please ensure you provide the number of copies indicated in the notification letter.
- Only members of the hearing panel can ask questions about submissions or evidence. Attendees may suggest questions for the panel to ask but it does not have to ask them. No cross-examination - either by the applicant or by those who have lodged submissions – is permitted at the hearing.
- After the applicant and submitters have presented their cases, the chairperson may call upon council officers to comment on any matters of fact or clarification.
- When those who have lodged submissions and wish to be heard have completed their presentations, the applicant or his/her representative has the right to summarise the application and reply to matters raised by submitters. Hearing panel members may further question the applicant at this stage.
- The chairperson then generally closes the hearing and the applicant, submitters and their representatives leave the room. The hearing panel will then deliberate "in committee" and make its decision.
- Decisions are usually available within 15 working days of the hearing.

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31	7	EPL200	Alton Crisp (This is the petition started on Change.org by myself and Susan Speedy reaching 13,805 people against the landfill.)

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Sunday, May 24, 2020 10:30:35 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9775] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: malcolm lea

Organisation name:

Contact phone number: 0211502488

Email address: malcolmlea200@gmail.com

Postal address:

199 Shepherd Rd
Auckland
Auckland 0975

Submission details

This submission: supports the application in whole or in part

Specify the aspects of the application you are submitting on:

land use plan change and all the elements of the consents and consent conditions

What are the reasons for your submission?

to improve the outcomes

What decisions and amendments would you like the council to make?

complete management plans of all aspects . clear consent conditions local community group to be leased with by Waste management on all operational aspects and a 10 dollar levy per metre for local environment improvement

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:

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Sent on: Sunday, May 24, 2020 10:30:35 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
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We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Kamira henderson

Organisation name:

Contact phone number: 0275945081

Email address: kamirahenderson@gmail.com

Postal address:

260 a Rangiora road
Kaiwaka
Northland 0573

Submission details

This submission: supports the application in whole or in part

Specify the aspects of the application you are submitting on:

Protecting Kaipara Moana

What are the reasons for your submission?

Protect Kaipara Moana

What decisions and amendments would you like the council to make?

No dump

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Sunday, May 24, 2020 10:30:36 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9777] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Jessica connors

Organisation name:

Contact phone number: 0272355698

Email address: Jessicapconnors@gmail.com

Postal address:

2/27 speight rd. Kohimarama

Auckland

Auckland 1071

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Already threatened ecosystem

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Do not build

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Sunday, May 24, 2020 10:45:41 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9778] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Kristeen Prangley

Organisation name:

Contact phone number: 0211575629

Email address: kristeenpeters@hotmail.co.uk

Postal address:

17 Sandy Beach Road
Tinopai
Northland 0593

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Save the Kaipara Harbour!!!! No dump!!!

What are the reasons for your submission?

Save the Kaipara Harbour!!!! No dump!!!

What decisions and amendments would you like the council to make?

Do not allow at all

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:

SUBMISSION



Waste Management New Zealand Resource
Consent Application: To construct and operate
a new regional landfill. BUN60339589

Fletcher Building Submission to the Auckland Council

25 May 2020

Please contact:

Dr Michael Burgess

Group Carbon and Environmental Performance Manager

michael.burgess@fbu.com

About Fletcher Building

Fletcher Building is one of New Zealand's largest listed companies. We are a significant employer, manufacturer, home builder and partner on major construction and infrastructure projects in New Zealand.

Our roots go back to 1909, when James Fletcher built his first house with Albert Morris in Dunedin. From those humble beginnings we today employ over 10,000 people across almost every region of New Zealand and make a significant contribution to both the national economy, and many regional economies.

The value we add to the New Zealand economy has been calculated at \$1.3 billion and our contribution to GDP is \$1.5 billion¹.

Fletcher Building is dual listed on the NZX and ASX and operates through six divisions – Building Products, Distribution, Concrete, Construction and Residential and Land Development and Australia.

Introduction

Fletcher Building supports Waste Management New Zealand's (WMNZ) application to construct and operate the Auckland Regional Landfill at Dome Valley.

Consultation

We recognise that the Construction & Demolition (C&D) sector is a significant contributor to landfill.

Fletcher Building is actively engaged in researching and implementing circular economy principles within our business. Circular economy aims to eliminate waste through sustainability in product design, use of recycled materials, maximising diversion from landfill and developing new methods of sustainable construction. The result of this practice will greatly reduce the quantity waste needing to be interred in landfill. However, we recognise that at present a certain quantity of waste is unavoidable.

Waste generated by infrastructure and building growth in the Auckland region will require interment, particularly if there is an emphasis on large regional projects in the post-COVID19 recovery period. The Redvale landfill, where much C&D waste goes is reaching capacity and is due to close by 2028 at the latest.

We submit that the proposed landfill must be constructed and managed to a high standard, with world-class environmental controls including leachate control and gas capture. WMNZ's Redvale site is an excellent example of what can be achieved with good management.

While we recognise that there are a diverse range of views on landfills within the community, it is our opinion that construction of a world-class landfill in the Auckland region will help communities and businesses reduce their carbon footprint through landfill gas capture and energy generation.

We therefore support WMNZ's resource consent application to construct the Auckland Regional Landfill at Dome Valley.

¹ NZIER, Building New Zealand, Fletcher Building's economic contribution, June 2018

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Sunday, May 24, 2020 10:45:45 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9779] Submission received on notified resource consent
Attachments: Fletcher Building WMNZ landfill consent submission 2020-05-25.pdf (148.49 KB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Michael Burgess

Organisation name: Fletcher Building

Contact phone number: 0212416574

Email address: michael.burgess@fbu.com

Postal address:

Private Bag 92114, Auckland
Penrose
Auckland 1142

Submission details

This submission: supports the application in whole or in part

Specify the aspects of the application you are submitting on:

See attached submission form

What are the reasons for your submission?

See attached submission form

What decisions and amendments would you like the council to make?

See attached submission form

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Sunday, May 24, 2020 11:00:39 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9780] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Penelope Jane Smith

Organisation name:

Contact phone number: 021983297

Email address: penny.smith@slingshot.co.nz

Postal address:

14 Charis Lane
Wellsford RD5
Auckland 0975

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

High impact risks to the environment particularly the Hoteo River and Kaipara Harbour.

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Contrary to sound resource management principles and conflicts with sound freshwater management principles.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Sunday, May 24, 2020 11:15:44 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9782] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: David Cunningham

Organisation name:

Contact phone number: 0217111084

Email address: davidc@wilson.co.nz

Postal address:

4 holiday Crescent
Mangawhai
Mangawahi 0505

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Transport issues with additional trips in an already stressed reading network

What are the reasons for your submission?

There is insufficient negation of the environmental issues the additional road usage will cause and the damage to the environment from emission and toad damage

What decisions and amendments would you like the council to make?

Decline the application due to the considerable environmental issues

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Sunday, May 24, 2020 11:30:34 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9783] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Rebecca Ward

Organisation name:

Contact phone number: 0211816940

Email address: beksward@outlook.co.nz

Postal address:

4 Paranui cres
Tikipunga
Whangarei 0110

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Bad for the natural land

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Not do it

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Sunday, May 24, 2020 11:30:38 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9784] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Phillip James Hill

Organisation name: Hill Farms

Contact phone number: 0274745376

Email address: hillfarms@xtra.co.nz

Postal address:

121 South Head Road
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:

All aspects

What are the reasons for your submission?

Much time and money has been spent on fencing our farms to stop leaching from fertiliser and stock for protection of the harbour. A land fill of this size will inevitably pollute the harbour in time and will undo all the hard work we have done. Also the abundant seafood now available will be polluted and the beaches around the harbour will be ruined for sport and recreation in the future.

What decisions and amendments would you like the council to make?

Do not give consent for this project

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Sunday, May 24, 2020 11:30:40 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9785] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Hugo Primbs

Organisation name:

Contact phone number: +642040944663

Email address: h.primbs6420@gmail.com

Postal address:

1/44 Third Avenue
Kingsland
Auckland 1021

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

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 National Policy Statements on Freshwater Management; contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan

What are the reasons for your submission?

My parents live on the Kaipara Harbour and I have lived there the previous 20 years

This proposal – should it be granted – will pose an imminently grave and perpetually growing risk for this environment. I believe there are far more intelligent ways to tackle the country's consumption and waste problems. Ignoring all scientific evidence and just postponing a real solution for the sake of saving money in the short term is not acceptable.

1. I 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 Industry's 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 is clearly an unsuitable location will likely cost local ratepayers when a cleanup is required.

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 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 freshwater aquifer, and a freshwater 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 a high risk of slips on the surface.

7. Weather - The elevated site is exposed to north/northwesterly 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 northeast. 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 river mouth (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 groundwater sources.

e) Springs/tomos spontaneously occur in the area. These could affect the integrity of the landfill liner leading to breaches.

f) An aquifer/freshwater 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.

2

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.

What decisions and amendments would you like the council to make?

Decline the the proposal and resource consent

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Sunday, May 24, 2020 11:45:36 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9786] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: ken marment

Organisation name:

Contact phone number: 0275536747

Email address: kenneth@xtra.co.nz

Postal address:

125 tara Rd
Auckland
Auckland 0505

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Environmental impact on the ecosystem would be devastating . Traffic impact on Dove Valley road would make this even more unsafe for motorists.

Dome valley road is already one of the highest accident roads in NZ

What are the reasons for your submission?

Concern at the environmental impact of a land fill on the ecosystem , traffic and pollution of the waterways. - The land fill management cannot guarantee the site will be safe for over 100 years. Also it a very stupid way to treat waste . A recycle energy recovery system could be build near to the source of the rubbish , saving transport costs and impacts .

What decisions and amendments would you like the council to make?

The proposed land fill application be totally rejected .

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 12:00:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9788] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Tania Ashby

Organisation name:

Contact phone number: 0438248513

Email address: tania.ashby2@gmail.com

Postal address:

954A Oruawharo Rd
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:

Kaipara Harbour pollution
Fishing will be affected

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Canning the decision to put a dump so close to the awa, moana.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 12:00:37 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9791] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Nastazia Turner

Organisation name:

Contact phone number: 0423969720

Email address: nastaziaturner91@gmail.com

Postal address:

35
Clucas Road, Regents park
Sydney 2143

Submission details

This submission: supports the application in whole or in part

Specify the aspects of the application you are submitting on:

Water restrictions, contaminating water

What are the reasons for your submission?

For my children and their children

What decisions and amendments would you like the council to make?

Not contaminating our water

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 12:15:34 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9792] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Debbie Aperehama

Organisation name:

Contact phone number: 02102467190

Email address: dazaperehama@gmail.com

Postal address:

66 Ferguson Street
Mangere East
Auckland 2024

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Putting a Landfill in the Dome Valley

What are the reasons for your submission?

I dont want to see a Landfill being erected in the Done Valley

What decisions and amendments would you like the council to make?

Decide against a Landfill in the Dome Valley. Create more recycling initiatives such as a buy back scheme for plastic and glass bottles.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 12:15:37 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9793] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Rosana hiki pou ferguson

Organisation name: Manuel Pou Family Whanau Trust

Contact phone number: 02040938838

Email address: rosanahpouferguson@gmail.com

Postal address:

2f main highway
Ellerslie
Auckland 1051

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Genocide toxic chemical nuclear wastes habitats environmental waterways airways lands maungas beings endangerments

What are the reasons for your submission?

Contaminations in EnviroCare concerns endangerment of Nz specimens species significant too the local urban suburb rural areas hupu iwi historical issues an how councils deal with damages control for all an every

What decisions and amendments would you like the council to make?

The treaty the beings their habitations the airways waterways whenuas maungas

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 12:15:47 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9794] Submission received on notified resource consent
Attachments: Kate Valley Hikoi_Final.pdf (10.47 MB), Kate Valley Hikoi_Final_20200525120947.039.pdf (10.47 MB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: William Kapea

Organisation name: Te Uri o Ngati Rango Kaitiaki

Contact phone number: 4444079

Email address: will.aepak@gmail.com

Postal address:

136 Manuka Road
Bayview
Auckland 0629

Submission details

This submission: supports the application in whole or in part

Specify the aspects of the application you are submitting on:

Construction as above and the PC 42 (Private) Auckland Regional Landfill Wayby Valley.

What are the reasons for your submission?

Historical Tangata Whenua interests in the catchment of Te Awa o Hoteo catchment, dating back to the landing of Mahuhu ki te Rangi and those residing in the Kaipara on its arrival.

What decisions and amendments would you like the council to make?

These are all covered in the two documents attached and we request that they are well read and more importantly understood by the decision makers.

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:

Kate Valley Hikoi_Final.pdf

Kate Valley Hikoi_Final_20200525120947.039.pdf



☯ KATE VALLEY HĪKOI ☯

WASTE MANAGEMENT NEW ZEALAND
WAYBY VALLEY PROPOSAL
A NGATI RANGO RESPONSE



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Mā te rongō, ka mōhio
Mā te mōhio, ka mārama
Mā te mārama, ka mātau
Mā te mātau, ka ora!

Through listening, comes awareness
Through awareness, comes understanding
Through understanding, comes knowledge
Through Knowledge, comes life and well-being

Introduction

“Ngāti Rango are the first to acknowledge that we have a waste disposal problem in Auckland that isn’t going away and our wider environment is at risk if we bury our heads in the sand.”

The above statement is taken from Ngā Taonga o Tuku Iho. The first written response from Ngāti Rango to these two concurrent Waste Management (WMNZ) applications to construct and operate a landfill in the Wayby Valley. Ngā Taonga o Tuku Iho captured the heart felt feelings of the Ngāti Rango people. A factual snap shot of their traditional and cultural relationship covered in Part 2 section 6e of the Resource Management Act (RMA). Section 7a covers kaitiakitanga in part, simply because it falls short of implementing its traditional and cultural application, the critical component of kaitiakitanga as quoted below.

“When one considers kaitiaki, you have to consider for what purpose it is being used. If you have a pipi bed, for example, you cannot talk about kaitiaki until you know all the concepts and life of the pipi” [and it must be for the pipi’s wellbeing and not yours].”

When the analogy above is applied to the proposed WMNZ Wayby Valley Landfill applications Ngā Taonga Tuku Iho asserts that Ngāti Rango had **not fulfilled** their kaitiaki obligation and responsibilities. Noting, that a reciprocal site visit to Canterbury had been contemplated on a number of occasions over the engagement and consultation process with WMNZ. Ngāti Rango wishes to acknowledge this site-visit as we embark on the *Second-Generation* of this important partnership arrangement with WMNZ.

Kate Valley Site Visit

An opportunity arose to combine a site-visit to Kate Valley with another pre-arranged event in the Canterbury region. A proposition was put to WMNZ to support with assistance for a two-person delegation from Ngāti Rango to which an agreement was reached to proceed.

Meeting Ngai Tūahuriri / Ngai Tahu at Tuahiwi Marae affords a discharge of the customary obligation to establish their sanction for this site-visit. There are aspects of this *obligation* that will cast a distorted light on the flagrant disregard of such a base-line protocol of engagement from our Ngāti Rango view-point.

This site-visit also included a tākoha for the haukāinga of Tūahuriri in the form of copies of the group photo of Ngāti Rango, WMNZ as well as the Ngai Tahu representatives from the 25th May 2000 occasion at Redvale. That image had been taken to celebrate and capture that historic day “*that moment*”. Today a number of very important people in that photo are no longer with us. Acknowledgment of those people is part of the succession between the *generations* to be expressed in the proposed *Second-Generation-Relationship* that will *give real effect* to the purpose.

Our delegation landed at Christchurch 10.50am, 18th March 2020 where we were met by Mr Gareth James General Manager, WMNZ [South Island]. We then proceeded to Tuahiwi Marae where we were welcomed by the haukāinga. In our response we presented copies of the photo received prior from WMNZ with an explanation regarding the addition of names to the faces. They acknowledged by agreeing to provide the names of their people with Ngāti Rango along with WMNZ doing like-wise. The named photographs will then be distributed to the three parties and from a cultural perspective it introduces the *Second-Generation-Narrative*.

These special inter-tribal encounters do provide for *matters of focus* to be raised with a view to agree on next steps towards resolution. While Ngāti Rango may not have had direct involvement in respect to this sensitive matter there will always be a perception that as we are part of Ngāti Whātua. Ngāti Rango are implicated by association. During the reign of the Hon. Gerry Brownlee as Minister for the Christchurch Rebuild contractors were sought. One such company arrived wearing a Ngāti Whātua o Ōrākei korowai. Needless to say, it involved a reputable demolition company with connections to Ōrākei who indiscriminately dumped contaminated earthquake rubble and waste in the proximity of an awa. In light of the Fox River catastrophe Ngāi Tūahuriri shared their grave concerns for these past actions with the delegation. It also provides Ngāti Rango with a stark reminder of the impact when unscrupulous operators collect then dispose hard-fill waste **unconsented**, within their rohe.

The situation above is ironic in more ways than one, as the wonderful literature that Transwaste Canterbury Ltd [TCL] provides to all visitors states the KATE VALLEY 10 YEAR REVIEW 2005-2015 [Pg. 21] a picture of a beautifully carved swamp kauri table presented to Te Runanga o Ngāi Tūahuriri by **Ngāti Whātua o Ōrākei** facilitated by TLC. Someone had got that completely wrong. That reference by TLC is so incorrect. This situation pales in comparison to the indiscretion by our Ōrākei kin-folk and in due course we are confident TCL will rectify accordingly.

A critical **game changer** for Ngāti Rango as kaitiaki will undoubtedly be the impact of the Kate Valley Landfill experience. The recent site-visit revealed what had been achieved by TCL through this period that included the indelible period of seismic turmoil unprecedented in the geological history of Aotearoa *post-Māui*. That achievement, however, has come with a *high-price*. It is a world-class community amenity, operated and managed jointly by five councils, WMNZ along with meaningful ongoing input from the community and mana whenua. This is a Canterbury community that has gone

through tumultuous issues with the trials and tribulations of managing waste. The early 1980's saw city-wide rubbish piled-up at street level due to strike action. That period of turmoil saw the involvement of Ngāti Rango members as employees of Auckland-based rubbish collection contractors engaged by Christchurch City Council to provide the *clean-up* required. A compelling personal account will be articulated further in due course. One which saw them remain and raise families in Christchurch and having that knowledge on the site visit was invaluable. Having two sets of eyes and ears on this special occasion is also very important when it comes time to share this experience with uri of Ngāti Rango.

Ngāti Rango will strive for informed decision-making through this period of Second-Generation-Engagement that aligns with the practical expression of kaitiaki obligations as well as responsibilities. www.transwastecanterbury.co.nz, www.tiromoanabush.nz, and www.tiromoanawalkways.nz

**He aha te mea nui o te ao.
He tāngata, he tāngata, he tāngata
What is the most important thing in the world?
It is people, it is people, it is people.**

Inter-generational Succession

Anchored to the past, yet geared to the future is a modern day whakatauki / proverb that encapsulates the transition between the past, the present and the future. In 2000 the Ngāti Whātua korowai was uppermost in the context of our identity. Then came the era of Treaty of Waitangi Settlements which had a wide-bearing impact on Ngāti Whātua identity is best left for a far wider brief to do it all justice. This *Second-Generation-Quest* however, will mark the 2020 annals of Ngāti Rango with the extreme challenges to managed growth, the constant undue pressure on environmental well-being as well as the impact of this pandemic of unprecedented proportions as Covid-19.

Such a context typifies that this is not the time to procrastinate – we must act with pace with urgency. One critical action for Ngāti Rango will be the pursuit of *solutions-based options*. Landfill discussions will inevitably include the NIMBY syndrome, *not in my backyard* as a precursor for most deliberations. The extension to such discussions must include the management of waste for the largest resident population in Aotearoa New Zealand. The nature of the instruments of engagement for the *Second-Generation-Relationship with WMNZ* must surely rate at the top-end of the priority scale.

Ngāti Rango, as hosts, must now revert back to tradition and culture that considers the needs of their manuhiri, those non-mana-whenua that reside amongst us. Within that set of customary principles and values it includes the management of waste at a BIG picture level. TCL have a very strong example of how waste can be managed in the best possible way. That bench-mark provides options for an exploration of those aspects, values, provisions, benefits et al that have contributed to the strength of such an example.

Transition is not Translation

In May 2000 a delegation of Ngai Tahu was hosted at Redvale by WMNZ in partnership with Ngāti Rango. There were expressions of opposition to any such landfill in the Ngai Tahu rohe made during that historic day. The Redvale context was portrayed then as *a hakihaki on Papatūānuku that could be dressed and healed*. What was witnessed by Ngāti Rango representatives during the March 2020 site-visit to Kate Valley is that those *operations* have transcended the Redvale bench-mark. Ngāti Rango are now very keen to understand the marginal differences between these two operations along with exploring the opportunities that could be realised in the *Tē Awa o Hōteoo* catchment, ridge-lines and river-systems.



Transwaste Canterbury Ltd

An innovative 50 / 50 public-private partnership set up to own and operate the Kate Valley Landfill on behalf of the shareholders of Christchurch's City and District Councils along with Ngai Tahu who have a firm foot in each camp. A public-private partnership that has taken waste collection, disposal and management to a whole new level, cementing itself as a must-see tourist attraction when visiting Christchurch. Auckland Council could learn a great deal from looking closely at the TLC model. Prolonging the inevitable by introducing community refuse recycling centres to support their zero-waste policy is flawed, as right now they are closed due to Covid 19 and rubbish is still being put out on the streets for collection.

The Kate Valley landfill operation and park like surroundings sets a breath-taking, TCL led creation of marvel. The site entrance is lined with geological fault-lines depicting layer upon layer of historic tectonic movements as well as weathered rock pitted with sea-shells providing a canvas for the portrayal of a most impressive TCL canvas. The site-office bears gratuitous acknowledgement in the welcome. Great pride is also taken in highlighting the step-by-step seamless operational package from rubbish pick-up to point of deposit. Energy conversion, leachate recharging efforts are both followed by insights to the environmental, social as well as the cultural initiatives along with the resultant achievements. It was an awe-inspiring session.

TCL have created a sustainable heritage park that is enlightening and humbling having languished in the first five years amidst the public out-cry. Opponents are now apologising for their lack of vision as to the TCL benefactors' role in the creation of this social, environmental and cultural remediated heritage park.



Impediments to Resolutions

Apart from the advent of pandemic proportions the impacts of apathy provide major challenges to productive engagement in the quest to resolve the issue of managing waste in Auckland. Then follows the myriad *of interest* groups that are *rather pop-up* by virtue of the whimsical fad of being *here today gone tomorrow*. It is a matter of real concern for Ngāti Rango to ensure that empathetic responsiveness is not translated as undivided agreement. The sources of locative cultural identity for Ngāti Rango accentuates values, place, power and narrative as iconic markers of a culture-base understanding of managing waste adaptation. At a fundamental level, it is the interaction of these iconic markers of culture that upholds the manner in which people respond to managing waste. Recycling aligned to the Auckland Council Zero Waste 2040 effort must continue to seek then to apply the adaptive measures for waste production within the context of managed growth and development. The matter of how waste is managed **does not end there**.

The risk of contaminants reaching *Te Awa o Hōteao* is the mega concern for Ngāti Rango. Any options that are inclined to minimising such risks must be prioritised. The practical innovations being applied in landfill operations must be scrutinised for consideration within the context of the *Wayby Valley Proposal*.

From a traditional, Ngāti Rango cultural perspective, the first principles for application relates that any matter derived from Papatūānuku being returned to those same origins at the *end-of-use*. In terms of the waste streams within landfills the Ministry for the Environment has the New Zealand Waste List which has been adapted from international lists then modified to reflect typical waste streams in New Zealand¹.

1 <https://www.mfe.govt.nz/waste/guidance-and-resources/waste-list>

The twenty categories within that waste list typifies waste derived from extractive, manufacturing or processing activities.

Understanding all sides of the cultural paradigm equation then moving-on to the phases of practical, balanced application provides a sound start-point. The application of Ngāti Rango kaitiaki values will be enhanced by the recent site-visit to the Kate Valley operations as a key component of such an equation. The transformational efforts of a partnership between mana whenua and an international corporate portrays a world class public facility operating as an amenity premised upon an innovative application of technology. The disposal of end-of-use material does provide an aspirational option for due consideration by uri of Ngāti Rango.

The values and the associated applications briefly outlined thus far are set-out in four key categories of economic, political, as well as cultural / spiritual when combined underpin the practice of kaitiakitanga or trusteeship for uri of Ngāti Rango. Implementing kaitiakitanga is as much about managing resources of the environment as it is about managing people including uri of Ngāti Rango. It applies to people, particularly between kin group leadership out to the wider kin group. An important reason for exercising kaitiakitanga is to promote as well as to enhance socio-political status of the uri of Ngāti Rango. Accountability, reciprocity, guardianship, trusteeship equally apply to leaders as well as their kin-folk as they also apply to the relationship between people and their environment.

Prioritising local initiatives within the context of this proposed landfill development will have the added incentive of a transactional engagement with Ngāti Rango across all facets of the phases of concept, design, construction, operation, maintenance as well as monitoring.

Repo, Wetlands

Whanga-repo is a probable name of the low-lying sub-catchment north of the Dome Valley ridgeline. A common anomaly from the early survey map recordings was the misplacement of vowels in reo Māori to then remain misspelt. *Whanga-repo* loosely translates to *harbour of wetlands*. The present-day landscape being far removed from what would have originally existed in that sub-catchment.

Wetlands have been variously described as *the kidneys of a catchments river systems*. The arterial functions of these catchment river systems must continue unimpeded across the entire Kaipara Moana catchment from the headwaters down through to the Tasman Sea. The *Te Awa o Hōteu* River system is one such network that must be prioritised in terms of the considered land-use options...

TCL have set about reversing that trend “*The Tiromoana bush concept revolves around a major conservation and bush restoration program that will see the area eventually restored to the original lowland and coastal forest that existed before people arrived in New Zealand*”.

WMNZ are considering a similar restoration enhancement program as mitigation sort by the consenting authority, Auckland Council and its experts which means very little in a tangible sense. Whereas TCL, put forward an ambitious plan to protect and regenerate bush, wetlands along with opening it up for public access proactive rather than reactive and the outcome speaks for itself. TCL’s consent was granted on the basis the company would protect, restore and manage a 407-hectare Conservation Management Area “Tiromoana Bush, wetlands and pathways.” Tiromoana Bush is protected in perpetuity a QE11 National Trust Open Space Covenant was gazetted on the title of the property in July 2006.

TCL have worked closely with the local Tangata Whenua in 2017/18 the ara / pathway was upgraded and an ika pou whenua acknowledging the importance of the area to Tangata Whenua was erected and unveiled at the coastal lookout overlooking Kā Poupou-a-Te Rakihouia. *Second-Generation* Kaitiakitanga in practice and president set for future reference a bench mark established on lands that move and crack as nature intended a feat that challenges the thinking of those who have their heads buried in the sand. Pride and ownership of these programs takes on a whole new meaning when the local community and Iwi are sitting alongside each other designing the legacy they wish to leave for those who follow. The model is up and running in Canterbury why would anyone want to recreate the wheel to success live local, work and play local is the recipe that feeds community unity, pride and prosperity.

Tātai tangata ki te whenua, ngaro noa, ngaro noa.

Tātai whetu ki te rangi mau tonu, mau tonu.

While people are here for a life time.

The stars in the sky are there for ever.

Ara Tupuna, Ancestral Pathways

These historical pathways mentioned in the previous Ngāti Rango response provide an opportunity for recreational open-space amenities in a managed form. The Kate Valley landfill layout provides such an opportunity for due consideration in the context of the Wayby Valley proposal.



Pou Rāhui

Following tradition and culture along with the acknowledgement by TCL expressed in Kā Poupou-a-Te Rakihouia, Ngāti Rango will explore options to express these special acknowledgements for the Redvale site post decommission date. While that expression may spell-out the closure of Redvale the ensuing *facility* will require similar oversight *per se* from the point of commencement.



Tuna- Hatchery and Factory

The establishment of a tuna hatchery, future proofed as a potentially viable production factory servicing the local and international markets. That is definitely *Second-Generation* kaitiaki vision based on the following.

Priority number 1 – restocking of a depleted fisheries in particular the threatened long finned variety;

Priority number 2 – restocking depleted tributaries as they are cleared of invasive biota;

Priority number 3 – restoring the status of *taonga species* thus making the resource accessible for catchment-based marae in the first instance;

Priority number 4 – development of sustainably viable options within the *proposed heritage option*; and,

Priority number 5 – the creation of local work-force development from entry-level to senior executive.

While this is also an ambitious plan the TCL operations have shown that these concepts are achievable within a committed partnership model. It is further asserted that socio-political status enhancement will attract sustainable resourcing for this Wayby proposal.

Restoration of Historical Heritage Sites

Restoring Māori tradition, culture and heritage sites is another priority that features prominently on the Ngāti Rango *Second-Generation* kaitiaki agenda and while Auckland is renowned for its volcanic cones and peaks where these sites prominently feature. Under the newly minted Auckland Unitary Plan there are provisions for protection, but not for restoration *per se* and Ngāti Rango wishes to pursue that line of enquiry and exploration.

Many of these heritage sites have been destroyed and ones that haven't are heavily modified through past and ongoing extractive activities. Successive authorities have not prioritised restoration of these *significant sites of Māori heritage*. Restoration possibilities could realise wider benefits to our society by minimising further perceived or real risks to the environment when disposing of contaminated waste in a contained and restorative restructuring.

**Tiakina mō ngā reanga āmuri ake nei –
look after it for the successive generations**

Retention of existing stands of pines

A major concern within the Hōteō River catchment is erosion, river-bank slump as well as river system overflow. Deforestation in the foothills, where native vegetation has been replaced by commercial pine plantations play a large role in unmanaged flooding. To continue such growth sustainably must first and foremost require more land-use planning policies on soil suitability.

On the market side, tools that reward sound land-use practices, such as sustainable certification schemes, should be promoted by consumers, producers, government bodies as well as development initiatives to safeguard the wealth of native forests. Simultaneously, Ngāti Rango must exercise influence on policy-makers at all levels to apply incentives that align with the goals of development across all forms of environmental sustainability.

Lack of alternative options can be a significant driver of unsustainable land use practices. A diversified rural economy which considers not only a wider variety of crops, but also non-agricultural activities such as forestry, eco-tourism or artisan wild-catch can generate resilient communities and jobs, reduce the rate of forced migration as well as protecting ecosystems along with their associated environmental services.

TCL have pine plantations on their vast land holdings and their explanation for retaining and harvesting made viable sense as opposed to what had previously been mooted by WMNZ. The TCL retention and harvesting program is all about sustainability. Maintenance, enhancement and restoration costs, offset by commercial pine plantation provides an uncluttered and transparent expression compared to the perceived state of uncertainty that currently exists within WMNZ proposal.

Kate Valley Operational Landfill and Construction Footprint

The operational landfill footprint stands alone while the cell fabrication of the new landfill footprint has to be seen to be believed and once again it appears seamless. The sheer size of the land holding is expansive with the central axis housing the landfill layout which is minute in comparison to the components of TCL **public facility including amenities**. The complex leachate collection and reticulation system, energy plant turning gas into electricity. The stand-alone container terminal where trucks unload sealed full containers and pick up empty ones are all carefully orchestrated to prevent the purpose-built trucks from entering the landfill or leaving the sealed road surface. These aspects are all measured and monitored within an elaborate operation of world class technology.

Clean and efficient transition is all controlled and managed by GPS satellite at home-base, a humble portable office-block overlooking the site. Specialised off-road tip-trucks collect the full containers to empty in dedicated disposal cell lined areas within the landfill. This disposal matrix allows a specific load to be located at any time during the life of the landfill then beyond. That value was demonstrated during the Canterbury earthquakes to assist Police murder investigations.



Big picture of operations. Gas on the left and Transfer on the right.



Above: Transfer Station
Below: Cell Lining





Above: Gas Plant
Below: Landfill Cells



Alternatives

Alternatives to landfills has been very topical and especially so since this proposed Dome Valley option hit the headlines. While that scepticism has been on the broil, there has been very limited public reference to viable alternatives. The one noticeable constant however, are the waste-bins out on the streets and rural roads come rubbish collection day.

Adding to the alternative confusion is Auckland Council's aspirational zero-waste 2040 strategy. A further major concern relates to those supporting the *Olivine incineration alternative* as presented at a meeting in Whangarei hosted by Te Rūnanga o Ngāti



Wayby Station Road Rubbish Bins

Whātua 28 January 2020. There are reputational credibility matters associated with this organisation to be seriously considered. The following relate some examples:

“*Olivine* NZ yesterday confirmed that it had canned its \$223 million scheme to re-fire the Meremere station to burn rubbish and generate electricity”. —NZ Herald 30th June 2000.

Similar pattern emerging today if we compare the article date being a month after the Ngati Rango 25 May inaugural meeting with WMNZ. Today we are seeing a grey cloud forming over incineration use.

“Satellite images have shown a dramatic decline in pollution levels over China, which is “at least partly” due to an economic slowdown prompted by the coronavirus, US space agency NASA says”. —www.npr.org Mar 04 2020

“*Environmental Possibilities: Zero Waste* features new ways of thinking, acting, and shaping government policy that are circling the globe. Each week, we highlight a success story in the zero waste movement, excerpted from the report *On the Road to Zero Waste: Successes and Lessons from Around the World* by the *Global Alliance for Incinerator Alternatives (GAIA)*. GAIA is a powerful worldwide alliance of more than 650 grassroots groups, non-governmental organizations, and individuals in over 90 countries. Their collective goal is a just, toxic-free world without incineration. Other Worlds is excited to promote the work of GAIA and the organized communities it works with, and hopes that the stories inspire you and others to begin moving your home, town or city, nation, and planet toward zero waste. —www.no-burn.org/zero-waste-by-2020.

Summary

There are two key aspects that sets out the immediate future:

1. Presenting findings from the Kate Valley site-visit to Ngāti Rango uri.
2. The two-step process to respond to the Wayby Valley Landfill Proposal.

There is, however, an **even more pressing matter** for Ngāti Rango uri. Uppermost in the minds and hearts of both Ngāti Rango along with Ngāti Whātua uri are the residual effects of this proposal on Te Awa o Hōteu that then meander on down to Kaipara Moana. Ngāti Rango do seek initial discussions with WMNZ around a proposed *Second-Generation relationship arrangement*. With such an understanding in place, Ngāti Rango uri can then approach the partnership with WMNZ with confidence to *give real effect* to the practical expression of kaitiakitanga.

The opportunities that lay ahead for this partnership approach is imbued with a *two-decade back story*. One critical aspect being the application of *lessons learnt* from that *First-Generation relationship* to the *Second-Generation context*. It is also critical to note that this time around still remains within the purview of Ngāti Rango. That position places even higher obligation upon uri of Ngāti Rango to discharge the utmost in the expression of host responsibilities to visitor's *rubbish and all*. There is a further traditional practice that should be added to these initial *Second-Generation deliberations* that is best left for that face-to-face exchange.

A key reason of critical importance for exercising kaitiakitanga is to promote to the expression of socio-political status for Ngāti Rango uri. The title of this paper expresses the context as *tiakina mō ngā reanga āmuri ake nei – look after it for the successive*

generations. This applies to the relationship between Ngāti Rango uri and their environment. The expression of kaitiakitanga has a base, threefold purpose for Ngāti Rango uri to:

- Secure the association with lands, resources and the status thereof;
- Access on-going *wild-catch* sustenance from nature's bounty; and,
- Maintain an economic and political resource-base for successive generation.

Ngāti Rango seek to consolidate a socio-environmental ethic for uri through the successive generations that binds the ancestral, environmental along with the iconic identity-markers. Moreover, the people – land relationship is synergistic; if the land is despoiled, human integrity is duly compromised, it is plain and simply harmed. On the basis of understanding to date, it would appear that the values, philosophies and principles that are an integral part of the Ngāti Rango world view can add further to the depth and breadth of understanding of values for successive generations. Essentially value for Ngāti Rango is a key function of relationships – between people and the natural environment, between tangible and intangible dimensions, between organic and inorganic material as well as past and future. These relationships constitute the cornerstones of a Ngāti Rango world view as we explore the immediate next steps.

**Tuia te here tangata, kia puta, kia ora
mō ake tonu ake, kāti ki konei.**

The background of the page is a close-up, slightly blurred image of woven green leaves, likely from a traditional Maori basket. The leaves are arranged in a complex, interlocking pattern, creating a textured, geometric appearance. The colors range from light green to a slightly darker, muted green, with some natural variations and small dark spots on the leaf surfaces.

🌀 NGĀ TAONGA TUKU IHO 🌀

**WASTE MANAGEMENT NEW ZEALAND
DOME VALLEY PROPOSAL
A NGĀTI RANGO RESPONSE**

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Ko te aronga matua kia huri ngā hakaaro ki iāia ki te wāhi ngaro – te tīmatanga te otinga o te ao tūroa. Me mihi ake ki te papa horonuku me te tangi ake ki o tātou mate huhua – rātou katoa kua okioki ki a rātou, tātou ngā mōrehu i puta i te tauā o te mate ki a tātou, kāti ake.

Ko ēnei rerenga kōrero e whai noa ana i ngā pitopito manatunga kua mahue mai e ngā whēinga e ngā tupuna e ngā tini karangatanga o tēnei wehenga o Ngāti Rango. Kua horahia ake aua kaupapa hei tūāpapa kawenga i ngā tūmomo huarahi atu ki te oranga mō ngā uri hakaheke tae noa atu ki te ira tangata a ngā wā āmuri ake nei.

This response can be translated as treasures left by our forebears. Culture and tradition expressed by Ngāti Rango is derived from that ethos. A simple philosophy of living life in harmony with everything around you, you were it and it was you, you hurt it, you hurt yourself a notion not well understood in today's world.

*E rua ano ngā mea e kite ana te tangata i tōna wā i runga i te mata o te whenua;
Ko ngā mea nā te Atua i hanga, ko ngā mea nā te tangata ano i hanga;
Ngā mea nā te Atua i hanga, he mea i hanga i roto i te tapu, tino tapu rawa. Puritia,
tiakina, ina ngaro, ka ngaro rawa atu.
Ngā mea nā te tangata ano i hanga, hea mea i hanga hei taputapu noa iho māna.
Ka whakamahia, ka whiua, ka pirau, ka pangā, ka whakahou.*

*There are only two things a person will ever see during his or her lifetime.
The things that God made, and the things that Man made.
The things that God made are of divine creation, they are sacred and therefore must be
protected for once they are lost, they are lost forever.
The things that Man-made are for his or her own convenience, they are useable, consumable,
disposable and replaceable. Rangatira from Te Popoto, circa mid 1950s a phrase looked
upon as a taonga.*

Kupu Tātaki Introduction

This is a statement of evidence provided by Ngāti Rango, as requested by the applicant Waste Management New Zealand (WMNZ). A gesture of goodwill acknowledging a relationship between Ngāti Rango and WMNZ dating back two decades.

20 years ago, WMNZ lodged a similar application to construct and operate a landfill within an old abandoned limestone quarry located at the upper reaches of the Waitemātā Harbour catchment. Redvale and on that occasion, Ngāti Rango did not oppose WMNZ's application.

Remembering that the Resource Management Act (RMA) 1991 was a new piece of legislation. Ngāti Whatua, which included Ngāti Rango, would meet applicants kanohi ki te kanohi, rangatira ki te rangatira. Eyeball to eyeball, chief to chief and decision making between applicant and Māori was based on trust and the proverbial hand shake.

On one occasion Ngāti Rango were informed that a visit by Ngai Tahu was pending and would they be prepared to welcome them. There was no hesitation back then. Culture and tradition kicked in automatically. The newly built admin office was blessed, toheroa harvested and like clockwork every aspect of Māori culture seamlessly fell into place.

On arrival carrying the customary bucket of Tītī. The eleven Ngai Tahu representatives were also opposed to a landfill being constructed within their tribal area of interest, Canterbury.

Ngai Tahu departed six hours later comforted that what they had heard and seen at Redvale addressed their cultural concerns. Ngāti Rango played a big part in in that cultural mind-set shift. In recognition of this special occasion Ngāti Rango and WMNZ

made a special trip south to deliver a taonga to the people of Ngai Tahu to commemorate the occasion.

In 2020 the confidence of Ngāti Rango has waned. This report explains why, in words that live and breathe from a cultural perspective. It deals with the effects, perceived or real, that Ngāti Rango faces should a consent be granted that allows WMNZ to construct and manage a landfill within the Hōteao catchment.

It covers the Ngāti Rango relationship with their culture and tradition over time past. A relationship that is diminishing at an accelerating rate. Genocide of culture and tradition may be considered harsh. However, when you alienate an ethnic group from their lands, waters, wāhi tapu and other taonga. Then add the continued erosion and suppression of their culture and traditions. It starts to stack-up.

Note: Throughout this report you will see Ngāti Rongo and Ngāti Rango, they are one and the same. Two decades ago it was Ngāti Rongo, today its Ngāti Rango and tomorrow it might be Ngāti Rongo. That's culture and tradition.

Tikanga, Purpose

There is a tikanga for everything and the main purpose of this response is to help enlighten three very different audiences. Firstly, Ngāti Rango descendants who have limited understanding of the RMA process. Secondly, the Applicant, Auckland Council consenting team and the Decision Makers (DM) who have a limited understanding of Part 2. Thirdly, the Beijing owners that Māori generally believe share cultural similarities:

Chinese celebrate Chinese New Year, Māori celebrate Matariki, Chinese celebrate the rat, Māori celebrate the kiore.



Ngāti Rango, Ngai Tahu and Waste Management 25-5-2000

Decision Making Process

All the concerns raised in this response will inevitably be determined by a Decision-Making Panel appointed by the consenting Authority, Auckland Council in accordance with the Resource Management Act (RMA) 1991.

A process as far removed from the grass roots Māori as Mātauranga Māori is to non-Maori.

Compounded by the perverse notion that oil and water can blend into a viable mix. The perverse aspect relates to a situation where one culture believes they have a monopoly on ideas. Where their sustainable environmental knowledge base is superior and there are ample indicators on how that's trending today.

Look even further afield and the reality hits home, with Beijing trending off the charts when it comes to environmental pollution and degradation. Its estimated that over 1.6 million people in China die each year from respiratory illnesses directly related to air pollution and that's not taking into account the poor health and wellbeing of their waterways.

That's approximately a third of New Zealand's population dying each year and those horrific statistics can't be ignored and swept under the carpet. Earlier mention was made of only two cultural similarities between Māori and Chinese and below may help explains why.

Environmental protection and enhancement v's return on investment appears to be what drives the Chinese economy. We see the same in Aotearoa and that has to be a concern for all New Zealanders in respect to off shore ownership and investment "uncertainty".

Statutory Hierarchy

The Making Good Decisions Programme was set up by the Ministry of the Environment to help councillors, community board members, and independent commissioners make better decisions under the Resource Management Act 1991 (RMA).

This is important, as at the end of the day it is their decision that determines the outcome of this application and Ngāti Rango people don't always appreciate or understand that.

Commissioners must be accredited to sit on RMA hearings panels where applications such as this one. Are heard, deliberated on and either approved or declined. Within that process sits a statutory hierarchy in short, a ladder where the rung above trumps that below.

This process requires one to consider each statutory piece of legislation in order of its position on the ladder. Starting from the top rung down, National Policy Statements, Regional and finally local and that requires a particular level of expertise.

RMA Part 2, Purpose and Principles

This section of the RMA covers 5, sustainable management, 6, matters of national importance. 6 being the second rung on the RMA Part 2 ladder and the first port of call for Māori when navigating the RMA. 7 and 8 follows.

However, this is not well understood by Māori who often place a great deal of emphasis on 8, Te Tiriti o Waitangi “ironic” as some Acts of more recent times fail to acknowledge it at all.

Māori can view 6, 7 and 8, through a cultural lens using the analogy of tuakana-teina. Where traditionally the older brother has a higher standing than his younger siblings.

This then intertwines seamlessly into s6 (e) Understand and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.

Unfortunately, regardless of where s6 (e) sits in the hierarchy of the legislation. It is of little value, if those charged with implementing it fail to understand the complexities and significance of this section.

The Making Good Decision program fails to address what is a fundamental decision-making requirement, as does the RMA in part and this is supported by the findings of the High Court in 2012 where the Court found.

The problem with statutory acknowledgements and deeds of recognition in the modern era is that they do not reflect the sophisticated hierarchy of interests provided for by Māori custom. They have the effect of flattening out interests as if all are equal, just as the Native Land Court did 150 years ago. In short, modern RMA-

based acknowledgements dumb down tikanga Māori.

This is of particular interest here as it relates to the Auckland Unitary Plan [AUP] where you find the following.

It is expected that Treaty of Waitangi outcomes will be integrated through all parts of the Unitary Plan and will be developed in partnership with Māori (Mana Whenua and Matāwaka).

Develop policies that integrate Te Ao Māori (Māori values) such as Tikanga and Mātauranga through all aspects of the AUP, such as urban design, transport infrastructure, sustainability, natural resource management, protection of cultural heritage, monitoring etc.

Late 2019 the Environment Court in its findings; Ngati Whatua Orakei v Ports of Auckland added to the mix the following.

As an aside, we detected in the submissions on behalf of the council [Auckland] a concern that councils or their hearing commissioners are not equipped to make such enquiries. The complainant cannot sway the outcome. Consent authorities must face up to the complexity of issues in all facets of resource consenting, whether of a Māori cultural nature or otherwise.

Statements and findings like those above are at the core of why the people of Ngāti Rango have closed ranks and opposed this application. The dumbing down effect.

These statements have been provided so Māori and non- Māori can gauge for themselves what dumbing down actually means and its consequences going forward.

Mātauranga Māori, Māori knowledge

To gain an understanding of Te Ao Māori and Mātauranga Māori takes a life time. To expect a fair decision based on the premise, that this understanding has been gained, is letting us down today. Words are cheap and its hypocrisy to make such claims, as the outcome arising from pretence will always come back with a vengeance.

To help explain, the writings of Māori Marsden refers to his return from World War Two. He was asked by his peers to share his war experiences. When he mentioned the Atom Bomb, he was pressed to explain, he cited the Einstein theory of the real world behind the natural world. “Do you mean to tell us that the scientists have managed to rend the fabric of the Universe?” “Yes” Māori replied. “Do they know how to sew it back together again?” No! “That’s what happens when you share knowledge, someone will always abuse it”!

A profound commentary, the breath of life, the mauri that keeps a belief system alive. The Unadulterated Māori World View as opposed to the-make-it-up as-you-go Random Māori World View in vogue today.

A systemic order brought about when Māori allowed their traditional world to unravel. In pursuit of the Western Ideological world and today we are struggling to stitch it back together again.

For example, this position, this information is guided by our tupuna, our ancestors, the traditional world of Māori.

The High Court’s use of the term “sophisticated hierarchy” is fitting. In the sense, that we are dealing with a people’s pictorial that has taken centuries to paint and all that remains today are small pieces of that cultural and social picture.

The conundrum for Ngāti Rango is that these small pieces will fade into obscurity if a challenge is not mounted. At stake is Māori wellbeing in the cultural and traditional sense, which most people don't understand. Restore culture, tradition and the environment and you restore the mauri, wairua and mana of the people affected.

Mātauranga Māori is not only sophisticated it has the added complexity of wairua the spirituality that tethers the tangible and intangible together.

If you can imagine that you are looking at a high-rise building reaching up into the sky and on each floor, there is a kitset piece of furniture and an instruction book. On the first floor is a chair. Follow the instructions correctly and you have your chair. If you desired a table you ascended to the floor above where the instructions were more complex, or you could just sit on your chair and stay on that floor.

The very top floors contained furniture of the gods. Knowledge pertaining to the creation of the universe beginning with the following cut and pasted account, shared to help non-Māori appreciate and understand.

The creation of the Universe occurred over three cosmic divisions of time. Te Kore – the void the absolute purity of nothing. Te Pō – Aeons of darkness where the shape and forms of the Cosmos was being considered. Te Whei Ao ki te Ao Mārama – the emergence of the Universe from the darkness of Te Pō into the visible shape and form of the Cosmos as we know it.

Te Kore, the void contained the absolute purity of nothingness, where all is sacred and nothing is adulterated. Na Te Kore-i-ai – from the infinity of nothingness came pure energy thence the potential was created. Te Kore-i-whiwhi – from potential came the increase in energy. Te Kore-i-rawea – ka hua Te Wānanga – from the increase in energy came the boundless bundles of infinity – then knowledge was created and became fruitful. Nā Te Kore ko Te Pō – ka noho i a

Rikoriko kia puta ki waho ko te Pō – then the creation dwelt within the creation of the goddess Rikoriko and night was born.

Te Pō – Aeons of darkness where the shape and form of the creation were being considered. Te Pō Nui – the greatest and most important night. Te Pō Roa – the longest night. Te Pō Uriuri-the deepest night. Te Pō Kerekere-the most intense night. Te Pō Tiwhatiwha-the dargest night. Te Pō Pepeke-the loftiest night. Te Pō Tangotango-the night to be felt. Te Pō Whāwhā- the night to be touched. Te Pō Te Kitea-the night of being unseen. Te Pō Namunamu-ki-te-Taio-the night of seeking passage. Te Pō i Whiri-atu-ki te mate-the night of ending. Te Pō Tahuri-atu-the night of restlessness. Te Pō Tahuri-mai-ki-te-taiao-the night of the turning.

From the void came the night and from the darkness, the Universe emerged into the light resplendent in all its glory. First to emerge was Tama-nui-te-rā the Sun, followed by Ngā Aorangi the planets who circled the Sun and lastly Ngā Whetū o te Rangi, the stars of the night. And Io the breath of life was instilled and the mauri, that intangible life force inherent in all living things swept throughout the Universe and the Cosmos came to life.

The above is provided for context. What Ngāti Rango once considered to be sacred knowledge and not to be shared with the masses and as you can see; its complex, intense and not for everyone.

The Making Good Decision program hasn't and can't get off that first floor and neither can Auckland Council, despite its claims. Traditionally teachings started at a very early age. For some that education began before they were born, that's Maori culture and tradition. The majority of Decision Makers today are the first to acknowledge this conundrum.

It is also important to appreciate and understand, traditionally this structured learning

wasn't available to all members of the tribal grouping. The majority were content with no chair. As these items came with a very stringent compliance regime and if that was compromised in anyway the consequences were often terminal.

Recognise and Provide for the Relationship

The Ngāti Rango relationship is defined by tātai. Decent lines that date back to the arrival of their ancestral waka Māhuhu. Which subsequently landed on the shores of the inner Kaipara Moana a few kilometres north west, adjacent to the mouth of the Hōteo.

The Hōteo is the river and catchment that the proposed landfill drains into and the Kaipara is the recipient of all that flows from it and the spiritual home of the present day Ngāti Whātua.

On arrival, those on board Māhuhu discovered that people were already in occupation of these lands and were welcomed ashore by the tangata whenua in residence at that time.

The hospitality extended was such, that three rangatira remained in the Kaipara, when the decision for Māhuhu to continue its explorations was reached. A decision not uncommon historically. Strategic alliances allowed those leaving with a bloodline connection enabling their return at a later date and that happened all around Aotearoa.

From that time on inter-marriage was also a common occurrence as they migrated from one place to another naming places as remembrances of events that they wished to recall. Today they are referred to as cultural sites of significance.

RMA Part 2 section 6 (e)

To understand section 6 (e), one must understand and appreciate Māori where nomadic. Inhabiting sites and places as determined by observing change and effects of the environment they were living in.

Ngāti Rango were renowned not only as canoe builders and open water voyagers. They were also fleet of foot covering vast distances along the ridge lines of all the ranges that flank the Kaipara and beyond.

The later traditional practice is very important, because they traversed the ridge lines of the Hōteu seasonally to gain access to the east coast. These man-made tracks were referred to as ara, traditional pathways, the life line of the tangata whenua.

Their elevation was strategic as it allowed the users to observe everything that was happening below. Overtime like people these ara acquired mana and wairua that is still present today.

The Hōteu catchment has a complex matrix of ridges that allowed foot traffic access to numerous locations and they were well worn and used as late as the 1950's. Their significance relates to the manner in which they were used and what occurred along them.

As it wasn't uncommon for the old people to ask to be left behind in a specific location because it was their time and they had a fondness for that area. It would have been a very hard thing to do, but they did it. They would be rested against a tree or somewhere comfortable, prayers and farewells exchanged and that would be it.

We have people today who can still recall times when they have been in these locations

and witnessed elders stopping to acknowledge tupuna, “*deceased ancestors*”.

Still in residence in the spiritual sense and the proposed landfill has the potential to affect these traditional relationships. Before a sod of earth was turned on the upper harbour highway and the Orewa to Puhoi motorway.

Ngāti Rango were afforded the opportunity to walk the designated routes in order to identify, acknowledge and take care of tupuna who were still in those areas and still are. Identifying them was my job and the acknowledgement was carried out by my kaumatua.

Culture and tradition

The ideas, customs and social behaviour of a peoples that has evolved over three or more centuries is definitely worthy of “recognition”. Unfortunately, today when that question is posed “how have you recognised and provided for the culture and traditions”. You more often than not get that confused look, as if to say “it’s not part of my brief or did you have to ask me that”. It’s embarrassing in this day and age.

The culture of Ngāti Rango evolved by observing cause and effect supported by a belief-system based on wellbeing and survival. The mythological and spiritual investment assured harmony and environmental sustainability was achievable. There were casualties as with all discoveries of new lands and waters.

Māori arrived on these shores equipped with conservation policies and methodologies brought from their original homelands. Kawa, tikanga, kaupapa, tapu, noa and rāhui residing in the *tiaki kete* were already imbedded in their DNA on arrival.

“Recognising” that potential has never be accorded to Māori. Simply because western science rules the roost in Aotearoa. It’s simple, if there’s no recognition then there’s no provision for culture and tradition and that’s been constant since western ideology arrived on these shores. Evidence today doesn’t deny that Māori are on the bottom of the heap.

Tangata Whenua - Mana Whenua, People of the Land

There is ongoing debate at all levels stemming from the interpretation of these two cultural terms in use today. For example, I was presented with “a version” of each, when I was carrying out oral interviews as part of the Mahurangi collective’s treaty claim and their authenticity will always be questioned. The first came from my mother and it resonated with me and the second sounds plausible and worth sharing, albeit abbreviated.

Tangata Whenua, People of the land

Tangata Whenua originated from the traditional practice where a mother in-child was seen as the sole nurturer of that child until that defining moment. The severing of the umbilical cord and burial of the placenta / whenua that followed. When the whenua of the tangata was placed into the whenua, the bosom of Papatūānuku / Mother Earth that was the defining moment that gave rise to the saying Tangata whenua.

A child of Papatūānuku, a synergy accompanied by teachings enabling that child to live in harmony with the birds, bees, plants and every other critter that graced this world. Invoking a small covenant whereby after death that human sibling is returned in the same manner, which explains why Māori insist on being buried.

The Papatūānuku fostering and intertwining of siblings played a vital role within the community as the seers and saints carefully observed the tendencies of the child. Did they get along and play more with the birds for example, was the indicator used to further that child's knowledge.

He or she would then be dispatched into that environment, to further their learnings along the pathway to higher learning. Eventually earning the title of Tohunga. Teachings light years removed from the tertiary teachings of today where expertise, is based on a piece of paper.

A long-winded explanation but that's the Māori way, culture and tradition covering Tohunga in later chapters.

Mana Whenua, Authority over the land

A term bandied around at random today, used by Māori to gain recognition and primacy refer EC decision *Ngāti Whatua Orakei v Ports of Auckland*. The desire to rule overriding the desire to preserve and protect the environment and with-it culture and tradition!

“They never used Mana Whenua up here in the north, it was always Tangata Whenua. It surfaced when the Pākehā started putting up fences to stop *Māori* from crossing their land. So, the chiefs, ignored the fences, telling the Pākehā that they may have title to the whenua/land but it didn’t extinguish the chiefs’ rights/mana to cross it, Mana Whenua”.

There is a level of irony to that tale, as we all know if you’re a land owner today, you only own the top portion, the Crown has a big stake in the minerals and other sub-surface natural resources. If that isn’t confusing enough then consider the Environment Courts findings on mana whenua, *Self-family Trust v Auckland Council* below:

B6 Mana Whenua Values

The relevant RPS objective recognise the Treaty of Waitangi partnerships and participation, recognise Mana Whenua values and require protection of Mana Whenua cultural heritage “Mana Whenua” is defined in section 2 of the RMA as meaning “...customary authority exercised by an iwi or hapu in an identified area” The expression is then used only once in the RMA – in the section 2 definition of “tangata whenua”.

There is an informative discussion of the rather problematic concept of Mana Whenua in a paper by Ms C I Magallanes. She points out that the Local Government (Auckland Council) Act 2009 which established the

Auckland Council was amended in 2010 to establish an advisory group, including “mana whenua groups” on (our words) Auckland Maori issues. While “mana whenua” is not defined the relevant group is.

These two Environment Court findings epitomises where the RMA world is at right now and that’s reflected in the written use of these two terms in the two paragraphs above. The use of capitals in Mana Whenua and the non-use in tangata whenua would suggest that Mana Whenua has greater status than tangata whenua as depicted in the first paragraph.

In the second paragraph we have Mana Whenua, mana whenua and “mana whenua groups” and no mention of tangata whenua along with... While “mana whenua” is not defined the relevant group is. “*What group*”? and this is coming from the very top of the RMA tree.

“*Why*” because the powers that be, keep relying on academics for interpretation and “answers”. Cultural and traditional knowledge far removed from a University library or lecture room. Net result turmoil! If in doubt go back to the beginning and if you still don’t understand, leave it alone and that equally applies to the environment.

Te Hauora begat shape
Shape begat form
Form begat space
Space begat time
Time begat Papa and Rangi
Papa and Rangi begat seventy offspring

Mauri Ora (life force, first principle)
Mauri Atua (life force of the Gods, second principle)
Mauri Papatuanuku (life force of Mother Earth third principle)
Mauri Manaaki (life force of the guests, fourth principle)
Mauri Tangata (life force of the “Tangata Whenua” fifth principle)

Taha Wairua World, Spiritual World

The spiritual world of Māori where individuals inherited a unique skill set that enabled them access to the spiritual realm which was the norm until the Tohunga Suppression Act introduced in 1907. Specifically aimed at replacing Tohunga as traditional Māori healers with “modern” medicine. Introduced by James Carroll who expressed “impatience with what he considered regressive Māori attitudes”.

In 2012 the high court makes reference to the dumbing down of tikanga Māori, the Tohunga Suppression Act 1907 didn't dumb it down, it denied a people of its entire expertise portfolio. The Tohunga practice wasn't confined to medicine or witchcraft alone as perceived in 1907.

Below is taken from Matua Wiki to demonstrate what Māori were denied.

Tohunga ahurewa: highest class of priest,

Tohunga matakite: foretellers of the future

Tohunga whakairo: expert whakairo exponents

Tohunga tātai arorangi: experts at reading the stars

Tohunga kōkōrangi: expert in the study of celestial bodies (astronomer)

Tohunga tārai waka: expert canoe builders

Tohunga wete reo: expert in the language (linguist)

Tohunga tā moko: expert in tā moko

Tohunga mahi toi: expert artist

Tohunga tikanga tangata: expert in the study of humans (anthropologist)

Tohunga o Tūmatauenga: expert in weapons or war party chaplain

Tohunga kiato: lowest class of priest

Each tohunga was a gifted spiritual leader and possessed the natural ability of communicating between the spiritual and temporal realms through karakia (incantations), pātere (chants) or performing waiata (songs) that had been passed down to them by tohunga before them. However, their rites were mainly in the specific fields in which they practiced, as outlined above.

The Government of the day outlawed such practices, as the physical element is barely visible today. What it could not do is suppress the spiritual forces and presence of the Tupuna. It's not rocket science the teachings are out there, Māori just need to find a way to stitch it together so it's fit for purpose.

Unlike legislation which can be changed and manipulated to suit a specific agenda the taha wairua world functions unchanged today as it has for centuries. It's the other equation that non- Māori struggle to understand. While access to this world is not practiced as it once was, it still resides within Māori, which means manifestation can occur at any time and it's not always that easy to deal with as many of our uri, descendants have experienced.

It was present on the Saturday morning of our Wānanga with Waste Management at Kotare accompanying us on our site visit to the lands of the ancestors. It's a presence that can be felt and heard when Māori speak from the heart and it has a profound effect on everyone present. When Māori speak from the heart their words embrace the wairua and mauri of their ancestors and on that morning the messages had a clarity, not be ignored. Despite all the attempts to rationalise current day needs that clarity remained. This was the last of several engagements between Ngāti Rango and Waste Management which will be covered fully at the conclusion of this report.

Tapu, Sacred, Set-Apart

There are many meanings and conditions associated with tapu. First and foremost, tapu is the power and influence of the gods. Everything has inherent tapu because everything was created by Io (Supreme God). Land, waters, forests, along with all life on earth has a tapu, hence man is also tapu. He becomes tapu under the influence and protective power of the gods a practice not common to day. He becomes tapu under the influence and protective power of the gods a practice not common to day.

This is the kind of tapu that eludes the understanding of non-Māori. Knowledge of the past has to be taken seriously in order to gain that spiritual fertility the taha wairua. If you ignore the tapu of sacred things, it can lead to sickness or even death. Ngāti Rango will wear trendy clothes and eat in restaurants like everyone else, but deep inside, tapu is always there.

Knowledge of the past is taken seriously because it lives within, it protects and guides, confirmation that the tupuna are alongside you. they uphold the lore's of tapu, genealogy, history, mātauranga Māori, whakairo, in fact nature itself is all bound together by the sacred lore's of tapu.



Hikoi, Urban Migration

What proceeded and followed had devastating consequences for Ngāti Rango as the people stumbled through the changes that were forced upon them.

1841 All “waste lands” other than that needed for Māori occupation is made Crown Land. 1844 Native Trusts set up to help transition Māori into becoming Pākehā. 1846 Crown Right to pre-emption is set up. 1852 Constitution Act Right to vote based on single title ownership excluded Māori as communal owners. 1862 Native Lands Act, created to disperse Māori Land 1863 New Zealand Settlements Act and Suppression of Rebellions Act combined to assist Māori Land Confiscation. 1864 Native Reserves Act places all Māori Reserve Land under Crown control.

The Crown’s strategic push to alienate Māori from their ancestral lands “the stripping conquest” didn’t just take the land it stripped a people of their wairua, mauri and mana. All these Acts triggered the erosion of Māori tradition and culture.

The influenza epidemic that followed the first world war, in two months, killed around 9,000 people and Ngāti Rango whānau among them at its peak, a make shift hospital was set up at Kākānui. An epidemic that resulted in loved ones laid to rest in swamps and marshlands where they still remain today. Ngāti Rango had forebears as did others of Ngāti Whātua, who fought in that war and hospitalised at Fort Cautley, Devonport on their return.

Ngāti Rango suffered again after the second world war. Celebrated and decorated they returned to suffer the indignity of having their lands once again taken, this time for

resettlement of the returning Pākehā soldiers who they had fought alongside. A real kick in the guts for Ngāti Rongo, because they had not heeded the call from Princess Te Puea their Waikato relative to boycott enlistment.

This is a compelling piece of relevant Ngāti Rongo history as it dates back to the arrival of the Bohemian People and the day they were summoned by the Crown to take part in the Waikato Land Confiscation War which is well publicised. What people don't know is the fact that the Bohemians were being summoned to fight and kill the cousins of the very people who they were indebted to for keeping them alive as they struggled to live on these lands.

As a consequence of the land confiscation wars, Princess Te Puea was not about to let her men do similar in going to war against people they had no gripe with. Had Ngāti Rongo not been decimated as a result of Te ika ā Ranganui in the infamous battle with Hongi Hika, they would have stood alongside their cousins in the Waikato land wars.

Instead they took rear guard action freeing the captives from that war "their cousins" who were incarcerated on Kauwau-Maroa, Kauwau Island. Once freed they were gifted land by Ngāti Rongo at Opahi as they could not return to their own lands now confiscated by the Crown. Later they moved further inland to avoid recapture, building a small pā just off the main pathway that ran along the highest point of the Dome Valley, not far from the proposed landfill.

Māori were now forced to eke out an existence on small remnants of ancestral lands that could no longer sustain their families and by the early 1950's they were abandoning these lands in what was referred to as the urban migration. Families packed up and moved to the Cities looking for work and in doing so forfeiting what little lands were left to cover unpaid rates. The flattening out of land interests as if all are equal, as the Native Land Court did 150 years ago was deplorable and unforgivable.

Kaitiakitanga, Guardianship

Another Māori concept that the RMA has dumbed down “Other matters” that must be regarded by people with conflicting interests. What does that actually mean, “he talked very wisely, but I regarded him not” this quote from the Oxford Dictionary, sums it up nicely when this Traditional Māori concept is confronted by conflicting economic interests.

Kaitiakitanga was a concept used by Māori to define conservation customs and traditions, including its purpose and sanction through Rāhui. Kaitiakitanga and rangatiratanga are intrinsically linked where the rangatira sanctioned and enforced Rāhui over all he surveyed, which is not a lot today and this is merely the introduction to this traditional concept.

Ngāti Rango have a history steeped in kaitiakitanga in which god’s little creatures figure prominently, lizards and owls are feared by some and revered by others, a cultural norm. Pokopoko-Whiti-te-Ra, Pokopoko who makes the sun shine, Pokopoko. Pokopoko-herehere-taniwha, Pokopoko who binds taniwha, taniwhaPokopoko.

A legendary Ngāti Rango Taniwha who some say became a man was also revered and feared as were other Taniwha that reside in the Kaipara like Humuhumu which raises another concern for Ngāti Rango in relation to the Hōteō and Kaipara. Both are mentioned in Margret Orbell’s book, Māori Myths and Legends. Legend YES, but they are far from myths where Ngāti Rango are concerned as some of us have been lucky enough to get up close and personal.

Kaitiakitanga is another Māori concept that invokes the dumbing down of cultural

norms referenced by the High Court in 2012. Blatant ignorance is when people make decisions that suppresses the cultural beliefs of others, which in-turn forces Māori into reactive mode as we are witnessing today. The WMNZ proposal has also encountered this reaction when a rāhui was placed along the banks of the Hōteu created out of frustration.

Hohepa Kereopa in his book *Tohunga*, written by Paul Moon explains:

“When one considers kaitiaki, you have to consider for what purpose it is being used. If you have a pipi bed, for example, you cannot talk about kaitiaki until you know all the concepts and life of the pipi” [and it must be for the pipi’s wellbeing and not yours].

Without giving verse by verse, he’s simply saying that all life was imbued with mauri, wairua and mana and you were inextricably connected to that life force and when you nurtured and protected it as a kaitiaki. It reciprocated by extending your knowledge and learnings. Symbiotic relationships epitomise the ethics of kaitiakitanga in its unadulterated form and today man ignorantly overlooks these Mātauranga Māori teachings.

If one was to have regard for Kaitiakitanga as conveyed by Hohepa, then the kaitiaki assigned to the WMNZ landfill proposal would have to be accorded the opportunity to learn everything there is to learn about the Dome Valley landfill. This approach has been conveyed to the applicant in respect to a site visit to the Cape Valley Landfill in Canterbury to see in the flesh what is being proposed for the Dome Valley?

Te Tiriti o Waitangi, The Treaty of Waitangi

This subject, while historically important, does little to preserve or promote what has been covered so far and to date the due process that houses these issues in respect to who has interests are determined as Waitangi Tribunal matters during this process.

Having said that the claims process has also dealt a harsh blow to culture and tradition by stealthily and divisively severing Ngāti Rango land interest by inserting a line right through the center of their historical area of interest. Stamping Mahurangi on one claims sheet with another in south Kaipara.

Needless to say, with limited resources it created a split. Confusion reigned within Ngāti Rango especially when those interests were later swept into the Runanga o Ngāti Whatua last and final settlement claim and we note once again by the Crown. The sad thing is that the people of Ngāti Rango never got to speak before the Waitangi Tribunal.

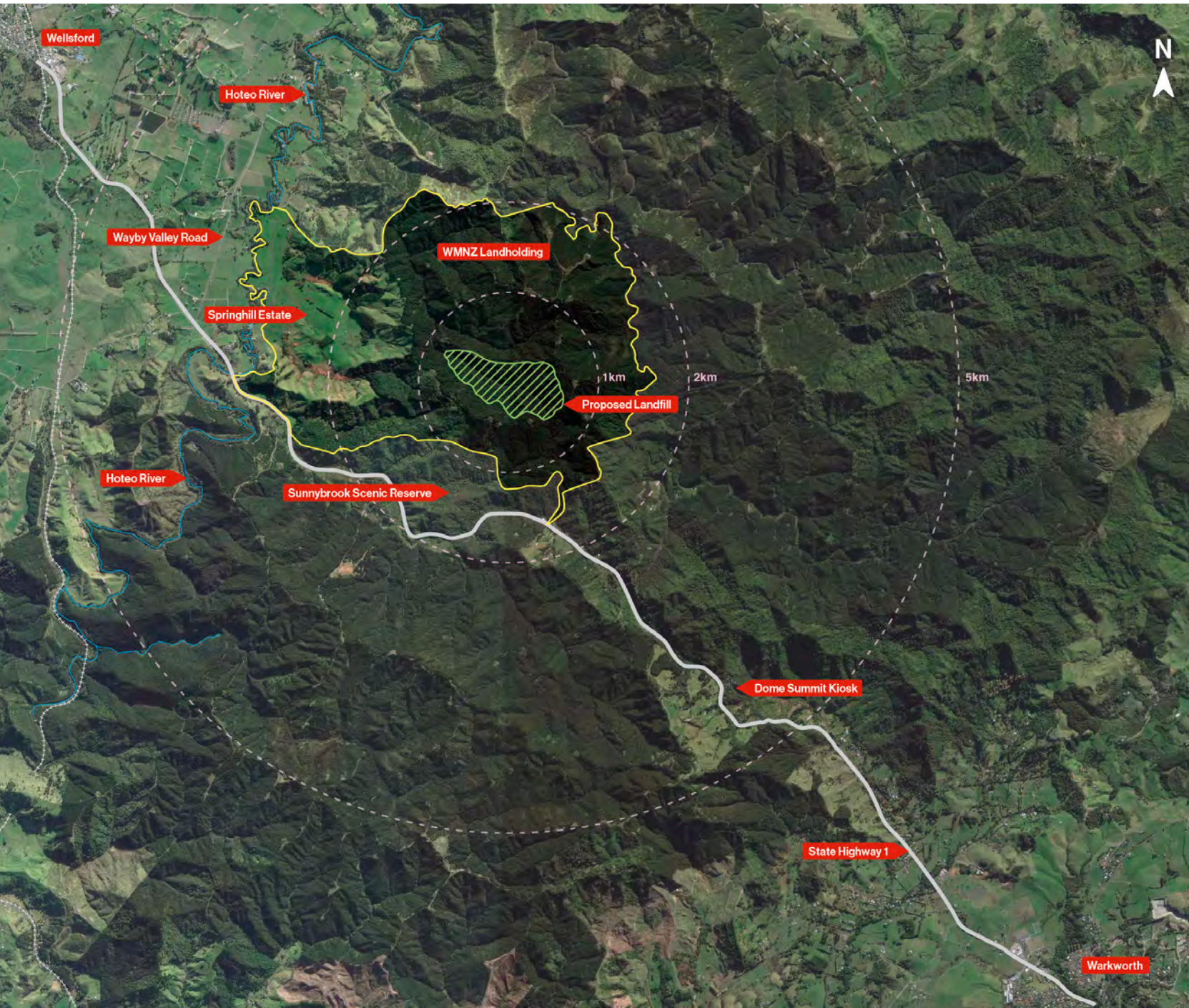
That was left to the two descendants, who on the very last day lodged claims on behalf of Ngāti Rongo. They went down the path alone and spoke through their hearts when they got their chance to speak to their respective Ngāti Rongo claims under the banner of the Mahurangi collective. What kind of justice is that?

This concludes the statutory Part 2 matters and even before we've actually looked at things like avoid, remedy or mitigate the popular chorus that was loudly echoing in the 1990's. Today we are starting to see why the confidence of Ngāti Rango is waning and one gets to understand the attitude shift that has occurred over the last two decades.

The Waste Management Dome Valley Landfill Proposal

As stated, Ngāti Rongo did not oppose WMNZ's Redvale landfill application two decades ago. Today, they do oppose and it's not rocket science. We're simply not comparing apples with apples. 20 years ago, Ngāti Rongo were looking at a kūmara, a sweet potato with smooth skin and a sweet taste. Today we are looking at a large grapefruit, rough skin, full of juice and pips and we can't be sure if its sour or not. That's not a palatable prospect.

Dairy Flat, is a reasonably flat parcel of land with a moderate rain fall, whereas the Dome Valley is the complete opposite steep country with a high rainfall which means there's no certainty when you peel the surface back, hence the comparisons between the kūmara and the grapefruit.



Proposed Landfill location

Te Taiao, The Receiving Environment

Through a Māori lens the proposed landfill area within the Hōteu catchment has literally been raped and pillaged and that continues with ongoing farming and forestry production. As a consequence, the Hōteu and Kaipara continues to suffer, as do the Tangata Whenua.

That too is not a good place to start from. When considering an application for a landfill, as the Ngāti Rango people can only see hurt and suffering as they felt on their site visit. That feeling is the taha wairua that resides in a people's DNA and that can't be suppressed or ignored.

Mahere Takirua. Contingency Plan

Ngāti Rango have opposed this application for a landfill on the northwestern side of the Dome Valley ridgeline. However as traditional users of the ara, *ridgeline - pathway* they're only too aware of the threats posed from the south - "Auckland's Growth".

To combat these threats a vigilant kaitiaki must have a contingency plan and while Ngāti Rango may feel powerless to stop what's coming, it needs to be well prepared when it arrives.

This places Ngāti Rango between a rock and a hard place, but they've been there before and the fact that they are still here today. Shows their resilience and that's not about to change anytime soon, it's in their DNA.

Ngāti Rango are aware of Auckland's needs, but are the people of Auckland aware of the needs of Ngāti Rango?

People are dumping their old car wrecks and rubbish into the ancestral waterways of Ngāti Rango. A pandemic symptom of Auckland's growth and It appears that AC are only interested in if they can identify and prosecute the offender. To back that up, listen to the Auckland Council message broadcast on the radio.

Ngāti Rango lodged a complaint two years ago and to date those wrecks remain imbedded in the soft silts of Makarau. It's not just the people of Auckland who are ignorant and unaware of how this behavior affects Ngāti Rango. People within the tribe are also doing it, because they don't want to pay the collection and tip fees.

Placing Ngāti Rango between a rock and a hard place once again – something that we

now seek to amend. Ngāti Rango are now against the rock with the hard place pressing against them and they're pushing back. It's not just the application to be considered it's all the other cumulative effects that have arisen over two decades.



Kaupapa / Mitigation

Ngāti Rango have put out feelers to see what mitigation would accompany the application that might result in some “meaningful” restoration and enhancement package. As yet that’s fallen on deaf ears.

Ngāti Rango have discussed amongst themselves things like. All pines that come out must be replaced with natives. The establishment of a tuna, eel hatchery. A fisheries joint-venture with the Chinese owners could be considered cultural diversification.

A partnership where we learn from each other. At the same time re-stocking waterways that have been depleted. That’s what Kaitiakitanga should look like today. We restore first, harvest sustainably and we restore culture and tradition by putting tuna back on the Marae menu.

Both cultures consider it a delicacy and it’s a viable mitigation win / win, socially, culturally, environmentally and lastly economically as the landfill proposal sits within the Hōteao catchment.

The establishment of a native nursery in the general area pre-construction. A definite win/win that Ngāti Rango can’t believe is not on the table considering what’s at stake. The removal of the Wattle (*Acacia mearnsii*) has been tagged by WMNZ should consent be granted. Ngāti Rango sees that as a mitigation opportunity and once again the bird remains caged.

The one for one forestry restoration mitigation is a no-brainer. It’s a win / win socially, culturally and environmentally as the returns are tenfold. Ngāti Rango have visual evidence of that along with the higher carbon credits, it’s bemusing.

While there is a financial return on pines replacing pines approximately every 25 years. There are also the harvesting effects and continued sucking up, of nutrients of Papatūānuku and that's not sustainable.

Western science labels it “Global Warming” Ngāti Rango see it as “retribution”. This application wants to take, but it does not want to give back “meaningfully” from a cultural perspective. Ngāti Rango have many whakatauki, mantra, that applied to conservation and restoration. Teachings, such as if you take you must also return. Ngāti Rango don't see that recognition and provision in this application.



Te Awa o Hōteō, nature undisturbed on the left and sterile pines on the right.

Kaupapa Kōrero, Consultation and Engagement

Having stated the above Ngāti Rango needs to declare that they have only seen the application pre-application show that was well presented by WMNZ prior to lodgment of the application. Ngāti Rango have met with WMNZ kanohi ki te kanohi, rangatira ki te rangatira. And on four other occasions with senior management.

Ngāti Rango and WMNZ facilitated a joint public hui in Helensville as an introduction and concluded with a Wānanga at Kōtare Lodge late 2019 which included a site visit to the Dome Valley proposed landfill site. Consultation and engagement has been ongoing and exemplary with an open-door policy that Ngāti Rango has really appreciated. It has ticked all the boxes from a cultural perspective.

Puka Tono, Application Lodged

The WMNZ landfill application lodged with AC has not been sighted by Ngāti Rango as that beast is a whole different story and ball game. Boxes and boxes of detailed information, graphs, drawings and pictures for Africa, days to read and thrice as long to understand. As a decision maker that understanding needs to be gained. This is the nuts and bolts of the decision-making, testing the evidence for uncertainty, contradiction, gaps in information and fake news.

This is a fundamental and critical part of the process that fails Ngāti Rango, as they don't always have the expertise on hand to challenge the information contained in all the reports and in this case, pick a number between eight and eighteen. Ngāti Rango are sadly not in any position at this juncture to test the technical expert evidence, what it can't do it can't do. All the consultation and engagement in the world won't change that fact.

Hononga – Relationships

Cutting to the chase, the strength and integrity of any relationships are the corner-stone indicators of meaningful value, . As stated in the introduction of this response and at several hui Ngati Rango and Waste Management formed a relationship two decades ago. Upon close scrutiny that 20 year-span shows an 18-year void in the relationship. So, what does that say about the quality of any future relationship between Ngāti Rango and Waste Management.

Ngāti Rango acknowledges the tenure of Waste Management personnel with a pledge to continue to respect and enhance those relationships. What can't be anticipated or guaranteed is ownership. In two decades ownership of Waste Management has changed three times. With those changes came policies of uncertainty - a concern for Ngāti Rango people based on some 35/45 years of operations with a further century of landfill after-care.

The Landfill emphasis simply states a reference to “alternatives” that would encourage Ngāti Rango to take a different stance should that occur. Ngati Rango sees potential in the restoration of tradition and culture within these “alternatives” that will only be realised through the strength and integrity of the relationship.

Hātepe, Process

Ngāti Rango, are currently re-evaluating the RMA and consenting process here in Auckland as there have been some significant changes since the 2010 re-set. No longer do you see avoid, remedy or mitigate the first amendment back in the day working alongside some of the best RMA kaitiaki practitioners one could wish to meet.

During that time when faced with a proposal like this landfill application. it was a very open shop you could cosy up to the consenting authority's experts and pick their brains and that proved invaluable. Today that doesn't happen, you need a swipe card to enter their fortress. it's now a closed RMA process where they will see you when they need information or when they have a vested interest in the outcome.

RMA Kaitiaki on the ground back then lived and breathed culture and tradition and you worked alongside your kaumātua. Today they get sent along by their Marae using the Pākehā tikanga process conveniently laid out by the Crown like a Venus fly trap and a CVA is a prerequisite. The very dumbing down situation that the High Court referred to in 2012.

Cultural Values Assessments are a fine example aiding and abetting this unfortunate situation is the Consenting Authorities ability to exploit and withhold this information citing section 42 of the RMA.

A local authority may, on its own motion or on the application of any party to any proceedings or class of proceedings, make an order described in subsection (2) where it is satisfied that the order is necessary—

(a) to avoid serious offence to tikanga Māori or to avoid the disclosure of the location of wāhi tapu; or

(b) to avoid the disclosure of a trade secret or unreasonable prejudice to

the commercial position of the person who supplied, or is the subject of, the information — and, in the circumstances of the particular case, the importance of avoiding such offence, disclosure, or prejudice outweighs the public interest in making that information available.

Ihumātao is a case in point, Auckland Council can be credited with stealthily opening that Pandora's Box. *Self-Family Trust v Auckland Council*, exploiting culture and tradition, to get the outcome they wanted. Auckland Council land grab, another reserve.

To achieve that, Māori culture and tradition was effectively compromised. A collaboration between Auckland Council – Māori did the unthinkable. Declaring under oath that gardens were tapu and therefore culturally significant.

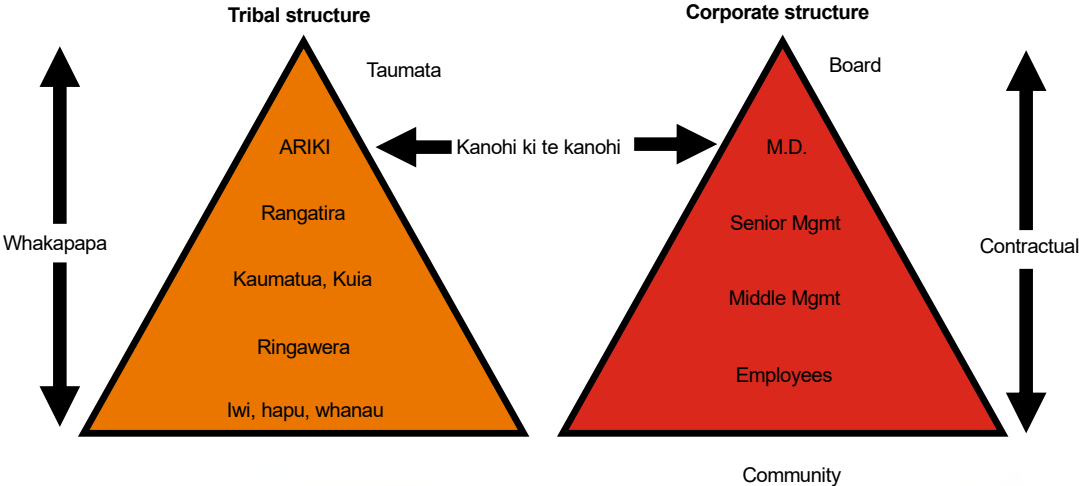
Māori all around Aotearoa, will tell you that food neutralises tapu and they would never grow food on sacred tapu land. I'm very familiar with these matter, I was the one responsible for cooking the food on such tapu occasions under the tutelage of my kaumatua.

AC were very calculated and clever, convincing the Environment Court that on this particular occasion that wasn't the case. These gardens were tapu, Māori said so, "it is not for Auckland Council or this court to contradict them... That position is consistent with the holistic character inherent in the Māori World View".

That single Environment Court decision is the most powerful statement a court has ever made, while Ngāti Rango may differ on the gardens aspect. We welcome with open arms that finding. Which is reiterated again under the heading cultural landscape.

The tapu claim would never have happened 20 years ago, the RMA kaitiaki back then had kaumātua to keep them on the straight and narrow. Today those checks and balances are sadly missing. It is important that Ngāti Rango understand that as well, opposing an application is one thing, stopping it being consented is another.

TRIBAL STRUCTURE VERSUS CORPORATE STRUCTURE



Mātauranga Māori v Western Science

On a personal note, I've completed the RMA circle in three decades much the same way as we are now seeing with western science. On Stewart Island and Muriwai, marram grass was introduced to subdue the movement of sand dunes in order to save the Pākehā farm lands despite objection from tangata whenua.

Today marram grass is being eradicated to restore nature's natural cycle and the sand dunes are once again being restored to their natural state. Today the Pākehā scientists are totally intrigued by how nature can look after itself and iwi tried to share that knowledge when they opposed the marram earlier, but they didn't want to know.

Within our tribal area of interest, the introduction of exotic species is well documented and estimated to cost this country \$1.7 b a year and that's not taking into account the cultural and social costs. It wasn't only the Marram the North American Radiata pine was also introduced with devastating environmental, cultural and social effects.

Tangata whenua lost vast areas of natural sand dune wetlands, home to plants and fish species that sustained them. The loss of those wetlands was due to the introduction of pines and that cause and effect went beyond the wetlands themselves.

Fresh water drained into the Moana providing sustenance for the toheroa another taonga no longer to be found on the Marae menu. It's all very well reseeded the beach's, but the toheroa needs fresh water to sustain it, just like the pipi and while the pine tree retains a \$ value. Restoration and recovery at Muriwai and other beaches will never happen.

This scenario also exists in the Dome Valley where the landfill is proposed. While it has been flagged with the applicant in bright RED at every opportunity a stand-off exists.

This application is laced with western science, protecting marginal wetlands, bats, lizards and where is the Mataranga Māori provision referenced in the AUP?

There are many more examples that iwi have experienced first-hand I could provide in respect to western science follies that have taken place in and around Auckland. Unfortunately, these science projects have had their rendering effect and there is no stitching it back together.

Taunaki Tāpiripiri, Cumulative Effects

As stated earlier, Ngāti Rango accepts Auckland's need for a future rubbish disposal option going forward. There are whispers of an incineration plant down south at Meremere, but that option has been mooted before and costs are likely to take it off the table. Especially with growth predicted to head even further north.

What hinders this situation is the general lack of understanding as to what is actually happening at that spacial planning level. The other spanner in the works for iwi in Auckland relates to the new age kaitiakitanga principles at play at the top mana whenua consultation table. Where large infrastructure projects are being presented to kaitiaki minus the detail who are none-the-wiser allowing them to be fast tracked.

A new 600 sewer line from Hobsonville crossing the upper Waitemata on its way to the Rosedale Road Treatment Plant is well underway and Ngāti Rango can only sit and observe.

A pending wastewater capacity issue at the treatment Plant will be exacerbated by the Northshore property boom. Infill housing and high-rise apartments draining into an existing and aging sewer infrastructure with a carrying capacity exceeded 15 years ago.

A permitted activity under Auckland Councils newly minted Unitary Plan to help solve Auckland housing crises. Over a decade ago Northshore was required to build sewage holding tanks in an attempt to manage flows in order to prevent untreated effluent discharging onto Northshore's beaches. Raw sewage discharges on the Northshore are happening more frequently today than ever before and Auckland Council continues to turn a blind eye.

As a resident living on the Northshore who spent 10 years as the Chair of Watercare's now disbanded Māori Advisory Group along with 20 years as a plumber/drain-layer

I know a thing or two about sewer networks. Enough to know that a health crisis is just around the corner and if anyone is wondering how this is relevant, it will happen within our tribal area of interest and it relates to cumulative effects and this is just the tip of the iceberg.

Heipū Tūtohu, Conditions of consent

Understanding the mitigation methodology is important as there are always competing interest at play. Conditions must also be fair, achievable and enforceable. In plain speak, conditions are the last cab of the rank for Māori.

Two decades ago when the Rosedale application was on the table, Ngāti Rongo were dealing with a very open RMA process. This was a new piece of legislation and avoid, remedy and mitigate was where one started back then and conditions never worked for Ngati Rango.

Those affected then had three options available to them: avoid being the first, it's not happening, end of story. Remedy was the next; could the effects be offset, a win-win solution and if that failed you looked at ways of mitigating the effects through conditions of consent.

Fast forward 20 years and it's a whole different ball game. Newly minted Plans, legislation and experts for Africa, out with the old and in with the new. Rather than taking a step forward, it's two steps back and as a result culture and tradition continues to erode.

Whiu Para, Waste disposal

The European's undignified disposal of bodily waste dates back centuries when it wasn't uncommon for them to toss their waste onto the street below and they arrived in this country with this mind-set. What follows is a true depiction of that attitude.

The Ligar Canal was an infamous open drain that ran down Queen Street, Auckland. Raw sewage discharged into an open drain that discharged directly into the Auckland Harbour leading to high rates of disease-driven death, circa 1860's. 100 years later Auckland's rubbish was also ending up in Auckland's inner harbour.



Traditional Maori waste disposal sites

Historically Ngāti Rango disposed of everything from the land back to the land including bodily waste. Their consumables were all natural and hundreds of years later those disposal sites “shell midden” are considered heritage sites of cultural significance today. They are also noa, uncontaminated and therefore, free from tapu.



Contemporary Landfills

Landfills then and now will never be that, they will be tapu for centuries. Today they are classified as contaminated sites never to be used again. Ngāti Rango currently have three contaminated coastal landfills, three or more decommissioned contaminated municipal landfills and one operational at Redvale.

These are hakihaki - festering skin sores that man has inflicted on Papatūānuku, Mother Earth, Ngāti Rango declare that as kaitiaki this must end. The people of Auckland must look for other ways to deal with waste. Landfills are not the answer in the way that they are being proposed and used today.



Papa Ahurea, Cultural Landscape

This is the slippery slope that culture and tradition is sitting on today and the Environment Courts findings below, tend to support this summation:

Iwi and hapū around New Zealand are, subject to resolution of Treaty of Waitangi claims, often obliged to be content with that sort of approach. However, where the mana whenua has been shrunk repeatedly there must be a line where the duty to accord “sufficient weight” to mana whenua values (including Mātauranga Māori) entails that a local authority (and or appeal, this court) should consider whether more is required.

The submission also misses a fundamental aspect of mana whenua which is that it is for tangata whenua group (defined as discussed earlier) to decide how their kaitiakitanga should be exercised. If Te Ākitai decides they consider the mauri of the area requires maintenance of all the land Te Kapua Kohuara and Pūkaki Peninsular, it is not for Auckland Council or this court to contradict them... That position is consistent with the holistic character inherent in the Māori World View.

Section 74 RMA as explained in the Bay of Plenty case. We consider the obligations to take into account the principles of the Treaty of Waitangi must not be ignored. Further, it is a matter of national importance under section 6 (e) RMA to recognise and provide for (and this means much more than lip service by future use of “overlays”) the relationship of Te Ākitai and their culture and traditions with their ancestral lands

and adjacent water and there wahi tapu. If that provision is not made now, there will be no further opportunity because the counterfactuals' proposed developments would lead to an irreversible fragmentation of the Te Ākitai cultural landscape.

Ngāti Rango welcomes these “*case law*” findings. “*The shrinking effects leading to the irreversible fragmentation of a people*”. While it may not have been Auckland Council's intention, it now puts Auckland Council on notice with respect to how they recognise and provide for culture and tradition.



Kapinga, Conclusion

Ngāti Rango are the first to acknowledge that we have a waste disposal problem in Auckland that isn't going away and our wider environment is at risk if we bury our heads in the sand.

Ngati Rango welcomes the debate around alternatives that prevents man from abusing Papatūānuku and that needs to happen before this application is considered by Auckland Council.

Ngāti Rango would like to be part of the solution in a meaningful way wherein culture and tradition is recognised and provided for, achieving a collective and collaborative approach to addressing Auckland's long-term needs.

It is difficult to see where understanding and provision for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga resides in the application. This leaves Ngāti Rango with no other choice than to oppose this application.

2020 is the year of the rat

Chen said this legend explains both why the rat is the first animal in the Chinese zodiac and why cats appear to hate rats. Still, the rat is associated with more than just deceit. According to Chen, the rat is known for his speed and cunning, and the Year of the Rat brings careful planning and increased wealth.

Kāti ki konei.

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 12:15:52 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9795] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Philip Braddick

Organisation name:

Contact phone number: 02108112438

Email address: philbrad527@gmail.com

Postal address:

PO Box 155 Warkworth 1941
Dome Valley Warkworth
Auckland 0941

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:
Environmental impacts

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

I would like the council to reject the application

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 12:45:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9799] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Philip Braddick

Organisation name:

Contact phone number: 02108112438

Email address: philbrad527@gmail.com

Postal address:

PO Box 155 Warkworth 1941
Dome Valley
Auckland 1941

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Environmental impact

What are the reasons for your submission?

Looking to the future I see NZ getting closer to zero waste .This project is obviously designed to take huge amounts of waste.The future is obviously to have waste to energy plants and even if we are not in the position to do that now I am sure the ratepayers in 20 years time will not be happy with dumping their rubbish in a gulley in the bush.

What decisions and amendments would you like the council to make?

I would like the council to reject this application

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 12:15:53 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9796] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Richard Kidd

Organisation name: Whenuanui Farm

Contact phone number: 0274599135

Email address: kidds@xtra.co.nz

Postal address:

2191 state highway 16

Te Pua

Helensville 0875

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I oppose a landfill site in the wider catchment of the Hoteo River, which runs into the Kaipara Harbour. When this company had a waste site near Dairy Flat, the rubbish went everywhere and I suspect toxic substances made their way into underground water streams.

What are the reasons for your submission?

I farm just south of Helensville, and our streams run into the Kaipara Harbour. As farmers we have been hammered about fencing streams and not allowing any run off go into the Harbour, and I support that course of action. Our pollutants wouldn't measure on the radar compared to what Wastecare are planning on dumping on this site. They must have the harshest conditions imposed if this consent was to be approved. My option is that they find somewhere else to create a landfill site.

What decisions and amendments would you like the council to make?

Two options.

Tell Wastecare to take their rubbish somewhere other than this catchment area.

Make the conditions so that there is not the slightest chance of pollution of waterways and rubbish escaping into the surrounding countryside

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 12:30:34 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9797] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Nick Merwood

Organisation name:

Contact phone number: 0226014075

Email address: nick.merwood@gmail.com

Postal address:

320 Govan Wilson Road
Whangaripo
Auckland 0985

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:
the whole proposal

What are the reasons for your submission?

I am opposing the proposal in whole. There should not be any new landfills in New Zealand. There should be implementing the current law about reducing the waste.

What decisions and amendments would you like the council to make?

The council should be working with the New Zealand Government on the Strategy how to achieve Zero waste in the country. I think New Zealand deserves it.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 12:30:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9798] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Oxana Haque

Organisation name:

Contact phone number: 0277848266

Email address: oxana.haque@gmail.com

Postal address:

320 Govan Wilson Road
Whangaripo
Auckland 0985

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:
the whole proposal

What are the reasons for your submission?

1. Dome Valley can not be used for landfill
2. There should not be any new landfills created in New Zealand

What decisions and amendments would you like the council to make?

Council should buy this land from Waste management and create ecological sanctuary.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 1:00:36 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9801] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Elsie-May Dowling

Organisation name: Fight the Tip

Contact phone number: 0272072735

Email address: elsie.may.d@gmail.com

Postal address:
42a Spioenkop Rd
RD2 Kaiwaika
Kaipara 0573

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Proposed Landfill operation and the impact on the environment
Possible leachates contaminating surrounding habitat and the Hoteo River and Kaipara harbour.
The health risks associated with the proposed landfill and the likely impact on the community.
Concern on the increased traffic volumes through the Dome Valley which has a high accident rate.
The impact on the local iwi and Haupu
Watercare: Watercare sources some water from the Hoteo River for Wellsford and Te Hana.

What are the reasons for your submission?

This submission is being made because of an immediate risk to surrounding environments, people and businesses by the 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.

There is concern about the impact the proposed landfill will have on the environment, on the fauna and flora and particularly the Hoteo River and Kaipara Harbour and to the community.

The land includes waterways, tributaries to the Hoteo River which is the beginning of the marine food chain, and

significant breeding ground for snapper. Endangered Maui Dolphin feed at the harbour entrance.

The forest on the site and neighbouring Department of Conservation reserve contains native and threatened flora and fauna.

The proposed site consists of fractured sandstone and mudstone layers, topped with reactive clay, the cracking and swelling clay causes gradual ground movement or sudden slips.

The Dome Valley area experiences high rainfall. These high rains cause extreme flood events and large slips in the area, particularly where earthworks such as a landfill site would include. 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.

The area is called "Springhill farm" for a reason, and this landfill would likely cause significant adverse effects of the water table via these springs.

All landfills are known to release leachates into surrounding areas despite any riparian plantings both during operation and later closure. These leachates can remain in the soil and mud for many years and have many adverse impacts on the environment.

The proposed landfill site and surrounding area contains many native and/or threatened terrestrial and aquatic species which would be threatened by tree felling and excavations causing loss of biodiversity and habitat.

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 increase the risk of major delays and accidents/fatal on a highway which has a high accident rate.

Watercare sources some water from the Hotoe River for Wellsford and Te Hana. Flooding may cause back wash of leachates, sediments and rubbish towards the water intakes and source degrading the quality of the water.

There are extensive health risks associated with landfills during operation and after closure, which would likely impact on the local community.

What decisions and amendments would you like the council to make?

I would like to see the council oppose this submission and find a more suitable site .

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 1:00:36 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9802] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Piripi Menary

Organisation name:

Contact phone number: 021 101 4893

Email address: sirpiripi@yahoo.com.au

Postal address:

5/2 Brightside Road
Epsom
Auckland 1023

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The application in its entirety

What are the reasons for your submission?

It is despicable and a travesty to pollute our beautiful Kainga. I am 100% in disagreement with establishing a landfill in the Kaipara that will leach pollutants into an already threatened ecosystem.

What decisions and amendments would you like the council to make?

Ratification process.

It needs open transparency to all within the boundaries of the Kaipara.

Replace the lack of consultation with Iwi and Community groups, to full consultation.

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. No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 1:15:37 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9804] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Te Korito kapea

Organisation name:

Contact phone number: 02040201733

Email address: tekorito38@gmail.com

Postal address:

37b forbes road favona
Auckland
Auckland 2024

Submission details

This submission: supports the application in whole or in part

Specify the aspects of the application you are submitting on:

Water restriction

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Water restriction

Are you a trade competitor of the applicant? I am a trade competitor of the applicant.

I am directly affected by an effect of the proposed activity that adversely affects the environment, and that effect does not relate to trade competition or the effects of trade competition

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 1:30:36 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9806] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Trish Whyte

Organisation name:

Contact phone number: 0274295306

Email address: trish.whyte@gmail.com

Postal address:

3 Butler Lane
Mangawhai
Mangawhai 0505

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I live in Mangawhai and travel this road regularly.

I am concerned with the current high volume of traffic on this road, it is a road that one already has to be extremely alert and watchful due to the high number of trucks and traffic and am very concerned by the increase an additional 300-500 truck journeys per day through the Dome Valley, already an area of high number of crashes. Second and biggest concern is there is no guarantees that toxic leachate will not filter into the surrounding land and the Hotea River and into the Kaipara Harbour, which is an abundant fishing ground and highly significant breeding area for fish and endangered birds.

Thirdly placing a mega landfill in a pristine part of Northland, with beautiful waterways and farmland, these areas need total protection not destruction.

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Reconsider location, no landfill trucks in the Dome Valley.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
To: [Central RC Submissions](#)
Cc: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9807] Submission received on notified resource consent
Date: Monday, 25 May 2020 1:30:54 PM
Attachments: [Oppose Resource Consent for Dump Wayby.docx](#)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Garry James Lambert

Organisation name:

Contact phone number: 09 3763511

Email address: garry42lambert@xtra.co.nz

Postal address:

18 Rona Avenue,
Grey Lynn
Auckland 1021

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Establishment of the rubbish dump

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

To refuse consent for the establishment of the rubbish dump

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: No

Supporting information:

[Oppose Resource Consent for Dump Wayby.docx](#)

OPPOSITION TO RESOURCE CONSENT FOR ESTABLISHMENT OF RUBBISH DUMP AT WAYBY VALLEY.

My first ground of objection to the proposed rubbish dump, to be sited near the Waiwhiu stream and the Hoteo river, is about injury to a colony of Hochstetter's frog:

The frog is currently in a natural habitat where it breeds on the hard and rocky banks of Waitaraire Stream, or at least a tributary if not the origins of that stream, and in the immediate surrounding damp bush. [Personal knowledge]

I do not know how long the frog has colonised that area but I presume it has been for a very long time and its habitat was certainly known to my mother, the late Juanita Sheila JEFFS [1910-1997] as a child and her siblings including the late Alfred Henry JOYCE [1905-1994] who were born in Waiwhiu and lived a good part of their lives there; the latter owing the land where the habitat is before it was sold to the current owner, David CIVIL, related through his late wife's family.

The habitat lies on the upper reaches of the stream between Kraack's Road and Waiwhiu Conical Peak Road.

The residue from petrol and diesel vehicles is already a danger to the colony and the great increase of large diesel powered rubbish trucks through State Highway 1 at this point will increase that danger as residue will wash off the covering bush into the habitat.

The frog is endangered and it needs a particular type of locality to live in. To remove it to another existing colony reduces the number of colonies; itself a further danger to its continued existence.

To find a suitable locality for it to be re-established would not be easy and even the removal itself might mean the frog will not be successfully removed.

I know that my opinions are not established scientific fact and I have not quoted sources to back my arguments up but I am sure such evidence would be forthcoming from the Department of Conservation and Professor Phil Bishop, Department of Zoology, University of Otago.

I don't see attempting to remove the colony to another location is a solution. What evidence is there that such a removal would be successful?

My second objection is to the dangers of the dump itself. As evidenced by the recent washout of a rubbish dump at Fox River in the South Island there is always the possibility at some point before or after the closing of such a dump were it to be allowed, that a washout could occur.

The proposed site is in an area of known heavy rainfall as experienced myself in growing up there. It is also in a place of many water courses. We live in an age of increasingly powerful and more frequent storms.

Heavy flooding is a possibility and if sufficient water flowed into the dump, whatever surrounds are established or linings placed in the dump itself, it could cause overflow into water courses and then quickly into streams and then into the Hoteo river. That could mean pollutants flowing down into the Kaipara Harbour.

What matters if that happened during the life of the dump itself, or in fifty years, one hundred years hence.

What interest in that time frame for Waste Management to come forward to prevent that happening or to compensate people who could be affected by such a calamity.

Will the company still exist in the supposed life time of the dump – let alone in fifty years, one hundred years? Having plans is a good thing but the observance is another matter altogether.

It should even be a question for the Minister of Conservation to answer as to why the land was sold to a foreign based company for such a purpose in the first place before any assessment of the land for such a purpose had been made. The fact that it was authorised for purchase is no reason for plans for a dump there to continue.

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 1:30:45 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9808] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Hugh Hutchinson

Organisation name:

Contact phone number: 094257225

Email address: hrhutch@xtra.co.nz

Postal address:

38 Astrid Lane
Wellsford
Wellsford 0900

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Location of the dump site anywhere in the Dome Valley

What are the reasons for your submission?

Environmental. The location is ecologically and environmentally critical.

What decisions and amendments would you like the council to make?

Reject the application in full.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 1:45:38 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9809] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Natasha Jennings

Organisation name:

Contact phone number: 0274145993

Email address: Tashandaust@gmail.com

Postal address:

16 Leslie Street
Mangawhai
Mangawhai 0505

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The environmental impacts on land and waterways.

The impact on the community and local iwi.

The contradictions of policies put in place to ensure protection of our environment as well as safe and sound practice of waste management.

What are the reasons for your submission?

Directing huge numbers of heavy trucks through the Dome without first improving the road and widening it to cater for the increased heavy traffic is dangerous and negligent.

The risk to the environment, particularly the waterways, is too great.

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.

What decisions and amendments would you like the council to make?

Decline the proposed tip at wayby, look at alternative options that have less impact on the surrounding community.

I appreciate it is a necessary resource however the proposed location is not at all appropriate and the negative impacts far outweigh the benefits to the community.

As an aside, the Rodney community already feels disenfranchised, neglected and ignored by council. Placing a landfill here will only further damage the already fraught relationship.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 2:00:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9810] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Katie shaw

Organisation name:

Contact phone number: 0211757785

Email address: k.shaw@windowslive.com

Postal address:

Rodney Street
Wellsford
Wellsford 0900

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Putting rubbish runoff into the Kaipara Harbour

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Take the rubbish somewhere else!

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 2:00:39 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9812] Submission received on notified resource consent
Attachments: fresh water mussels.pdf (909.71 KB), Kauri Snail.pdf (1.92 MB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Crystal Rowe

Organisation name:

Contact phone number: 0211831705

Email address: crystal.rowe200@gmail.com

Postal address:

260 Rodney Street
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:

Putting a landfill in Wellsford.

What are the reasons for your submission?

More trucks on the already dangerous road. Damage to the natural environment especially close to the Kaipara where the Snappers spawn. Loss of fresh water mussels (photo attached) and other wild life. Loss of kauri snails (photo attached) that I have spotted in the dome. Native frogs. Fresh water crays. Native birds. Fresh water eels. Just to name a few. Taking Auckland's rubbish when some of us don't even want to be part of the super city. We live in Wellsford to get away from Auckland. I like to hike in the dome valley and have seen all the wildlife that will be destroyed by this landfill.

What decisions and amendments would you like the council to make?

I would like the council to deny resource consent.

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: No

Supporting information:

fresh water mussels.pdf

Kauri Snail.pdf





From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 2:15:34 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9813] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Stephen patrick Ryan

Organisation name:

Contact phone number: 02108246891

Email address: squidink63@gmail.com

Postal address:

4a dawson road
Snells beach. Warkworth
Auckland 0920

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Danger to the environment.
Hoteo river. Kaipara harbour

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Dont let it go ahead.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 2:15:34 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9814] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Denis Bourke

Organisation name:

Contact phone number: 0276019551

Email address: dpbourke@xtra.co.nz

Postal address:

55 Rodney St
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:

To establish a Landfill at this site

What are the reasons for your submission?

1. The proposed landfill will pose a high environmental risk to the Hoteo River, the Kaipara Harbour and to local communities.
2. The proposed Landfill site is physically highly unsuitable....its elevated position in the Dome Range is in a high rainfall area with active watersheds particularly in winter. Thus will result in spills and overflows to waterways
3. The Dome Range has an important recreational and green zone function in this closely settled region. An industrial facility of this magnitude would destroy these attributes.
5. Resulting truck movements on approach roads will create unsustainable congestion, pollution and diminishing quality of life for local communities

What decisions and amendments would you like the council to make?

Refuse resource consent for Waste Management's Dome Valley Landfill application

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 2:30:37 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9816] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Renee Grey

Organisation name:

Contact phone number: 0223187091

Email address: reneekerei@gmail.com

Postal address:

48 Michael Road
Paraparaumu
Wellington 5032

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

this needs to stop now and we are all prepared to carry this through the courts to the high courts until it does if we had known this was happening then we would have stopped this along time ago. There are no lessons to learn here whoever is apart of this whole scam must be taken into account. The hapu and iwi did not agree to many times there are faulse representatives taking action without the people knowing they need to notify there hapu iwi of sorts and communicate fully therefore all policies and procedures should be reviewed before actioning any faulse negotiations between and over our whenua and Moana values..We are Kaitiaki tanga also and theerefore we need to respect the needs and values of the land and sea in order for it to thrive for future generations . it must not be artificialy tampered with either therefore closing any ideas that this can be reversed any such pollution will have a major affect on the environment and the people therefore are they not poisoning and causing severe illnesses from the impact killing our kaimoana there have been many reports of this all over the North Island, now this is why because you cannot tamper with the earth papatuanuku here in Aotearoa Maori can whakapapa all the way back to the whenua and that is how we connect and care for our te taio environment... I am a mokopuna of the kawerua a maki iwi and therefore decline this from happening and I would be attending any meetings and anything to do this kaupapa as this is very dear to me we have had this happened before where my tupuna got very sick from people tampering with the whenua we belong to this will not happen again many people are ready t stand and whaiwhai tonu we will.

What are the reasons for your submission?

whanau and whakapapa connections here, this will destroy the awa and Moana of the rohe.

What decisions and amendments would you like the council to make?

stop this from happening or developing.;

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 2:30:38 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9817] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Brett Stansfield

Organisation name: Environmental Impact Assessments Ltd

Contact phone number: 0211104814

Email address: brett@eia.net.nz

Postal address:

64 Vandeleur Avenue
Birkdale
North Shore 0626

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The threat to of toxic leachate washing into the Kaipara Habrour, the lack of action by Council to reduce waste.

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

do not issue a consent for this activity as it is contrary to the principles and purposes of the RMA 1991

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 2:30:39 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9820] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: thea simays

Organisation name:

Contact phone number: 0276882000

Email address: theasimays@gmail.com

Postal address:

221 pahi road RD1
PAPAROA
NORTHLAND 0571

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

road use of 300 to 500 trucks
to close to precious water resources
evological dangers not if but when leakage occurs.

What are the reasons for your submission?

I use this road a lot to go to auckland this road is already dangerous now so if 300 to 500 trucks are added to this it will be even more so.

living on the kaiparaharbour it wouldbe an ecological distaster not if but when leachate occurs into the adjacent Hotea River and flowing into the Kaipara Harbour.

we are the custodians of these resources and our responsibility is to preserve them for future generations.

What decisions and amendments would you like the council to make?

decline the whole operation at this site look at alternatives elsewhere.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 2:45:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9821] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Jo Gallagher

Organisation name:

Contact phone number: 0211544670

Email address: jo.hepi.gallagher@gmail.com

Postal address:

6 Peter Mulgrew Street
New windsor
Akl 0600

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

No tip to go to dome valley

What are the reasons for your submission?

Environmental Concerns

What decisions and amendments would you like the council to make?

No tip

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 2:45:36 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9822] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Joseph Kapea

Organisation name: Joe

Contact phone number: 021879545

Email address: josephkapea2019@outlook.co.nz

Postal address:

20 workers Road
Wellsford
Auckland 0900

Submission details

This submission: supports the application in whole or in part

Specify the aspects of the application you are submitting on:

No dump

What are the reasons for your submission?

I don't want the rubbish to rewin the water way for the future

What decisions and amendments would you like the council to make?

I don't no what u mean

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 2:45:38 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9823] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Catherine Braham

Organisation name:

Contact phone number: 02102920157

Email address: cbraham2015@gmail.com

Postal address:

35 Gumtree Lane
Wellsford
Auckland 0973

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The construction and operation of a landfill in the Dome/Way by Valley.

What are the reasons for your submission?

1. Adverse impact on the Kiapara Harbour, its' fisheries, bird life, fauna and flora from contaminants via the Hotea River.
2. Impact of the proposed landfill on freshwater supplies on the site, wetlands, water extraction for local communities
3. Threat to aquatic species, trees, flora and fauna, birds, bats, frogs and others on site from operations to establish the landfill and during its operation
4. Further threats posed by pests and predators attracted to the site.
5. Leachates and hazards.

Despite proposals for best engineering and Technologies on the site, there can be no guarantees that these will not fail and result in catastrophic consequences upon the environment, bio diversity and the health and safety of the area

communities.

6. Nuisance Effects.

Dust, rubble, smells, sounds, and light from the proposed landfill pose a nuisance to local residents, recreational users, and are not the same as the effects from farming, logging.

Issues of well being from a community sense of looking after the natural resources of New Zealand are also a risk from this project

The projected heavy vehicle transit to the site and ancillary vehicles together with the projected opening times are a real adverse effect from this proposed landfill.

At the present time travelling the dome valley is torture due to roadworks and the prospect of this additional heavy traffic can only make commuting times more torturous. Once holiday traffic is added travelling times become very long with backlog of vehicles from Warkworth to Wellsford.

This road is notorious for accidents and the addition of this heavy traffic will make it worse.

7. Adverse effects from contaminants from landfill.

Micro plastics, increased sedimentation, flammable gasses such as methane are also increased fire hazards, as is the proximity of the flammable gas and fuel pipeline skirting the site.

7. Other issues.

Waste Management is a private waste operator with good reputation but it is still predicated on profit margins such that this proposal provides the best return for the company.

Other. Options for waste disposal are too expensive to institute and so could not be considered by the company as it has to make a profit.

However, there are other options for waste disposal, other than burying it in the ground and these should be fully explored before this consent application is considered.

It is not appropriate to allow this consent application and leave it up to future generations to pay the price of our inaction.

What decisions and amendments would you like the council to make?

I would like the authority to decline this application for consent. I would also request that council give due regard to the fact that this application has required numerous reports to mitigate the adverse effects of this landfill on the existing rural development zone.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 3:00:37 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9824] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Maria Valkenburg

Organisation name:

Contact phone number: 0273488252

Email address: valkenburgmaria@gmail.com

Postal address:

43 Settlement Road RD 2

RD 2

Kaiwaka 0573

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

All of it.

What are the reasons for your submission?

I consider it a totally unsuitable place for a dumpsite.

What decisions and amendments would you like the council to make?

I would like the council to deny consent.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 3:00:37 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9825] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Lionel Anderson

Organisation name:

Contact phone number: 0224081803

Email address: land020@aucklanduni.ac.nz

Postal address:

1 Marinich Drive
Auckland
Auckland 0612

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The entire application

What are the reasons for your submission?

Hugely oppose

What decisions and amendments would you like the council to make?

There needs to be better alternatives than Dome Valley!!!

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:



The Sustainable Energy Forum Inc
PO Box 11-152
Wellington
office@sef.org.nz

Contact for this submission:
Steve Goldthorpe
convenor@sef.org.nz

With contributions from Steve Goldthorpe BSc, Eric Jansseune CPengNZ, Professor Dr Susan Krumdieck MRSNZ; Dean Scanlen BE(Hons)(Civil), CPeng, IntPE(NZ), CMENZ

25th May 2020

To Auckland Council by on-line submission process

Copy by email to: rsignal-ross@tonkintaylor.co.nz

**Submission on the resource consent application
by Waste Management NZ Ltd
to construct and operate a new regional landfill
at 1232 State Highway One, Wayby Valley
Application number BUN60339589**

This submission is neutral regarding the application.

This submission is concerned with the declared intent to transport all waste to the site by road.

We submit that the Waste-by-Rail option should be urgently revisited, thoroughly investigated and fully costed with a view to implementation at the earliest opportunity to avoid adverse road traffic effects and to provide a low-carbon waste transport option in an economic way.

With regard to the Resource Consent application we seek the following:

- That comprehensive modelling and analysis be carried out on the effect of the proposed landfill on all affected parts of State Highway One (SH1);
- That comprehensive modelling and analysis of the Waste by Rail option be carried out.
- That, when the road modelling confirms that effects on SH1 are more than minor and unacceptable, then a condition of the landfill consent should be the implementation and commissioning of the Waste-by-Rail option prior to the commencement of landfill operation.

We wish to be heard in support of this submission.



1. THE SUSTAINABLE ENERGY FORUM INC. (SEF)

SEF is a New Zealand membership-based organisation founded with the aim of facilitating the use of energy for economic, environmental, and social sustainability.

2. UNDERSTANDING THE PROPOSAL

Auckland Regional Landfill (ARL) in Dome Valley would have an ultimate capacity to accommodate 50 million tonnes of Municipal Solid Waste (MSW) from the Auckland Region. The present Resource Consent application is for a scheme to use half of the ultimate capacity of the site. At present waste generation rates, the total capacity would be full in about 32 years. If waste minimisation and recycling strategies are successful in reducing the residual waste sent to landfill, then the life of ARL could be significantly longer. Nevertheless, over time, the total MSW transported from Auckland to the proposed ARL would be 50 million tonnes.

The Integrated Transport Assessment (ITA) considers only road transport of waste. It states that under operating conditions there would be 260 waste truck round trips per day. The current waste production rate is 1.6 million tonnes per year of waste, which corresponds to an average 17-tonne payload in trucks operating 365 days per year. If each truck makes 6 return trips per day, a fleet of at least 50 dedicated road trucks would be required, allowing for maintenance downtime. During the morning and evening 4-hour peak periods there would be a total of 30 return trips. Therefore, in off-peak times there would be an average of 15 return truck trips per hour in vehicles with about 34 tonnes gross weight; i.e. one truck every four minutes each way.

The Assessment of Environmental Effects (AEE) reports discussions between Waste Management (WMNZ) and KiwiRail (see Appendix A). This discussion identified some issues with the Waste-by-Rail option. It states “*Kiwirail advised that they would not consider a new siding at Wayby Station Road*” but gives no reasons. The AEE also states “*Waste Management and KiwiRail will continue to work together in future to identify opportunities should they arise*”

3. SHORTCOMINGS OF THE AEE ADDRESSED IN THIS SUBMISSION

- The ITA does not address the effects of the traffic on SH1 south of the proposed new roundabout at the entrance to ARL, which includes a steep incline on the southern side of the Dome Valley. The ITA address increased road maintenance effects.
- The AEE does not assess the CO₂ emissions from the vehicles transporting waste from Auckland to the Dome Valley, nor take account of the requirements of the Zero Carbon Act requiring greatly reduced CO₂ emission by 2050, when the landfill would still be operating.
- The brief consideration of the Waste-by-Rail option does not consider the possibility of constructing a branch rail line directly to ARL.
- The waste reception facility at the site is only configured for receiving waste from road trucks. No provision is included in the site layout for receipt of Waste-by-Rail.



This submission addresses these shortcomings of the Resource Consent application documents. From a preliminary scoping assessment, we conclude that the Waste-by-Rail option would be:-

- Highly desirable from the point of view of a traffic flow and safety on SH1;
- Effective in addressing the requirements of the Zero Carbon Act;
- Practicable, using a 3.2 km rail branch line to the ARL site; and
- Economically attractive over the projected life of the proposed landfill.

4. TRAFFIC FLOW CONSIDERATIONS

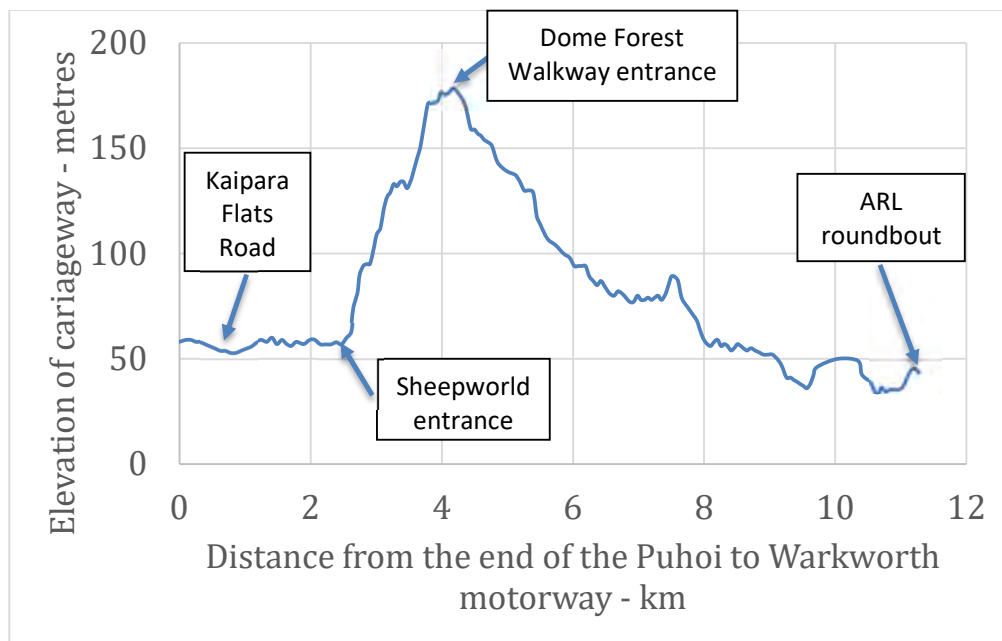
The Integrated Transport Assessment (ITA) concludes “By way of a summary, it is considered that the ARL facility can be established, subject to the proposed conditions of consent, in such a way that the transportation effects of both the construction and operational phases of the project are suitably managed with minimal adverse effects on the surrounding receiving transport environment.”

However, that assessment considered only the impacts on traffic flow caused by the construction of a roundabout on SH1 at the entrance to the proposed ARL. That assessment did not consider the impacts on traffic flows in the wider road environment, notably the steep incline on SH1 through the southern section of the area known as Dome Valley.

By 2026 the Puhoi to Warkworth motorway will be completed. After leaving the new motorway, fully laden trucks would travel a further 11.3 kilometres on SH1 through the Dome Valley to reach the roundabout at the ARL entrance.

4.1 Dome Valley Incline

Figure 1 Elevations of State Highway 1 through the Dome Valley¹



¹ Data from GoogleEarth May 2020



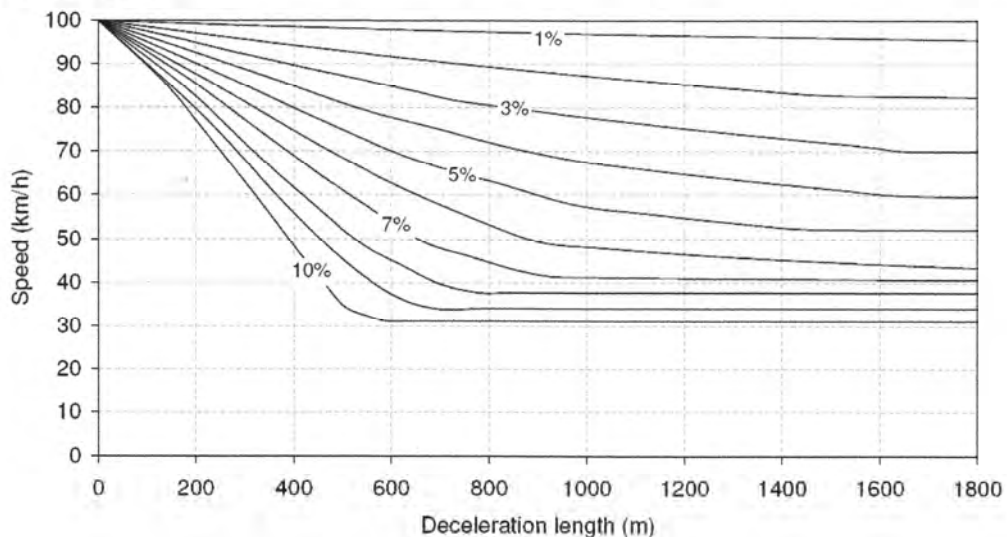
Figure 1 shows the elevations of the carriageway for the 11.3 km section of SH1 through the Dome Valley area. Figure 1 shows that fully laden northbound trucks would encounter a steep climb of 120 metres up the Dome Valley incline over 1.7 km between the Sheepworld entrance and the Dome Forest Walkway entrance. That is a 7.14% incline.

Figure 2 shows the effect of incline on the steady state speed of a typical laden truck weighing 33 tonnes. This chart shows that an initial speed of 80 kph would be reduced to 40 kph after 0.7 km, and that 40 kph would be the maximum speed achievable over the subsequent 1 km, with only one opportunity to regain some speed. So, the time taken to climb the 1.7 km long incline would be about 2 minutes.

Figure 2 Effect of incline on truck speed

Source:- AUSTRROADS' Guide to Road Design Part 3: Geometric Design AGRD03-16 Revised 2017

Figure 3.11: Determination of truck speeds on grade, 19 m semi-trailer (33 t), 12 l diesel carrying an average load (9.7 kW/t)



Outside of peak times there would be one waste truck every four minutes travelling north up Dome Valley. Therefore, other road users would likely encounter a slow waste truck climbing up the Dome Valley incline at about 40 kph 50 % of the time.

There is a short passing lane on the Dome Valley incline climb, which is 300 m long, i.e. only 20% of the total length of the climb. The topography of the area makes it impractical for that passing lane to be extended. Furthermore, damage to the road surface caused by the increased truck traffic would necessitate more frequent road maintenance. Roadworks in that complex terrain would be difficult and would cause major delays to traffic.

4.2 Traffic modelling

We submit that modelling using sophisticated and generally accepted rural midblock traffic modelling software, such as TRARR, must be completed before the effects on SH1, without Waste-by-Rail, can be accurately assessed. Given the uncertainties with future traffic, such modelling should be carried out for a number of realistic scenarios of future traffic growth.



Appendix C of the ITA says, “*The typically accepted capacity of a single traffic lane is... 15,000 - 20,000 vpd (vehicles per day).*” This is not based on a comprehensive analysis that includes the effects of truck numbers, gradients and the inadequate passing opportunities that are a particular feature of SH1 through the Dome Valley.

The last five years of traffic count data, from an NZTA count station close to the proposed ARL, reports a 5% per year increase from 12,000 vpd in 2013 to 15,000 vpd in 2018. At that rate other traffic on SH1 would be 24,000 vpd by 2028. This NZTA data also reports 9.5% heavy vehicles in that traffic flow, i.e. 1425 heavy vehicles per day in 2018. The addition of about 600 heavy vehicle movements per day on ARL business would increase the heavy vehicle traffic on SH1 by over 40%.

When existing heavy vehicles, such as logging trucks, are added to the assessment of waste truck traffic climbing the Dome Valley incline, as assessed above, other road users would likely always encounter a slow truck climbing up the Dome Valley incline at about 40 kph.

4.3 Road safety concerns

The frustration resulting from traffic delays on Dome Valley incline would likely cause an increase in dangerous manoeuvres. The short passing-lane section comprises 20% of the Dome Valley incline climb. Dangerous late-overtaking manoeuvres often occur at that passing lane merge point.

The ITA reports 2 deaths and 12 serious injuries from SH1 crashes in the Dome Valley from 2014 to 2018. The NZTA DSI database reports 4 deaths and 19 serious injuries in the Dome Valley in the years 2016 to 2019. This suggests a deteriorating safety record for the Dome Valley section of SH1.

4.4 Warkworth to Wellsford Motorway

The Warkworth to Wellsford section of the SH1 motorway would bypass the Dome Valley incline and the winding Dome Valley road. The Notice of Requirement for that extension of the SH1 motorway was lodged in March 2020. The earliest feasible date by which the Warkworth to Wellsford motorway could be completed is 2030 - probably later.

In view of these traffic flow considerations we conclude: -

- **That transporting waste to ARL by road would NOT have “*minimal adverse effects on the surrounding receiving transport environment.*” as stated in the ITA.**
- **That the modelling work described in the ITA is inadequate to draw firm conclusions about the impact of the increased traffic flows on the “*receiving transport environment*”**
- **To avoid major adverse effects on SH1, consent for transporting waste on SH1 to the ARL should be delayed until after the Warkworth to Wellsford SH1 motorway is open or Waste-by-Rail is implemented.**



5. CO₂ EMISSIONS ASSESSMENT

The Climate Change Response (Zero Carbon) Amendment Act 2019 (ZCA) sets a target that will require consumers to plan future energy systems that achieve zero net emissions of all greenhouse gases in New Zealand by 2050. Since the ARL will still be operating in 2050, the ZCA targets will apply to ARL.

The ZCA objective would primarily be achieved by using renewable electricity instead of diesel fuel for transporting waste from Auckland to ARL. The greenhouse gas consequences of alternative waste transport options are detailed below and presented in Table 1.

Table 1 Comparison of greenhouse gas emissions

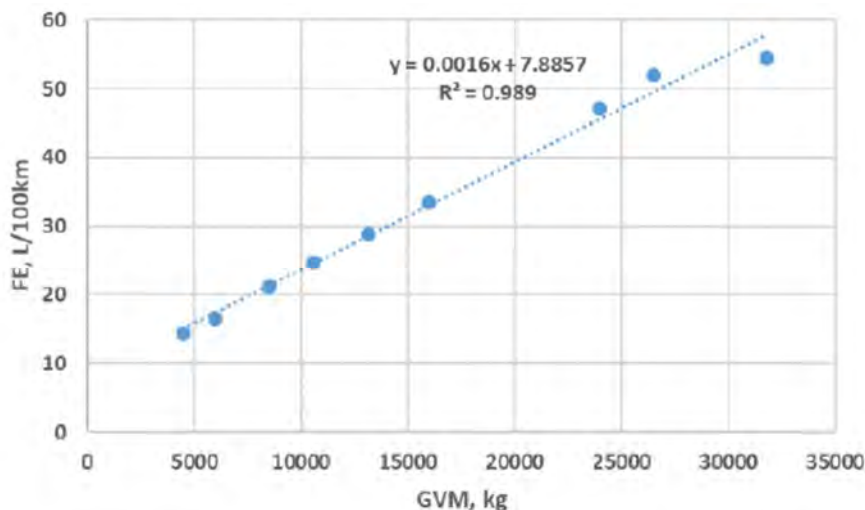
Transport technology	Energy use per year	Fuel TJ	CO ₂ -eq emissions tonnes per year
Diesel trucks	7.4 million litres	281	21,218
Electric trucks	44 GWh	158	4,706
Hydrogen trucks	1595 tonnes H ₂	226	11,200
Diesel trains	2.0 million litres	76	5,735
Electric trains	10.7 GWh	38.5	1,145

These assessments, detailed below, show that Waste-by-Rail using an electrified railway would fit best with the objectives of the Zero Carbon Act; at 5.4% of CO₂-eq emission of diesel trucks on the road.

5.1 Diesel trucks

Figure 3 shows how fuel consumption of heavy trucks depends on the Gross Vehicle Mass.

Figure 3 Real world fuel economy of heavy trucks²



² H Wang, NZ Ministry of Transport, Transport Knowledge Conference December 2019



Figure 3 shows that an empty truck and trailer unit weighing 17 tonnes would consume 35 litres of diesel per 100 km. When loaded with 17 tonnes of waste the fuel consumption would increase to 62 litres per 100 km.

The annual greenhouse gas emissions from a fleet of 50 trucks delivering waste from Auckland to ARL would be 21,218 tonnes of CO₂-eq per year, based on the assumptions listed in the box below.

- 260 return truck trips per day (ITA Table 5.1);
- 365 days per year;
- 1.6 million tonnes per year of waste transported;
- Therefore, 17 tonnes of waste per truck trip;
- 17 tonnes unladen truck weight;
- 80 km distance from Auckland bulk transfer station to ARL;
- 62 litres diesel per 100 km for laden truck (MoT);
- 35 litres diesel per 100 km for unladen truck (MoT);
- Therefore, 7.4 million litres of diesel per year;
- 38.1 MJ_{h_hv} per litre of diesel;
- Therefore, 281 TJ of purchased energy in diesel;
- 68.7 kg CO₂ per GJ_{h_hv};
- 10% CO₂-eq emissions from diesel production vs combustion;
- Therefore, 21,218 tonnes of CO₂-eq per year.

5.2 Battery Electric trucks

Electric trucks have been developed for short haul applications, which could be suitable for the Auckland to ARL duty. Volvo launched the 16-tonne FL model in 2019 with a 300 kWh battery and a range of 300 km. Daimler are introducing an electric version of their Cascadia semi-truck with a 550 kWh battery, 750 HP maximum power, 250 mile (400 km) range and 15 tonne GVW, which can recharge 80% of the battery capacity in 90 minutes. A truck with that specification would be able to sustain 80 kph up the Dome Valley incline.

2 trucks of this size might be required to deliver 17 tonnes of waste so there would be twice the number of return trips and hence twice the number of truck drivers required. Two 80 km each way return trips might be achieved on one charge using 80 % of the battery capacity. Two return trips might be achieved in 8 hours, plus a further 2 hours for recharging. So, a fleet of over 100 electric trucks would be required.

The annual greenhouse gas emissions from the power generated for a fleet of over 100 battery electric trucks delivering waste from Auckland to ARL would be 4,706 tonnes of CO₂-eq per year, based on the assumptions listed in the box below.

- 520 return truck trips per day;
- 400 km range;
- 550 kWh battery;



- 95% battery charging energy efficiency;
- Therefore, 1.45 kWh per km;
- Therefore, 44 GWh per year electricity purchase for vehicle charging;
- Therefore, 158 TJ of purchased energy per year;
- 0.107 tonnes CO₂-eq per MWh (based on 2020 electricity generation data);
- Therefore, 4,706 tonnes of CO₂-eq per year.

This assessment indicates that the electric trucks would result in 22% of the greenhouse gas emissions of diesel trucks.

5.3 Hydrogen trucks

An alternative truck technology, which would allow more rapid refuelling, involves the use of hydrogen fuel cell technology. A hydrogen truck would require a very high-pressure hydrogen fuel tank and a fuel cell for converting hydrogen into electricity. The truck would also require an electric vehicle battery to permit load following. The hydrogen trucks would likely be the same size as battery electric trucks, with half the capacity of large diesel trucks. The capital cost of hydrogen trucks would likely be 2-3 times the price of the same size of diesel trucks.

The hydrogen fuel could either be made from electricity (green hydrogen) by electrolysis or from natural gas (brown hydrogen) by steam methane reforming (SMR). The SMR process produces CO₂ emissions, which would amount to 40% of the CO₂ emissions from an equivalent diesel-based vehicle system. However, the supply of natural gas is declining in New Zealand and will continue to decline because of the moratorium on new oil and gas exploration. So, hydrogen production at scale from natural gas by SMR will not be feasible.

The production and storage of hydrogen from electricity by electrolysis at hydrogen refuelling depots would be feasible, although there are safety concerns. The cost of refuelling a hydrogen vehicle would be more than three times the cost of recharging an equivalent electric vehicle. The annual greenhouse gas emissions from a fleet of over 100 hydrogen-fuelled trucks delivering waste from Auckland to ARL would be 4,866 tonnes of CO₂-eq per year, based on the assumptions listed in the box below.

- 44 GWh per year electricity purchased for charging battery of electric vehicle;
- 70% fuel cell energy efficiency;
- Therefore, 62.8 GWh of hydrogen purchase = 226 TJ;
- 141.8 GJ_{h_hv} per tonne of hydrogen;
- Therefore, 1595 tonnes of hydrogen per year;
- 60% energy efficiency of electrolysis plant;
- Therefore, 104.7 GWh electricity purchased for water electrolysis;
- 0.107 kg CO₂-eq per kWh (based on 2020 electricity generation data);
- Therefore, 11,200 tonnes of CO₂-eq per year.



This assessment indicates that the hydrogen trucks would halve the greenhouse gas emissions of diesel trucks. However, twice as many trucks would be required, at twice the price each, requiring twice as many truck drivers and losing half of the electrical energy purchased.

5.4 Diesel trains

The diesel consumption for hauling freight by rail is about 3.7 times less than the diesel consumption for road haulage on a km-tonne basis. Therefore, the annual greenhouse gas emissions from a fleet of 5 diesel trains delivering waste from Auckland to ARL would be 5,735 tonnes of CO₂-eq per year.

5.5 Electric trains

If the rail line is electrified, the electricity consumption relative to equivalent diesel consumption in a tractor unit is assumed to be the same as for both truck or train, except that the 90% round trip efficiency through the electric vehicle battery would be absent. Therefore, the annual greenhouse gas emissions from a fleet of 5 electric trains delivering waste from Auckland to ARL would be 1,145 tonnes of CO₂-eq per year.

6. WASTE BY RAIL DESIGN CONSIDERATIONS

The discussions of the Waste-by Rail option, as reported in the AEE, only considered adding rail sidings adjacent to the existing Northern Rail line at either Wayby Station Road or in Wellsford. These two locations would require trans-shipping of waste containers from rail to road trucks for the final trip to the landfill, of 3.5 km or 6 km respectively. We dismiss trans-shipping of waste from rail to road at those places as impractical.

Instead, we propose construction of a new 3.2 km long rail branch line, as a spur off the Northern Rail line. It would allow trains to deliver waste directly to the ARL reception area. An outline alignment for a rail branch line is suggested here for further evaluation. An indicative plan of a rail branch line to ARL is presented in Figure 4. An approximate alignment is suggested taking account of land elevations, determined with GoogleEarth. Further south the land is too high. An elevation view is shown in Figure 5.

The suggested branch line would fork off the Northern Rail Line just north of the Wayby Station Road crossing. The rail line would head in a northeast direction to the north of Wayby Station Road. The line would then head east through a 500-metre cutting with a maximum depth of 12 metres, including bridges for Wayby Station Road and a private driveway. In the cutting, the branch line would have an elevation of 50 metres. The line would then turn southeast, and the elevation would reduce to 40 metres before turning to the east for a rail bridge 7 metres above SH1. After crossing SH1 the branch line would drop down to ground level and would proceed on the east side of SH1 to the ARL waste reception area.

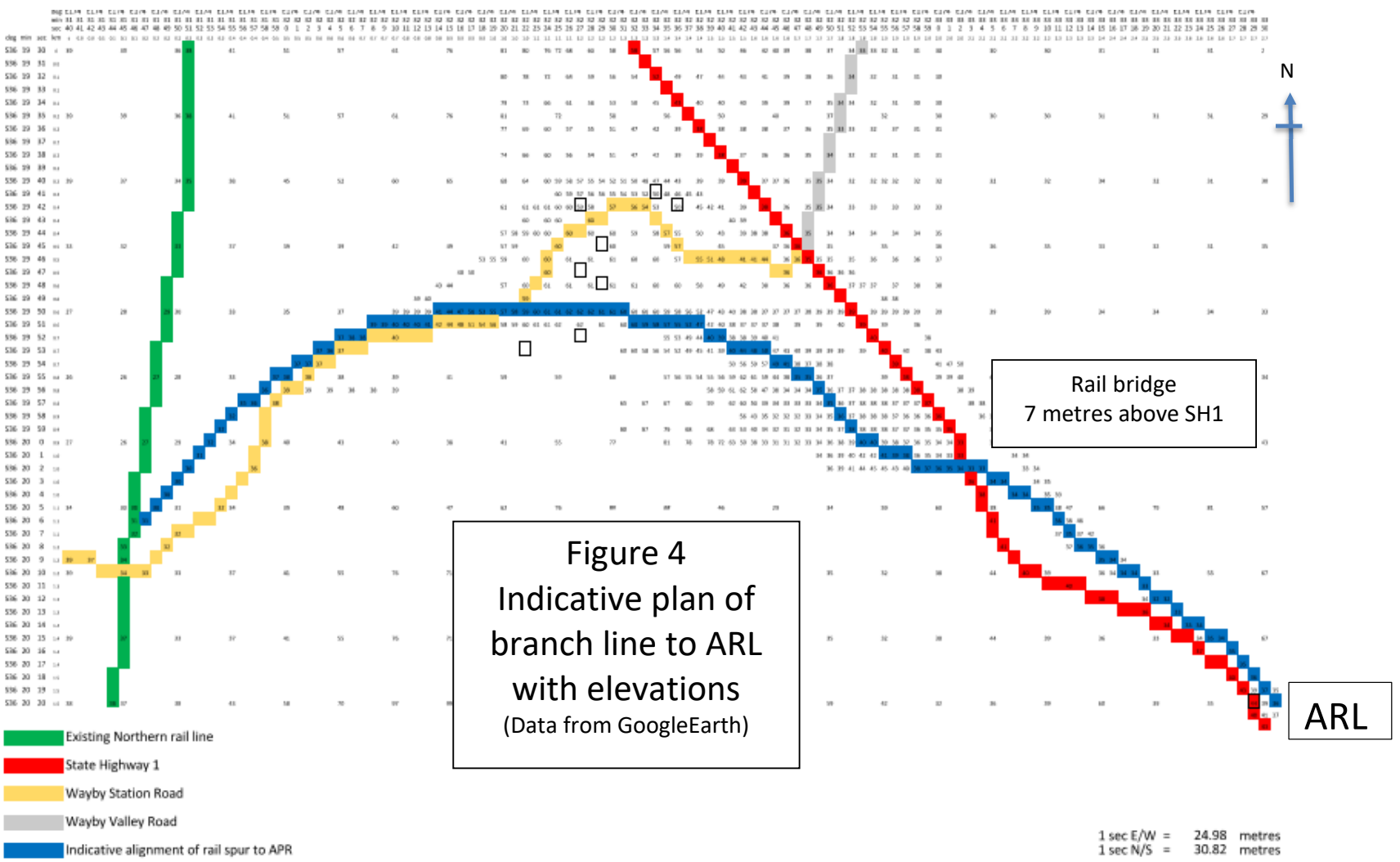
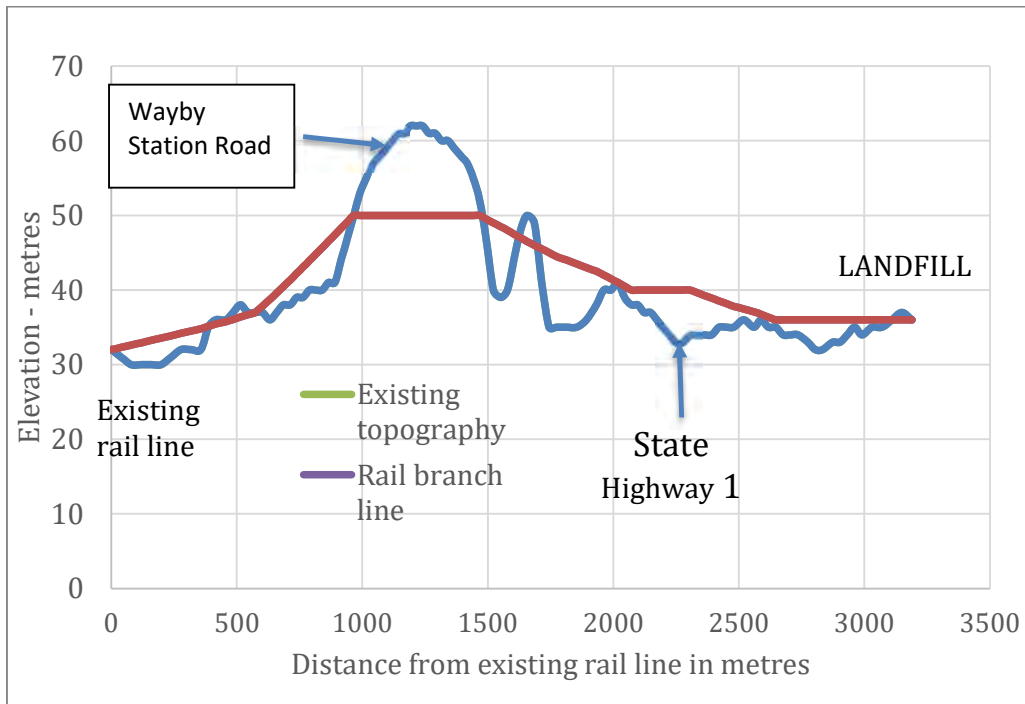




Figure 5 Elevations of suggested rail line alignment



7. Other Waste-by-Rail considerations

In September 2019, a \$95 million Government programme was announced to upgrade the rail line between Whangarei and Auckland. The explicit purpose of this work programme is to get freight off the road. The planned work will include replacing or upgrading almost a third of the line, maintenance work on 13 tunnels, replacing five ageing bridges, improving numerous drains and culverts, and strengthening embankments. This work programme will make the transporting of Waste-by-Rail from Auckland viable.

This planned upgrade of the northern rail line does not include enlarging tunnels to take the largest ISO containers, as might be required if major port activity is relocated to Northport. However, the dedicated rolling stock required for transporting waste by rail to ARL could be designed to fit within the existing tunnels between Auckland and ARL.

The rail line from Auckland to ARL comprises the southern half of the rail line from Auckland to Whangarei. The Government's North Auckland Line business case (March 2019) identified a potential 1.8 to 2.5 million tonnes per year of rail freight demand. The addition of the transport of 1.6 million tonnes per year of waste from Auckland to ARL on the North Auckland Line would substantially increase the utilisation of that committed rail infrastructure expenditure. This additional traffic for the North Auckland Line was not included in the business case. Adoption of the Waste-by Rail option would provide KiwiRail with a long-term, consistent, high volume, base-line customer.

The proposed 15 km rail spur from Oakleigh to Northport is estimated to cost in the order of \$330 million. Using a cost scaling exponent of 0.8, the capital cost of a 3.2 km rail branch



line to ARL would likely be less than \$100 million. In contrast, the capital cost of extending SH1 to Wellsford, as a potential solution to the problem of transporting waste by road to ARL, was estimated in 2017 to be \$1.4 billion to \$1.9 billion.

260 return truck trips per day from Auckland to ARL, would require a crew of about 130 heavy vehicle drivers. That additional demand for truck drivers in the Auckland region could be difficult to meet. In contrast, ten return rail trips per day by 800m long trains carting 442 tonnes each would be needed. That would require a crew of 10 working 5 trains in a 2-man operation.

8. Transition Engineering considerations

The consequences of the decisions that are made today, commit New Zealanders for several decades to systems that must be fit for purpose in the long term. Fit for purpose from 2020 forward means lowest possible energy use, the best outcomes for people living in and visiting the region of the landfill, and best environmental condition and best resilience for the whole waste management system for Auckland. The Waste-by-Rail system is not exposed to a number of critical risks faced by road transport over the lifetime of the landfill, including the price and availability of diesel fuel, and the availability of truck drivers.

The price of diesel fuel has become wildly unstable as the international oil supply system has become fractured by war, environmental disaster, climate change, and supply decline. Periodic fuel supply shortfalls are inevitable over the life of the landfill. When a crisis occurs, the ability to move waste out of the city will be essential and cannot be interrupted. Thus, building the Waste-by Rail infrastructure now would be a responsible move.

The current plan does not recognize the critical truck driver shortage in New Zealand. According to evidence presented by multiple industry representatives to the Upper North Island Supply Chain Study Working Group, the driver shortage is already acute and will continue to become critical in Auckland. That shortage must be factored into any future planning that would depend on truck drivers.

The recently announced rebuild of the North Auckland rail Line (NAL) post-dated the preparation of the Resource Consent application and has not been factored into the supporting discussion. Now that the early development of the NAL is signalled, the feasibility of the rail branch line to ARL must be moved to the top of the list of considerations.

In Summary we conclude that the Waste-by Rail option would be: -

- **Highly desirable from the point of view of a traffic flow and safety on SH1;**
- **Effective in addressing the requirements of the Zero Carbon Act;**
- **Practicable, using a 3.2 km rail branch line to the ARL site.**
- **Economically attractive over the projected life of the proposed landfill.**

S.H Goldthorpe, Convenor. On behalf of the Sustainable Energy Forum Inc



Appendix A Extract from AEE

12.7 KiwiRail Holdings Limited

KiwiRail Holdings Limited (KiwiRail) is a state-owned enterprise responsible for the infrastructure and operation of rail in New Zealand. KiwiRail operate the Northern Rail line which runs from Auckland to Whangarei, and passes approximately 2.5 km away from the site at its closest point. WMNZ have worked with KiwiRail previously to trial 'waste by rail' in New Zealand, delivering waste from the Thames Coromandel District to Redvale Landfill. However, this trial was not successful in demonstrating commercially viable 'waste by rail' at that time.

Subsequent to interest and questions raised by stakeholders, WMNZ met with KiwiRail on 24 January 2019 to discuss the project and the possibilities of developing 'waste by rail' for the Auckland Regional Landfill site. The outcome of the meeting was that at this stage it is unlikely that 'waste by rail' could be accommodated on the Northern Rail Line due to commuter rail timetables in Auckland, limits on train tonnage and insufficient heights of existing tunnels. KiwiRail also noted that they currently only work with 'point to point' freight, which would cause difficulties with loading and unloading trains. In Auckland, trains can only be loaded at Southdown, which is already a high congestion area. Unloading trains at Wellsford, if KiwiRail were prepared to increase infrastructure to accommodate this, would increase traffic and congestion within central Wellsford. KiwiRail advised they would not consider a new siding at Wayby Station Road.

The Ministry of Transport is currently working on a business case to upgrade rail infrastructure in Northland. If the Government decides to proceed with the investment there would be opportunity to grow rail services and consider the potential for waste by rail. In the interim, WMNZ and KiwiRail will remain in contact to identify opportunities should they arise.

WMNZ and KiwiRail will continue to work together in future to identify opportunities to explore waste by rail.

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 3:00:42 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9826] Submission received on notified resource consent
Attachments: SEF Submission on ARL final 21May20.docx (4.66 MB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Steve Goldthorpe

Organisation name: Sustainable Energy Forum

Contact phone number: 0274849764

Email address: Steve.Goldthorpe@xtra.co.nz

Postal address:

9 Queen Street, Warkworth
Auckland
Auckland 0910

Submission details

This submission: is neutral regarding the application in whole or in part

Specify the aspects of the application you are submitting on:

This submission is concerned with the declared intent to transport all waste to the site by road.

What are the reasons for your submission?

We submit that the Waste-by-Rail option should be urgently revisited, thoroughly investigated and fully costed with a view to implementation at the earliest opportunity to avoid adverse road traffic effects and to provide a low-carbon waste transport option in an economic way.

What decisions and amendments would you like the council to make?

- That comprehensive modelling and analysis be carried out on the effect of the proposed landfill on all affected parts of State Highway 1 North (SH1N);
- That comprehensive modelling and analysis of the Waste by Rail option be carried out.
- That, when the road modelling confirms that effects on SH1N are more than minor and unacceptable, then a condition of the landfill consent should be the implementation and commissioning of the Waste-by-Rail option prior to the commencement of landfill operation.

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:

SEF Submission on ARL final 21May20.docx

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 3:15:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9828] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Jamie Rewiri

Organisation name: Ngati Whatua

Contact phone number: 068670871

Email address: jamie.m.rewiri@gmail.com

Postal address:

521 Childers Rd
Te hapara
Gisborne 4010

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

To cancel all dumping of rubbish etc

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

To cancel all dumping of rubbish etc on our whenua an Awa and moana

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 3:15:37 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9830] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Celia attwood

Organisation name:

Contact phone number: 02108203895

Email address: celiaattwood@gmail.com

Postal address:

429 wayby station rd
Wellsford
Auckland 0972

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

All of them

What are the reasons for your submission?

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.

What decisions and amendments would you like the council to make?

To not allow the landfill in the dome valley

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 3:15:38 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9831] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Tangi Walker

Organisation name:

Contact phone number: 0422246301

Email address: ttwalker5@hotmail.com

Postal address:

4/237 Fosters Road
Northgate
Adelaide 5085

Submission details

This submission: supports the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

The whole

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 3:45:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9832] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Stella Clyde

Organisation name:

Contact phone number: 0211498077

Email address: stella.clyde@gmail.com

Postal address:

385 Ford Road
Whakapirau
Maungaturoto 0583

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Concerned about the affect on the Kaipara Harbour.
Concerned about the increased number of trucks using SH1

What are the reasons for your submission?

Concerned regarding the health of the Kaipara Harbour.

What decisions and amendments would you like the council to make?

I would like the council not to proceed with the landfill application for the Dome Valley.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 3:45:36 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9833] Submission received on notified resource consent
Attachments: BUN60339589 - Construct and Operate a landfill - Wayby Valley - Firstgas Submission to Auckland Council.pdf (221.79 KB), submissionform AC.pdf (424.43 KB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Nicola Hine

Organisation name: First Gas Limited

Contact phone number: 062154025

Email address: nicola.hine@firstgas.co.nz

Postal address:

Private Bag 2020
New Plymouth
New Plymouth 4340

Submission details

This submission: is neutral regarding the application in whole or in part

Specify the aspects of the application you are submitting on:

Refer to attached

What are the reasons for your submission?

Refer to attached

What decisions and amendments would you like the council to make?

Refer to attached

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:

BUN60339589 - Construct and Operate a landfill - Wayby Valley - Firstgas Submission to Auckland Council.pdf
submissionform AC.pdf

! 1.0 SUBMITTER DETAILS!

Name of submitter(s) <i>(please write all names in full)</i>	First Gas Limited Attention: Nicola Hine		
Physical Address:	42 Connett Road, Bell Block, New Plymouth	Postcode:	4312
Address for service: (if different)	Private Bag 2020, New Plymouth	Postcode:	4340
Telephone (day):	06 215 4025	Mobile:	027 647 1531 Fax:
Email:	nicola.hine@firstgas.co.nz		

! 2.0 APPLICATION DETAILS

Application Number:	BUN60339589		
Name of applicant: <i>(please write all names in full)</i>	Waste Management New Zealand Limited		
Address of proposed activity:	1232 State Highway 1 Wayby Valley	Postcode:	
Description of proposed activity:	To construct and operate a new regional landfill		

! 3.0 SUBMISSION DETAILS

My/our submission: (please tick one)

<input type="checkbox"/> Supports the Application	<input type="checkbox"/> Opposes the Application	<input checked="" type="checkbox"/> Neutral regarding the Application
---	--	---

The specific parts of the application to which my/our submission relates to are: (use additional pages if required.)

Please refer to the separately attached submission.

P0098.3 06/07/10

! 3.0 SUBMISSION DETAILS contd

The reasons for my/our submission are: (use additional pages if required.)

Please refer attached.


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):

Please refer attached.

! 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:	25 May 2019
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.

Submission on Resource Consent Application BUN60339589 to construct and operate a new regional landfill, located at 1232 State Highway 1, Wayby Valley to Auckland Council by First Gas Limited

1. Introduction to Submitter:

First Gas Limited (Firstgas) own and operate approximately 2,500 kilometres of high-pressure natural gas transmission pipelines through the North Island and are confirmed as a Requiring Authority.

The gas transmission pipelines, located below the ground, is supported by ancillary above-ground infrastructure, and delivers gas from production stations in Taranaki to various towns and cities throughout the North Island, including within Auckland and Whangarei, for commercial, industrial, and domestic use.

In the context of the Resource Management Act 1991, the Firstgas assets and operations deliver significant benefits to the wider North Island. The transmission (and distribution) of natural gas provides for economic growth, enables communities, business and industry to function and provides for people and communities' social well-being and their health and safety. The gas transmission network is recognised as both regionally and nationally significant infrastructure.

2. Understanding the resource consent application:

Waste Management New Zealand Ltd (WMNZ) are seeking a resource consent to construct and operate a new regional landfill. The landfill is a non-complying activity under the current Auckland Unitary Plan. As well as the landfill itself, associated site activities are proposed, including (but not limited to) discharges to land and air, stormwater ponds, stockpiles, formation of a new access road, weigh-bridge, bin exchange area, site planting and a renewable energy centre.

3. Firstgas assets within the subject area:

Firstgas owns and operates the "Westfield to Maungatapere Gas Pipeline" which is located (in part) within the subject land, situated within the areas identified by the applicant as the Southern Block and Western Block.

This pipeline is part of a network which conveys natural gas between Auckland and Whangarei and is the communities' only source of natural gas. The pipeline operates under high-pressure and is a transmission asset.

The pipeline is designated in the Auckland Unitary Plan, reference '9101 Taupaki to Topuni Gas Pipeline' which provides for the 'operation, maintenance and repair, upgrade and renewal of the existing gas transmission pipeline and ancillary facilities as required for the transportation of gas'. The restrictions included within this designation specifically state that no person shall plant any tree or shrub, disturb the soil below a depth of 0.4 from the surface; or do anything on or to the land which would or could damage or endanger the pipeline within the designated corridor without first obtaining written consent of Firstgas.

4. Overview of Policy Framework Relating to Gas Infrastructure within Extent of Private Plan Change 42:

Matters for the Council to consider in respect of Private Plan Change 42, include consistency with the Auckland Unitary Plan's direction and framework and the Regional Policy Statement. In the context of existing gas infrastructure, the provisions of note within the Regional Policy Statement for Auckland contained within Chapter B3 of the Unitary plan are:

B3.2.1 Objectives

- (1) Infrastructure is resilient, efficient and effective.*
- (2) The benefits of infrastructure are recognised, including:*
 - (a) Providing essential services for the functioning of communities, businesses and industries within and beyond Auckland;*
 - (d) Providing for public health, safety and the well-being of people and communities;*
- (6) Infrastructure is protected from reverse sensitivity effects caused by incompatible subdivision, use and development*

B3.2.2 Policies

Provision of infrastructure

- (1) Enable the efficient development, operation, maintenance and upgrading of infrastructure.*
- (2) Recognise the value of investment in existing infrastructure.*

Reverse sensitivity

- (4) Avoid where practicable, or otherwise remedy or mitigate, adverse effects of subdivision, use and development on infrastructure.*
- (5) Ensure subdivision, use and development do not occur in a location or form that constrains the development, operation, maintenance and upgrading of existing and planned infrastructure.*

Further, Chapter E26 Infrastructure provides for Network Utilities objectives and policies, including:

E26.2.1. Objectives

- (4) Development, operation, maintenance, repair, replacement, renewal, upgrading and removal of infrastructure is enabled.*
- (6) Infrastructure is appropriately protected from incompatible subdivision, use and development, and reverse sensitivity effects.*

E26.2.2 Policies

Adverse effects on infrastructure

- (3) Avoid where practicable, or otherwise, remedy or mitigate adverse effects on infrastructure from subdivision, use and development, including reverse sensitivity effects, which may compromise the operation and capacity of existing, consented and planned infrastructure.*

5. Firstgas operating standards and codes:

Firstgas is required to ensure the protection and integrity of the pipeline is maintained, to ensure the safety of the public, property and environment. Pipelines are required to meet the safety and operational requirements of the Health and Safety in Employment (Pipelines) Regulations 1999, and the operating code Standard AS2885 Pipelines – Gas and Liquid Petroleum (AS2885).

Third party interference is one of the main risks to the safety and integrity of the underground pipelines. Activities which may affect the existing gas infrastructure need to take into account the location and protection requirements of the pipelines and associated infrastructure. Activities in the vicinity of the pipeline will also need to be carried out in a way which does not compromise the safe and efficient operation of the network, including the ability to legally and physically access the infrastructure with necessary machinery to undertake works.

6. Submission Statement:

Firstgas is neutral to the resource consent application but seeks to ensure that the outcome provides an appropriate framework to enable the ongoing operation, maintenance, and upgrading, of the existing infrastructure, which includes access; while also protecting the asset from activities associated with the landfill construction and operation. This framework also ensures that Firstgas are able to continue to comply with its industry standard for the operation and maintenance of gas and liquid petroleum pipeline assets – AS2885.

The application for the resource consent notes designation ID 9101 as a planning limitation, and notes that 'no works are proposed within the vicinity of the pipeline, except for earthworks associated with the roundabout at the proposed site entrance on State Highway 1. The earthworks will be separated from, and will be undertaken in a way that does not affect the pipeline'. However, the consent application includes a number of activities to which Firstgas will need to manage to ensure that:

- Design and construction of the access over the designated pipeline will not impact the integrity of the pipeline per AS2885.
- Proposed screen and native planting within the vicinity of the pipeline do not interfere with the Cathodic Protection system, nor pose a threat to the pipeline when fully grown.
- Detail of any third-party services, noting the power cables can interfere with the Cathodic Protection system, and minimum requirements for third party service installation will need to comply with Firstgas Policy and AS2885.
- Firstgas require access at all times to the pipeline, per AS2885 and the registered pipeline easement, and seek assurances from the applicant access will be maintained during construction and operation of the landfill.

These are activities, as well as the overall change to the use of the land, would hinder operation and maintenance of the pipeline if not managed properly and in compliance with AS2885. The applicant has not sought the written consent of Firstgas in respect of this application, as a requiring authority pursuant to Section 176 of the Resource Management Act 1991. Section 176 of the Act states that no person shall undertake any use of the land, and change the character, intensity, or scale of the use of the land, that would prevent or hinder work to which the designation relates, without the prior written consent of that requiring authority.

Firstgas seeks that the content of this submission be factored into future decision-making deliberations, to the extent that the resource consent decisions issued by Auckland Council includes clear provisions which protect the existing infrastructure and does not restrict nor compromise its ongoing safe and effective operation, maintenance and upgrade abilities, including access and ensures that the purpose of the existing designation is upheld.

7. Specific Submission Points to Applicant's Resource Consent to Construct and Operate a New Regional Landfill

Firstgas propose the inclusion of two conditions to a granted consent, which seeks to provide the opportunity for Firstgas to protect and enable its existing infrastructure from the activities described above, and those activities which may be required as the construction and operation of the landfill site progresses through detailed design, site works, and operations over the years to come. Firstgas seek the inclusion of the following consent conditions:

1. *Any activity within 20 metres of existing infrastructure shall require the written authorisation from the infrastructure asset owner, the authorisation of which is not to be unreasonably withheld.*
2. *The high-pressure gas pipeline shall be accurately shown and labelled on all design, tender, and construction drawings, and landfill operation and management plans.*

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
To: [Central RC Submissions](#)
Cc: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9834] Submission received on notified resource consent
Date: Monday, 25 May 2020 3:45:47 PM
Attachments: [Submission on consent application.pdf](#)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Ebony Ellis

Organisation name: ChanceryGreen

Contact phone number: 021791668

Email address: ebony.ellis@chancerygreen.com

Postal address:

PO Box 47516
Ponsonby
Auckland 1144

Submission details

This submission: is neutral regarding the application in whole or in part

Specify the aspects of the application you are submitting on:

Refer to attached.

What are the reasons for your submission?

Refer to attached.

What decisions and amendments would you like the council to make?

Refer to attached.

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:

Submission on consent application.pdf

SUBMISSION ON RESOURCE CONSENT APPLICATION BY WASTE MANAGEMENT NZ LIMITED FOR THE CONSTRUCTION AND OPERATION OF A NEW REGIONAL LANDFILL AT 1232 STATE HIGHWAY 1, WAYBY VALLEY: BUN60339589

To: Auckland Council

Copy to: Waste Management NZ Limited (Applicant)
Rsignal-ross@tonkintaylor.co.nz

Name of submitter: The New Zealand Refining Company Limited trading as Refining NZ

Address for service: ChanceryGreen
PO Box 47516
Ponsonby
AUCKLAND 1144
Attention: Chris Simmons/Ebony Ellis
Phone: 09 357 0600
chris.simmons@chancerygreen.com
ebony.ellis@chancerygreen.com

INTRODUCTION AND SUMMARY

1. This is a submission by The New Zealand Refining Company Limited, trading as Refining NZ, on a resource consent application by Waste Management NZ Limited (the "Applicant") to construct and operate a new regional landfill facility (the "Application") at 1232 State Highway 1, Wayby Valley (the "Application Site"). The Application is classified overall as a non-complying activity under the Auckland Unitary Plan ("AUP").
2. The Applicant is also seeking a private plan change to introduce a new precinct to provide for a landfill facility ("PC42"). For clarity, Refining NZ is not submitting on PC42.
3. The Application is of particular interest to Refining NZ because the Application Site intersects with its Refinery to Auckland pipeline (the "RAP"). The Application includes the construction of an access road from a new proposed intersection on State Highway 1 ("SH1"). This will include the construction of a new roundabout on SH1. These works are proposed to occur in the vicinity of the RAP.
4. Refining NZ is neutral in respect of the Application, however, it wishes to ensure that there will be no adverse effects on the use, operation, maintenance and potential upgrade of the RAP, which traverses the Application Site.
5. Refining NZ is not a trade competitor for the purposes for s308B of the Resource Management Act 1991 (the "RMA").

BACKGROUND TO REFINING NZ

6. Refining NZ operates New Zealand's only refinery (the "Refinery"), situated at Marsden Point at the entrance to the Whangarei Harbour. The Refinery produces petrol, diesel and jet fuel

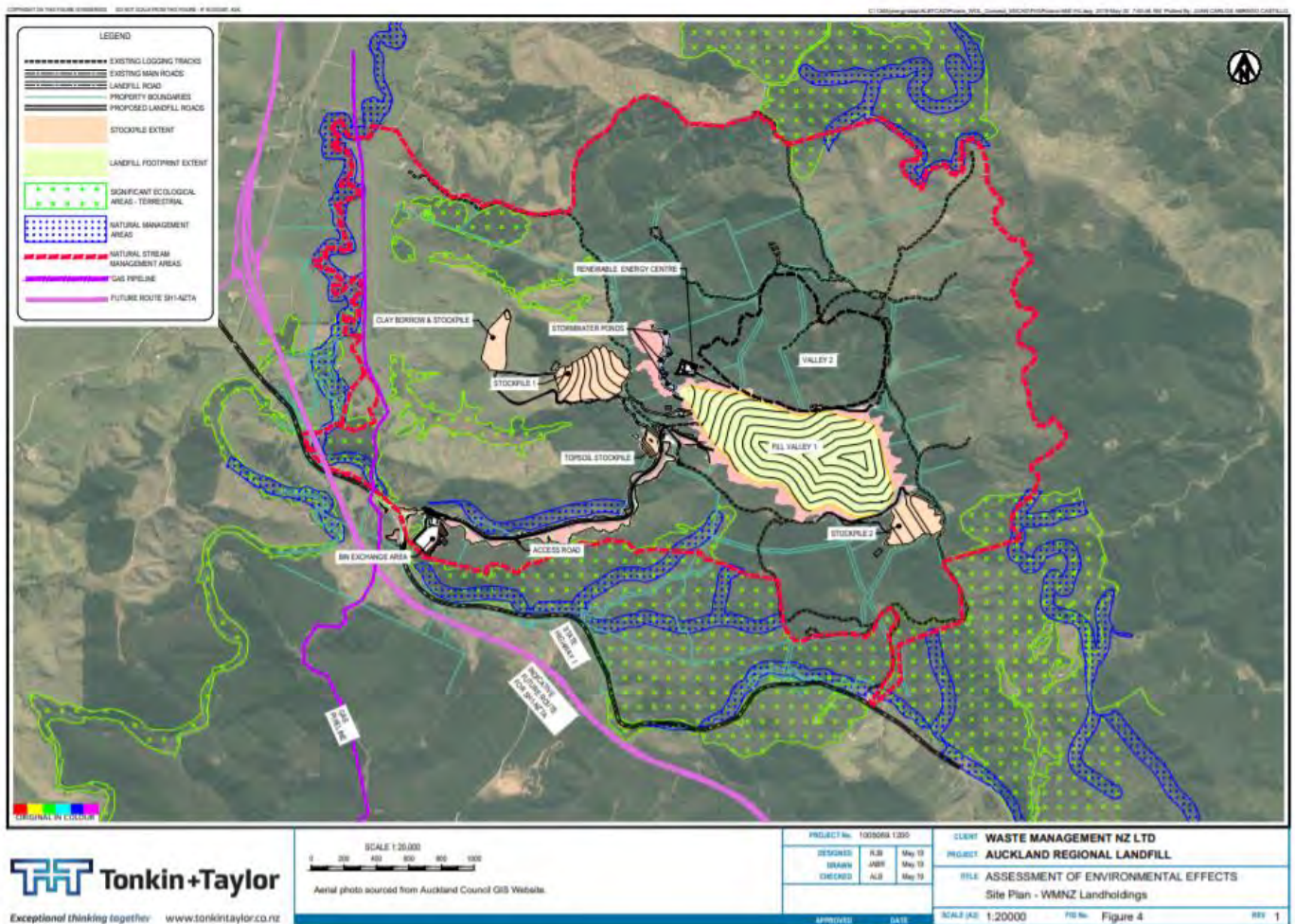
for consumption throughout the country. Refining NZ also owns and operates the RAP, a 170km long high-pressure pipeline running from the Refinery at Marsden Point to the Wiri Oil Terminal in South Auckland. The RAP is subject to designations over its entire length. This includes designations 6500 and 6501 in the AUP.

7. The Refinery is a major regional and national infrastructure resource. The Refinery and RAP have a combined replacement value estimated at NZ\$3.2billion, and their uninterrupted and efficient operation are of critical importance nationally. Refining NZ is deemed to be a “lifeline utility” pursuant to the Civil Defence Emergency Management Act 2002.
8. Section E29 of the AUP provides for ‘Emergency Management Areas’ in relation to identified hazardous facilities and infrastructure, including the RAP by restricting or managing the encroachment of third party land uses in proximity to existing hazardous infrastructure and by addressing notification of certain resource consent applications. The RAP has been identified in this section of the AUP as a hazardous facility/infrastructure, highlighting the importance of risk management for works occurring in proximity to the RAP.

POTENTIAL EFFECTS ON THE RAP

9. Refining NZ is interested in the Application in its entirety, but particularly in the proposed roading works proximate to the RAP.
10. The RAP passes through the Wayby Valley as shown on the map in Appendix C of the AEE at page 5 (reproduced below). Although the proposed landfill footprint is itself some distance from the RAP (approximately 2km), the Application Site overlaps the RAP designation and it is understood that earthworks relating to the construction of a new roundabout and access road are proposed to be undertaken in the vicinity of the RAP. The Application includes construction works within the RAP designation, and within proximity to the RAP itself, including the earthworks related to and the construction of a new roundabout on SH1. Careful planning, and appropriate controls will therefore be required at all stages of the earthworks and construction of the roundabout and access road in order to ensure that the RAP is not adversely affected.

Map showing location of RAP in relation to the Application Site



11. Section 176 of the RMA requires the Applicant to obtain written consent from Refining NZ in relation to those works which are to be undertaken within the RAP designation. Therefore, the Applicant is required to engage with Refining NZ. This should include consultation regarding details for the design and construction of the WMNZ access road, and the ongoing operation, maintenance and potential upgrading of the RAP - in order that both parties can be satisfied that the interface between the RAP and the Application will be appropriately managed.
12. As noted above, Refining NZ is neutral with respect to the proposed landfill. However, it wants to ensure that the future operation, monitoring, maintenance, and potential upgrade to the RAP will not be adversely affected by the Application.
13. It is worth noting that failure to implement appropriate controls on the Application design and consultation has the potential to result in significant damage to the RAP, and subsequent disruption of the fuel supply to the Auckland region, which would result in wide-ranging social, economic, and environmental effects.
14. The Application includes a suite of proposed conditions in Appendix G to the Assessment of Environmental Effects ("AEE"). Refining NZ acknowledges that the proposed conditions are relatively comprehensive as they relate to aspects of construction. However, there are no

specific conditions relating to Refining NZ/the RAP and Refining NZ seeks that such conditions are included.

PRINCIPAL SUBMISSION

15. Refining NZ does not oppose or support the Application but wishes to ensure that the appropriate controls are placed on the design, construction and any subsequent operation and maintenance of the Application so that it does not adversely affect the RAP.
16. Application works that are within close proximity to the RAP (particularly those within the designation corridor) and associated planning should be undertaken in close consultation with Refining NZ, so that appropriate controls for the protection of the RAP can be agreed and implemented.

RELIEF SOUGHT

17. Given the importance of the RAP to the Auckland Regional and, indeed, nationally, Refining NZ considers it is appropriate to include conditions relating to interaction with, and protection of the RAP. Such conditions should relate to the following matters:
 - a. Requiring the Application to be designed, constructed, operated and maintained in a manner that ensures the continued safe operation of the RAP; and
 - b. Recording the requirement under s176 of the RMA that the Applicant obtain Refining NZ's written consent before works commence on the land subject to the RAP designation.
18. Refining NZ also invites the Applicant to engage with Refining NZ regarding the implementation of the Application, so that the parties can agree upon controls to ensure that the interface between the RAP and the Application can be appropriately managed.
19. Refining NZ wishes to be heard in support of this submission. If others make a similar submission, Refining NZ would consider presenting a joint case with them at a hearing.
20. Refining NZ does not request, pursuant to section 100A of the Act, that you delegate your functions, power, and duties to hear and decide the application to one or more hearings commissioners who are not members of the local authority.

CONCLUSION

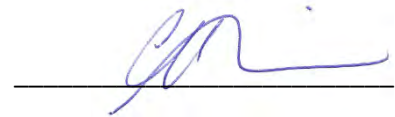
21. Refining NZ is neutral as to the Application. It has particular concerns regarding construction and roading works in the vicinity of the RAP. Refining NZ wishes to ensure that there will be no adverse impact on the use, operation, maintenance and potential upgrade of the RAP.

22. The uninterrupted and efficient operation of the RAP is of critical importance to the regional and national economy, and any disruption or damage to the RAP as a result of the Application could have significant consequences.

Dated this 25th day of May 2020

For and on behalf of **REFINING NZ**

By its lawyers ChanceryGreen



C H Simmons / E J Ellis

Amy Cao

From: Jackie Lee on behalf of Resource Consent Admin
Sent: Tuesday, 26 May 2020 8:45 AM
To: Amy Cao
Subject: FW: BUN60354951 [ID:9835] Submission received on notified resource consent

Categories: Online

Good morning Amy,

Another submission for this consent 😊

Have a lovely day,

Jackie.

**Jackie Lee | Regulatory Support Officer North/West
Resource Consents**

Ph 09 427 3332 | Extn (44) 3332

Auckland Council, 50 Centreway Road, Orewa 0931

As New Zealand remains under COVID-19 Alert Level 2, Auckland Council is providing services in accordance with the government's direction. Regulatory Services are continuing to provide some face-to-face services, however our Graham Street service centre and reception remains closed at this stage. We are contactable by email or phone.

We apologise for any delay in responding to your inquiry and thank you for your continued patience and support.

You can also visit aucklandcouncil.govt.nz for more information about our response to COVID-19, as well as access to general information and online services.

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

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.

Submitter contact details

Full name: Anna Steedman

Organisation name:

Contact phone number: 09 4202553

Email address: 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 Hotoe River and Kaipara Harbour will be realised when the damage is done.

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.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 4:00:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9836] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Jennifer Barnes

Organisation name:

Contact phone number: 0275701426

Email address: barnzie100@gmail.com

Postal address:

30 Otahuri Crescent
Greenlane
Auckland 1051

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

We fish, swim and Paddle Board in the Kaipara Harbour throughout the year and do not want this harbour polluted.

What are the reasons for your submission?

We believe run off from the Waste Site will seep into the Kaipara Harbour and pollute the waterways.

What decisions and amendments would you like the council to make?

Not to proceed with this plan.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 4:15:34 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9838] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: John Barnes

Organisation name:

Contact phone number: 0273461103

Email address: barnzie100@gmail.com

Postal address:

30 Otahuri Crescent
Greenlane
Auckland 1051

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

We do not think there should be a dump in the Dome Valley

What are the reasons for your submission?

Pollution will seep into the Kaipara Harbour

What decisions and amendments would you like the council to make?

Not to have a dump in the Dome Valley

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 4:30:38 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9839] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Ken Jordan

Organisation name:

Contact phone number: 0274185330

Email address: jordan_1@xtra.co.nz

Postal address:

107 Ridge Road
Warkworth
Warkworth 0982

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Replacing the transportation by rail instead of road

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

utilise the rail line instead of SH1

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 4:45:34 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9840] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Gaylene Gaffney

Organisation name:

Contact phone number: 027 6794291

Email address: gmgaff2@gmail.com

Postal address:

178 Oldfield Road RD2
Wellsford
auckland 0972

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

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

What are the reasons for your submission?

1. The landfill poses multiple high impact risks to the environment, particularly the Hotoe River and Kaipara Harbour, and to the community.
2. The proposed landfill 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.
3. The proposed landfill land includes waterways that are tributaries to the Hotoe River that leads into the Kaipara Harbour. They are the beginning of the marine food chain to the Kaipara Harbour, which is a significant breeding ground for snapper, oyster and other species. Endangered Maui dolphin feed at the harbour entrance, and Fairy Terns inhabit the area.
4. The forest on the site and neighbouring Department of Conservation reserve contain 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.

5. Geology and water systems - The proposed site consists of fractured up-thrusted 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.

6. 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. Large slips occur in the area, and are particularly likely where earthworks unsettle and expose the land such as would occur at a landfill site.

7. 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 river mouth (Auckland Council, 2014).

b) The Kaipara Harbour has a coastline of 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 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 including State Highway 1. 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.

8. 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

9. 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.
- 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 over time so the future of the area, particularly the Hoteo River and Kaipara Harbour will be at risk long after the landfill closes.

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.

10. 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.

11. 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.

Overseas ownership – allowing the contracting of the building and operation of this proposed landfill and the ownership of the land to overseas investors is short-sighted and wrong. The company is a profit-seeking company first and totally. This overseas ownership model will inevitably lead to little or no vested interest in long-term effects and consequences in New Zealand and to New Zealanders – prior and during the landfill active period, and after its closure. We as New Zealanders will live with the effects for generations ahead.

12. The irony – the Chinese Government is profiting twice – we buy their products, their products and its packaging are discarded in a New Zealand landfill and New Zealanders pay the producer country to dispose of their rubbish in our country.

13. Auckland Council made huge effort and expense In the early 2000's to campaign for the clean-up of the Hotoo River and Kaipara Harbour – In which we, local schools and volunteer community groups participated. The Auckland Council declared the Hotoo River an important resource and the Auckland regions' largest river. They are willing now to throw that aside spontaneously, so that an easy rubbish disposal solution can be made with a second party from outside the country whose interests would not lie in the local community nor in New Zealand's as a priority.

14. Where is the Council's deeper thought and commitment to clever rubbish recycling (examples -- combustion of wood and tyres at Portland Cement and Huntly Power Station, aggregation of plastics for future usage by technologies as yet unknown) and rubbish minimisation? Where is the Auckland Council's commitment to its rivers, ecosystems, harbour, people now?

What decisions and amendments would you like the council to make?

Prevent the building and operation of a landfill at the 1232 State Highway 1, Wayby Valley site due to its unsuitability as a site for land fill of any description.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
To: [Central RC Submissions](#)
Cc: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9841] Submission received on notified resource consent
Date: Monday, 25 May 2020 4:46:25 PM
Attachments: [puhoi-pakiri-greenways-part-one.pdf](#)
[ULR-Guidelinesfor-web.pdf](#)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Dot Dalziell

Organisation name: NZ Walking Access Commission Ara Hikoi

Contact phone number: 021379132

Email address: dot.dalziell@walkingaccess.govt.nz

Postal address:

PO Box 11181
Manners Street
Wellington, New Zealand 6142

Submission details

This submission: is neutral regarding the application in whole or in part

Specify the aspects of the application you are submitting on:

The Plan Change and Resource Consent documentation does not identify the strategic importance of protecting and enhancing landscape-scale outdoor public access in the area. In line with the Rodney Greenways Pūhoi to Pākiri paths and trails plan (see Greenways Plan attached, particularly Map 2, page 24), the existing unformed legal road network adjoining the ARL land is a valuable provision for walking and cycling connectivity between Warkworth, Matakana and the Pākiri Coast, and offers opportunities within the buffer zone of the proposed landfill to further develop, enhance and connect public outdoor access.

What are the reasons for your submission?

The Walking Access Commission submits that walking and cycling connectivity proposed in the Rodney Pūhoi to Pakiri Greenways plan should be taken into consideration by the landfill developers, and steps taken to ensure connectivity into this network through the ARL development.

The Greenways plan is a published document that sets out the Rodney Local Board's long term vision for a network of landscape-scale paths, tracks and trails in the eastern part of the Rodney

Local Board area, with the Dome Valley at its westernmost edge.

The applicant's Assessment of Environmental Effects section 9.2.4 describes consideration given by the applicant to recreational access. However this is constrained to recreational access opportunities discussed with Department of Conservation and NZ Walking Access Commission in the context of specific Overseas Investment Office Consent Conditions for public access. These are OIO consent conditions that the applicant is already required to implement.

We submit that the Resource Consent and Private Plan Change considerations for recreational access need to be far broader, and include landscape-scale connectivity through the proposed landfill site and connecting to surrounding unformed legal roads.

The applicant's Assessment of Environmental Effects section 8.2.6 outlines intended Road stopping of unformed legal roads which cross Valley 1. While this is a separate matter governed by the LGA, if the applicant were to be successful in their road stopping application(s) there would be a net loss in public access provision in the area. Careful consideration needs to be given to the general principle (as discussed in the Commission's Guidelines for the Management of Unformed Legal Roads - attached) that unformed legal roads have the same status as formed legal roads, and that the Courts have favoured public rights to retain roads over private bids to stop them.

What decisions and amendments would you like the council to make?

Our submission is that there is an opportunity to amend both the Plan Change and Resource Consent to require particular public access to be created in and through the ARL landscape. This public access would connect to the legal road network (including unformed legal roads) adjoining the land, and also to future walking and cycling infrastructure in the surrounding area, specifically:

1. A walking and cycling linkage connecting Wayby Valley north-western boundary of the ARL to Waiwhiu Valley via Wilson Road; and
2. North-South walking and cycling linkage connecting from Wayby Valley through the ARL site to Sunnybrook Scenic Reserve.

This is additional to the recreational access provisions outlined by the applicant.

We also submit that the council should require that the road stopping of unformed legal roads be constrained to Valley 1, and should not be sought for any part of the legal road network providing key landscape linkage.

Furthermore, we submit that should their intended road stopping applications proceed, the applicant must be required to provide suitable replacement public access, and that this replacement public access should not also be counted as an enhancement or as mitigation for other environmental effects arising through the development of the landfill.

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:

puhoi-pakiri-greenways-part-one.pdf
ULR-Guidelinesfor-web.pdf

Rodney Greenways | Paths and Trails Plan

Pūhoi to Pakiri

MAY 2017



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Puhoi Town Library on Puhoi Road

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1.0 Introduction

1.1 Purpose of the Document

Purpose

This document defines the long-term Greenways Plan for Puhoi to Pakiri, the southeast coast of the Rodney Local Board Area. To the west, a Greenways Plan has already been adopted for Wellsford, and for the Kumeu, Huapai, Waimauku to Riverhead area. A final series of Greenways Plans to connect the balance of the Rodney Local Board area will begin preparation in mid 2017.

This long-term Greenways Plan is a visionary and guiding document intended for use by elected members, Council and CCO officers, community and volunteer groups, private developers and other interested parties.

Visionary Document

Greenways plans similar to this have been successfully developed throughout the world. One of the most notable examples is in Portland, Oregon, where the local government and residents worked together to develop their network of cycleways, walkways and parkland. This was then extended further into the urban environment to include a wholesale retrofit of streets, parks and industrial developments to achieve a fully connected city.

Planning and delivery of Auckland's Greenways network is now well underway across the city with plans being developed in a 'ground up' manner by Local Boards with a shared vision; to greatly improve walking, cycling and ecological connections throughout the region.

Guiding Document

Upon adoption of the Greenways Plan, the Rodney Local Board will identify a series of priority projects and look for opportunities to fund and create these connections over the coming years. Auckland Council will continue to develop Open Space Network Plans under its Open Space Strategy for all local board areas, and greenways plans will ultimately become a chapter of these.

1.2 Strategic Fit

Links to the Auckland Plan

The Auckland Plan sets Council's long-term strategic direction, and sets out a vision to create the world's most liveable city. It provides an opportunity for integrated planning to significantly improve transport, environmental protection, land uses, housing growth and economic development, with the benefits of one authority responsible for all coordination.

Implementation of the projects contained within the Rodney Greenways Plan can deliver on a number of the aims of the Auckland Plan, including:

Chapter 5: Auckland's Recreation and Sport

Priority 1: *Encourage all Aucklanders, particularly children and young people to participate in recreation and sport*

Chapter 7: Auckland's Environment

Priority 1: *Value our natural heritage*
Priority 2: *Sustainably manage natural resources*
Priority 3: *Treasure our coastlines, harbours, islands and marine areas*

Chapter 12: Auckland's Physical and Social Infrastructure

Priority 2: *Protect, enable, align, integrate and provide social and community infrastructure for present and future generations.*
Directive 12.8: *Maintain and extend the public open space network, sporting facilities, swimming pools, walkways and trails and recreational boating facilities in line with growth needs.*

Chapter 13: Auckland's Transport

Priority 3: *Prioritise and optimise investment across transport modes.*

Links to other initiatives

In developing this Greenways plan, a number of related Council and non-Council initiatives have been investigated and, where possible, included in the network:

- High level documents prepared by the former Rodney District Council and Auckland Council; including; the Auckland Plan, Operative District Plans and the Proposed Auckland Unitary Plan (PAUP);
- Area-specific Council planning documents, including; the Moir Hill Subdivision and Puhoi to Warkworth Motorway
- Auckland Transport (AT) proposals such as the Auckland Cycle Network (ACN) and Auckland Transport for Future Growth (TFUG); and
- Community and joint initiatives, led by the Matakana Coast TrailsTrust



Local Board Aspirations

Each Local Board Plan is a reflection of what elected members have heard from their community. Feedback gained both formally and informally has been instrumental in shaping these plans, they provide a touchstone for the aspirations of each area's community.

Greenways have potential to fulfil a number of the aspirations set out in the 2014 Rodney Local Board Plan, including that set out in the overall vision statement and goal:

OUR VISION: CREATING THE WORLD'S MOST LIVEABLE CITY AT THE LOCAL LEVEL

"Our goal is to develop a thriving, safe and well-connected vibrant community."

Supporting this vision, the Board Plan sets out a number of more tangible outcomes to guide allocation of funding and advocacy over the Local Board term. Construction of greenways, as set out by this document, can help to deliver on a number of these outcomes, specifically:

1. "Roads, paths and public transport enable us to get around easily and safely"

Increasing the network of safe walkways and cycleways across Rodney, and encouraging these alternative modes of transport as safe, practical, healthy options for community and regional connections is a main aim of any Greenways plan. Greenways can also provide a tourist destination for international and national visitors, and improve property values.

2. "Parks and sports facilities are easy to access and enjoy"

The Greenways plan provides a connected recreational network, allowing residents to move safely through and between their existing open spaces. This has benefits for the health and well-being of those people actively using the network, as well as offering an

opportunity for people to get out and meet others from their local community. It also has the potential to see a greater uptake of usage of existing recreational facilities in Rodney.

3. "Our environment is healthy, cared for and enjoyed."

The Greenways plan is a tool which can be used to deliver this outcome, by providing re-vegetated stream corridors. Such corridors offer habitat for local fauna in the area, and double as a movement corridor to allow animals to move between larger areas of habitat.

4. "Local economies are strong and growing"

Greenway connections and the development of green infrastructure increases connectivity and improves the quality of open spaces. These new connections increase the number of visitors and strengthen local economies.

RODNEY LOCAL BOARD PLAN OUTCOMES

- Roads, paths and public transport enable us to get around easily and safely**
Our communities will be well connected by transport links and have a range of transport options available to them.
- Parks and sports facilities are easy to access and enjoy**
Our communities, young and old, will have increased access to a wide range of recreation opportunities for health, wellbeing and enjoyment.
- Communities are empowered and plan for their own futures**
Our communities know what they want for their futures. Local people will plan for their own areas and determine what is important.
- Our environment is healthy, cared for and enjoyed by all**
Local community groups take ownership in the quality of their environment. River and stream water quality will be improving, pest species reduced and waste minimised. Our wastewater servicing will be reliable and environmentally friendly.
- Local halls and libraries are familiar, valued and well-used community spaces**
Our halls and libraries meet the needs of local communities. They are highly valued, welcoming friendly spaces in which local residents take pride and have a sense of ownership.
- Local economies are strong and growing**
Our local economy will strengthen and businesses will thrive through working together. A growing economy will provide more jobs for local people.
- Arts, culture and events enhance our communities and express who we are**
Our communities will celebrate, learn and grow through arts, culture, events and a variety of community-led initiatives. These activities will strengthen communities, provide opportunities for people to connect with each other and build a sense of pride.



ROADS, PATHS AND PUBLIC TRANSPORT ENABLE US TO GET AROUND EASILY AND SAFELY

Our communities will be well connected by transport links and have a range of transport options available to them.				
WHAT WE WANT TO ACHIEVE	KEY INITIATIVES	LOCAL BOARD ROLE	OTHER KEY AGENCIES	POTENTIAL COST; FUNDING STATUS
Walkways and cycleways are a healthy and safe alternative	Build footpath and cycleway extensions in and between towns and villages to provide connectivity	Advocacy and decision maker	NZTA, Auckland Transport and community groups	\$2 million (over three years) local board funding in addition to Auckland Transport Funding
	Progress walkway/cycleway connections between Warkworth and both Snells Beach and Matakana within five years	Advocacy	Auckland Transport and Matakana Coast Trail Trust	Project not costed and requires community funding

1.3 What is a 'Greenways Plan'

Definition

The aim of a Greenways Plan is to provide cycling and walking connections which are safe and pleasant, while also improving local ecology and access to recreational opportunities. To achieve this, Greenways may cross existing areas of parkland, and follow street connections between parks. This network will link together areas of housing and employment, open spaces, town centres, recreational facilities, places of interest and transport hubs. In rural areas such as Warkworth, Matakana and beach communities, Greenways include bridleways too.

Implementation of the Puhoi to Pakiri Greenways Plan will better connect the towns along Rodney's southeastern coast, as well as provide links to the wider Rodney area and towards Hibiscus Coast and North Shore. It will also connect to regional walking/cycling proposals for the greater Auckland area. The adjoining map shows other Greenways Plans either under development or adopted by participating local boards. Each board sets their own Greenways definition for their respective areas, based around a common aim.

The Rodney Greenways Plan seeks to;

Create a future network of greenways that will provide safe and enjoyable ways for people to get around, get active, and get engaged with the community and their environment.

The network of greenways identifies the location and opportunity to:

- improve walking connections
- improve cycle connections
- improve bridle connections
- improve recreation opportunities
- improve ecological opportunities
- improve access to streams and waterways.

It is important to note that while cycling is an aspiration for the entire greenways network, in some places site constraints may mean that this is not feasible. This could be due to slope, vegetation, archaeological or ecological constraints, and is to be assessed on a project by project basis. In these cases, the greenway route would revert to being a walking and/or ecological route only.



LEGEND

- Planned greenway network (partially constructed)
- - - Local board boundaries
- █ Current greenways plan in progress or adopted

- ▭ Puhoi to Pakiri greenways network area
- - - Te Araroa National Trail

not to scale





CONNECTIONS IN OPEN SPACES

Benefits of a Greenway

There are many benefits from developing greenways, including:

- **Recreation** - Improving people's access to outdoor recreation and enjoyment close to their home
- **Environmental** – reducing our reliance on fossil fuels by providing attractive and safe alternative transport choices, improving stormwater quality and reducing flooding events through low impact design measures, and by enhancing ecosystems, habitat sources and ecological niches;
- **Social** – providing improved opportunities for people to get outside and meet their neighbours, to be engaged with a diverse range of communities and to be connected with local community facilities;
- **Health** – providing improved opportunities for activity and fitness;
- **Education** – Providing opportunities to learn about the vegetation, wildlife, ecology, history and people of the landscapes that they pass through; and
- **Economic** – Increasing local employment as areas become more desirable for businesses and shoppers. Greenways can also provide a tourist destination for international and national visitors, and improve property values.

What the Greenways might look like

The appearance of the network will vary dependent on its location. For instance, a connection that runs through parkland may look and function quite differently to a connection adjacent to a road or in a built-up urban environment. The adjacent images show what the network could look like in a variety of settings, including:

- parks, reserves and bush areas
- alongside streams or ecological areas
- slow-speed traffic environments and transport corridors

The surface treatment will vary depending on site-specific aspects such as the location of the path, slope gradient and the existing character of an area. It is also important that the network is connected through appropriate way-finding signage and/or other forms of markers.

These aspects are considered within the 'Local Paths Design Guide', which sets out a consistent 'kit of parts' to be used in construction. This will ensure that as greenways are built across the Auckland region, they will be recognisable due to their consistent look and feel.



CONNECTIONS IN STREETS and TRANSPORT CORRIDORS

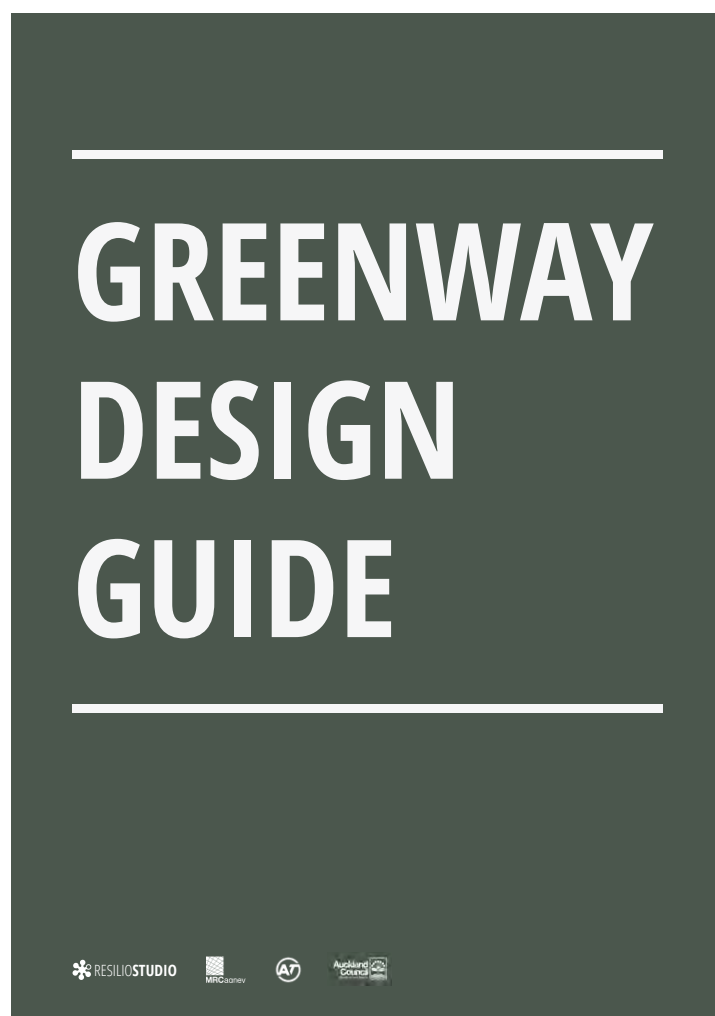


STREAMS AND ECOLOGICAL AREAS

1.4 Local Path Design Guide

Positioning Greenways within the Puhoi to Pakiri Walking and Cycling Network

Also known as the Greenways Design Guide, the Local Path Design Guide was recently developed by Auckland Transport and Auckland Council to provide best practice guidance for designing and developing greenways networks through our neighbourhoods and across the Auckland region. The Greenways Plans (such as this document) detail *where* the routes are to go, while the design guide describes their *look and feel*. It details the desirable width of connections, the materials to be used, methods of crossing roads, of calming traffic, and it also spells out the minimum ecological aspects of the routes as well. Together, these two documents will form the backbone of the ongoing delivery of greenways in the Rodney area, and ensures that they connect up in a logical manner to surrounding areas. Note that the figures on this spread are pulled directly from the Design Guide, meaning that the images are not local.



Greenway - Street

Greenways on streets are designed to create safe and pleasant neighbourhoods that encourage walking and cycling for local trips. Pedestrians are accommodated on footpaths and streets are safe enough to walk on. Traffic calming tools, pavement markings and signage are used to improve safety for all street users, particularly cyclists.

Vehicle Volume:	1,000 - 1,500
Vehicle Speed (km/h):	30-40
Arterial Road Crossings:	50-100 per hour
Accessibility + Safety:	Ministry of Justice 7 Qualities of Safe Spaces
Green Infrastructure:	Impervious surface 70-90% Tree canopy coverage greater than 30-40%

Greenway - Open Space

A Greenway through a park or open space is a path for cyclists and pedestrians that can be either separated or shared. Together with the Greenways on streets, they are designed to create linkages to local centres, parks, and schools as well as between primary paths. Greenways in open space provide opportunities to enhance ecological linkages and improve water quality.

Vehicle Volume:	N/A
Vehicle Speed (km/h):	N/A
Arterial Road Crossings:	N/A
Accessibility + Safety:	20km/h design speed / 20m sightlines and stopping distance
Green Infrastructure:	Tree park: continuous canopy with grass and assorted low level planting

Primary Path

Primary paths are designed to create direct links to regional and local centres. Pedestrians are accommodated on footpaths, cyclists are accommodated on separate paths and/or preferential use on streets. Off street primary paths typically accommodate pedestrians.

Vehicle Volume:	1,500+
Vehicle Speed (km/h):	40-60
Arterial Road Crossings:	50-100 per hour
Accessibility + Safety:	Ministry of Justice 7 Qualities of Safe Spaces
Green Infrastructure:	Impervious surface <90% Tree canopy coverage greater than 30-40%

Recreational Trail

A recreational trail is a shared path designed for recreational cycling, walking and equestrian. While they may form part of a persons commute or daily trips, they are not intended to create a connection between major destinations. Recreational trails often run in loops.

Vehicle Volume:	N/A
Vehicle Speed (km/h):	N/A
Arterial Road Crossings:	N/A
Accessibility + Safety:	20km/h design speed / 20m sightlines and stopping distance
Green Infrastructure:	Park land / water system / self-generating forest

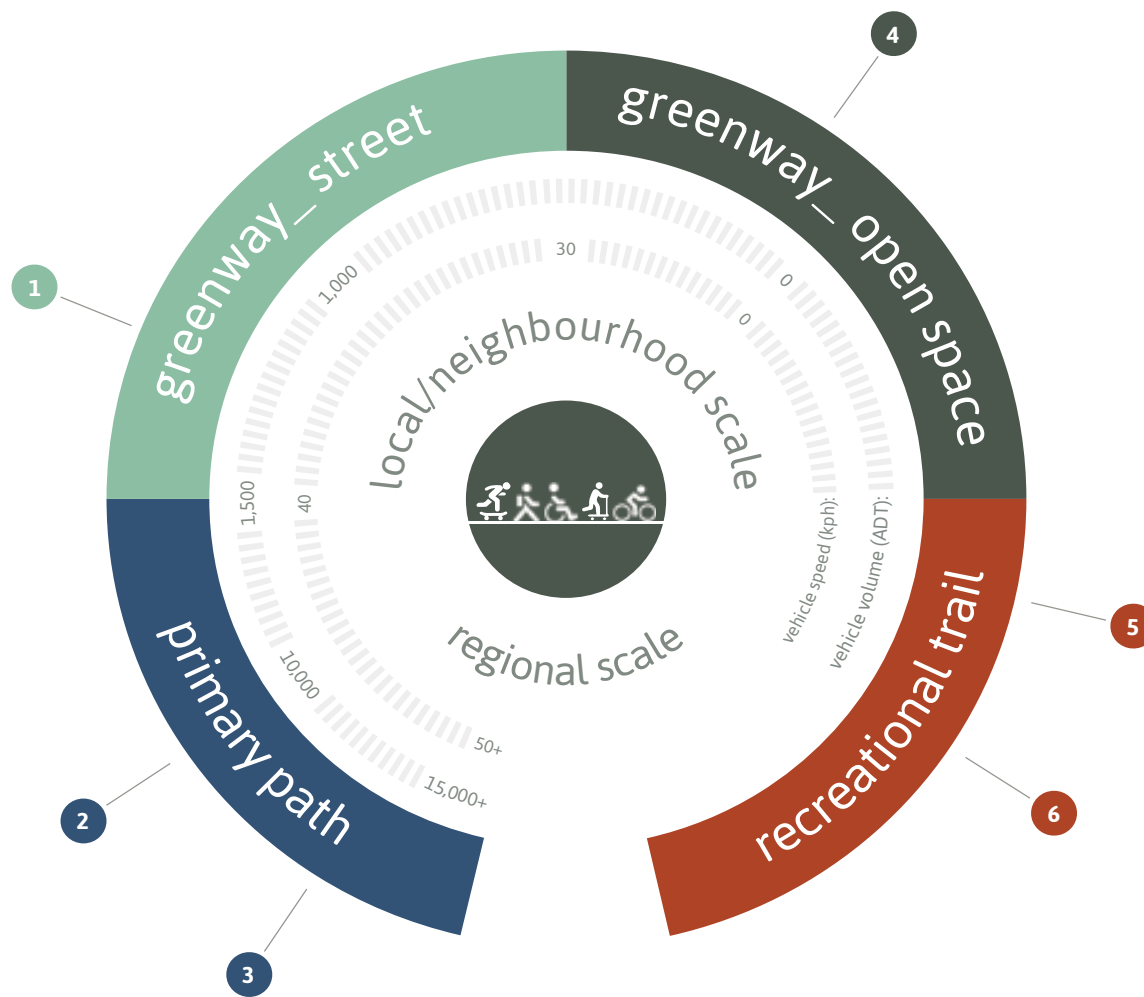
Positioning Greenways within Rodney's Walking and Cycling Network



Sandringham, Auckland



Mount Roskill War Memorial Reserve



Beach Road Cycleway



Mahurangi East Track



Northwestern Cycleway



Henderson Creek / Opanuku Stream

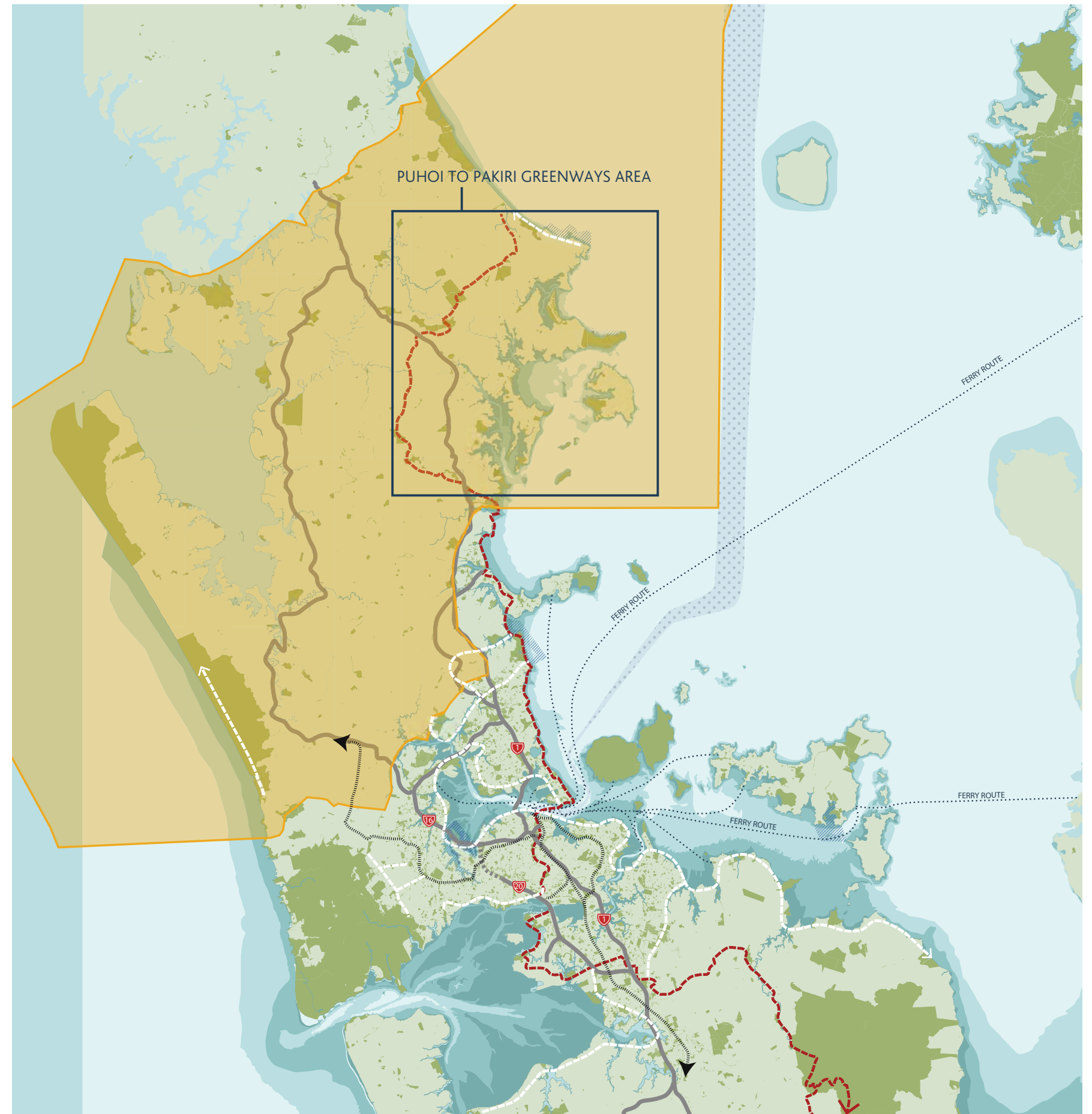


1.5 Auckland Context

This area of the Rodney Local Board takes in the established rural settlements of Puhoi, Mahurangi, Warkworth, Matakana, Omaha and Pakiri. This map shows the study area within its wider regional context, sitting approximately 40km north of Auckland's CBD, connected by the Northern Gateway Toll Road (SH1). The settlements sit well outside of Auckland's urban fringe, retaining a mostly rural character - although development pressure is starting to increase in some areas, and a future conversion of small pockets of farmland to housing is anticipated.

Broader Transport Connections

Due to anticipated future regional growth and the desire for better connections between Northland and Auckland for motorists, tourists and freight, the Ara Tuhono - Puhoi to Wellsford Road of National Significance project has been planned, and is scheduled to commence construction shortly. This project will divert SH1 around many of the townships in the study area. The resultant drop in traffic presents a number of walking, cycling and ecological opportunities that the greenways plan can leverage.



LEGEND

- | | |
|-----------------------|--------------------------|
| Rodney Local Board | State Highway Network |
| Park and reserve land | Te Araroa National Trail |
| Railway | Hillary Trail |
| Ferry routes | |

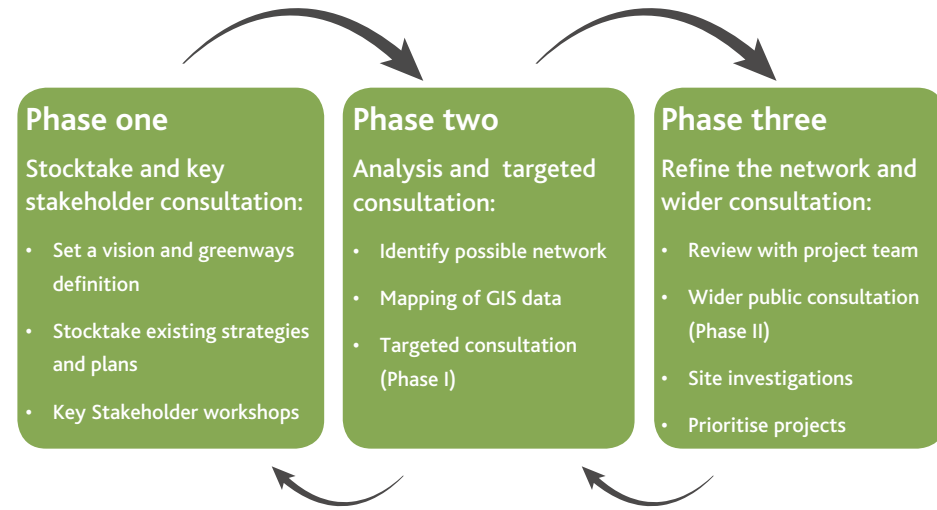


Matakana Village cycleway bridge opening, 2016

2.0 Method

2.1 The Process

This plan was developed using a three-stage process as outlined below:



Phase one - Stocktake and key stakeholder consultation

As a first step, previous studies and planning documents relevant to the area were collected and reviewed for the study area. The Rodney Local Board Plan (2014) was reviewed to gain an understanding of both the strategic vision of the community and also the projects planned for implementation over the coming years. After this, a definition for the Rodney Greenways was discussed and agreed upon with the Local Board, and a 'working party' was set up, which met regularly to review the plan as it developed.

Next, a desktop study was carried out to map a high-level network of walking and cycling connections as per the agreed Greenways definition. Ecological improvements were also given consideration, to improve links between existing forests, wetlands, coastal edges and streams. These desktop studies gave an understanding of the broad landscape patterns within the study area, and were used to guide phase two of the process, where the network was investigated on site.

In this area there were a number of established walking/cycling groups, and this plan was prepared collegially with the Matakana Coast Trail Trust, in addition to a number of other local community groups and agencies noted adjacent. We also held workshops with other key stakeholders, Auckland Transport, NZTA, NZ Walking Access Commission and Auckland Council staff to inform them of the project, and to understand linked policies, projects or aspirations that would affect the Greenways Plan. We also held meetings with Treaty Partners, Mana Whenua.

Phase two - analysis and targeted consultation

Following the desktop mapping, the draft route was overlaid with other background data (refer Appendices - Section A for Analysis Maps) to ensure that the network makes appropriate connections to destinations such as schools, community facilities, town centres and transport nodes. Consultation material was then prepared to for community engagement.

Targeted Consultation - Phase I

From October to December (2016) various sessions were held with community groups known to have an active interest in greenways. Representatives from the following groups attended the workshops, as well as some individuals:

- Mahurangi Coast Trail Trust
- Matakana Community Group
- Leigh Community Club and Business Group
- Mahurangi College
- Scotts Landing - MERRA
- Department of Conservation
- Sandspit R&R Association
- Puhoi Community Forum
- NZ Horse Network
- Snells Beach R&R Association
- Big Omaha Trail Trust
- Mahurangi Matters
- Warkworth Golf Club
- Warkworth Riverbank Enhancement
- NZ Walking Access Commission
- Baddleys Beach trail
- Omaha Beach Committee
- Forest and Bird - Warkworth Area
- Lions of Warkworth

At these sessions, the draft routes were provided and general feedback on their alignment was received. The maps resulting from this session are included in the Appendices.

Their feedback was then collated and the draft routes updated prior to wider community engagement. Comments beyond the scope of this project were collated and forwarded to the appropriate agency i.e Auckland Transport, New Zealand Transport Agency and the Department of Conservation

Phase three - refine the network and wider consultation

Following the analysis phase, the Rodney Local Board and Council staff from the Parks, Community Services, Community Facilities and Local Board Service departments as well as Auckland Transport reviewed the proposed Greenways routes in detail, and Phase II of community engagement commenced.

Wider Consultation - Phase II

A public consultation period was open from 27th January-28th February 2017 on the Shape Auckland website where the public could view the draft routes and submit online feedback (refer to Appendix - Section D for the Shape Auckland online survey results). Within the consultation period, a workshop and drop in sessions were held at the following locations.

- Static promotion - Countdown Warkworth Entrance
27th January - 28th February
- Drop in session - A&P Show Warkworth
Saturday 28th January 10am-1pm
- Workshop - Leigh Bowling and Community Club
Sunday 5th February 4:30pm - 5:30 pm
- Drop in session - Countdown Warkworth Entrance
Saturday 11th February 11am-2pm
- Drop in session - Puhoi Farmers Market
Sunday 26th February 9am-12:30pm

The feedback from these sessions and the Shape Auckland web page was then incorporated into the final network plans shown in Section 3. This local knowledge was also very valuable in determining the proposed priority routes (Appendix Section C).

As funding is not currently available to fully construct this network at this stage, the Local Board has identified priority sections. These priority sections are based on community desire, costs, benefits, constraints and opportunities, often coordinated with other local projects - including those by Auckland Council, Council Controlled Organisations and external stakeholders, such as NZTA, DoC, Community Groups and MCCT.

2.2 Consultation summary

Overall:

In general there is much support for greenways in the study area, with 70% of online submitters 'Strongly Agreeing' with the creation of the Puhoi to Pakiri greenways network. There was an emphasis placed on the importance of new walkway and cycleway linkages within new residential development as the area intensifies. The need to retain 'green space' and protect areas of native bush was also a concern. Another important aspect was the connection of beach settlements to the major hubs of Warkworth.

Safety was a key concern, for school children, recreational walkers and cyclists as well as horse riders. Many road edges (shoulders) are unsafe in that they have unsuitable edges for anyone not in a motor vehicle. Traffic calming measures in general were mentioned by many respondents.

There were comments in support of celebrating local heritage and conservation features, such as vineyards and the 1948 Cosmic Noise Expedition heritage site in Pakiri Hill. People noted that links would support local businesses such as wineries, cafés and accommodation providers.

The community identified a number of key 'gaps' at both a local and broader scale, including:

- sections of missing footpath on local roads such as Hill Road and Leigh Road
- footpaths to key destinations such as retirement villages, local shops and Mahurangi College in Warkworth
- a cycle and walking route from Puhoi to Pakiri, avoiding roads with heavy traffic
- Exploring the beaches and regional parks by creating bike routes and pedestrian access ie. Puhoi to Wenderholm Regional Park, Omaha to Tawharanui etc.
- New bike roads between Puhoi and Warkworth and Warkworth to Matakana, towards Leigh - commuting to Warkworth
- Bridle routes around farm communities
- Connections to the Te Araroa National Trail
- Loop walks to enjoy views of the Hauraki Gulf
- Mountain bike tracks

Walkways

There was an emphasis on the need for safe, connected walkways through reserves, around the coast (Snells Beach, Omaha, Leigh), the town centres and to schools. The community drew or wrote down their favoured routes on the maps or provided comments on the online feedback forms. All suggestions have been used to inform and revise the location of greenways network. The comments included;

"Safe access of new housing developments to local shops and the town centre" - Warkworth

"Connections and walks along the Mahurangi river" - Warkworth

"Connection along the coast to Leigh Scenic Reserve and Goat Island Marine reserve" - Leigh

"Easy access to Te Muri regional park and the Puhoi river" - Puhoi

Cycleways

Road cycling is popular in this area, although the high traffic speeds and blind corners on the country roads make for an unsafe environment. Feedback in relation to road safety will be shared with Auckland Transport to help develop the Auckland Cycle Network (ACN).

The majority of connections are not well developed between communities and biking is only possible on the road network.

Mapping from consultation showed new, safe connections between centres, these included:

- Warkworth to Snells Beach along the Mahurangi river
- Puhoi to Warkworth avoiding state highway one
- Warkworth to Matakana and towards Omaha and Leigh
- Warkworth Town Centre to Warkworth A+P Showgrounds

Mountain biking trails were also suggested in the Moir Hill area and North of the Omaha and Dome forests.

Bridleways

Bridleways were well supported in the feedback, especially outside the urban and future urban areas. There is a need for destination bridleways as the main roads are too trafficked and many lack the space for riders within the road corridor. Wide, safe verges away from the traffic are preferred by riders.

There was support to connect to Baddeleys Beach and Omaha from Matakana, avoiding the roads with heavy traffic.

Refer to **Appendix - Section D** for a consultation summary generated from the Shape Auckland online survey.



Greenways Consultation Workshop



3.0 Greenways Mapping

3.1 Long-term Aspirational Greenways with Additional Future Planning Overlays

This map shows the completed greenways vision adopted by the Community or supported by Local Board, including both the priority sections as well as longer term routes. This vision is aspirational, and will be reviewed on a regular basis as priority sections are completed, and as other related projects are completed. The greenways network is shown as it relates to the draft urban growth zones, future road network and other long term planning overlays. The overlays shown here include:

- Structure Plan Areas
- Future Urban Zones
- Park and Ride (Auckland Transport)
- Proposed roads (Auckland Transport, SHA and Structure Plans)

The backbone of the proposed greenways plan is the already established Te Araroa National Trail, which is a good reference to determine the location of rural connections, and serves as the North-South axis of the network.

This map sets out both existing/partially established and proposed greenways. Existing routes (marked with a solid line) are already established connections, which might require an upgrade to meet the greenways criteria. These are existing trails, paths and rural gravel roads. To be pragmatic, the thinking is that gravel roads can be retrofitted with signage and other means to make drivers aware that there may be walkers or cyclists using the shoulder. Sealed roads are marked as 'proposed' (dashed line), unless they already have a footpath on either side. Although these are existing roads, they effectively require a new connection to be established, as sharing the road is not safe due to high traffic speeds and volumes, and the lack of any dedicated walking or cycling facilities.

A "future greenway" line type is also included, that shows possible connections in the future growth areas. The exact location of the greenway routes can be reviewed once the layout of the growth areas is determined.

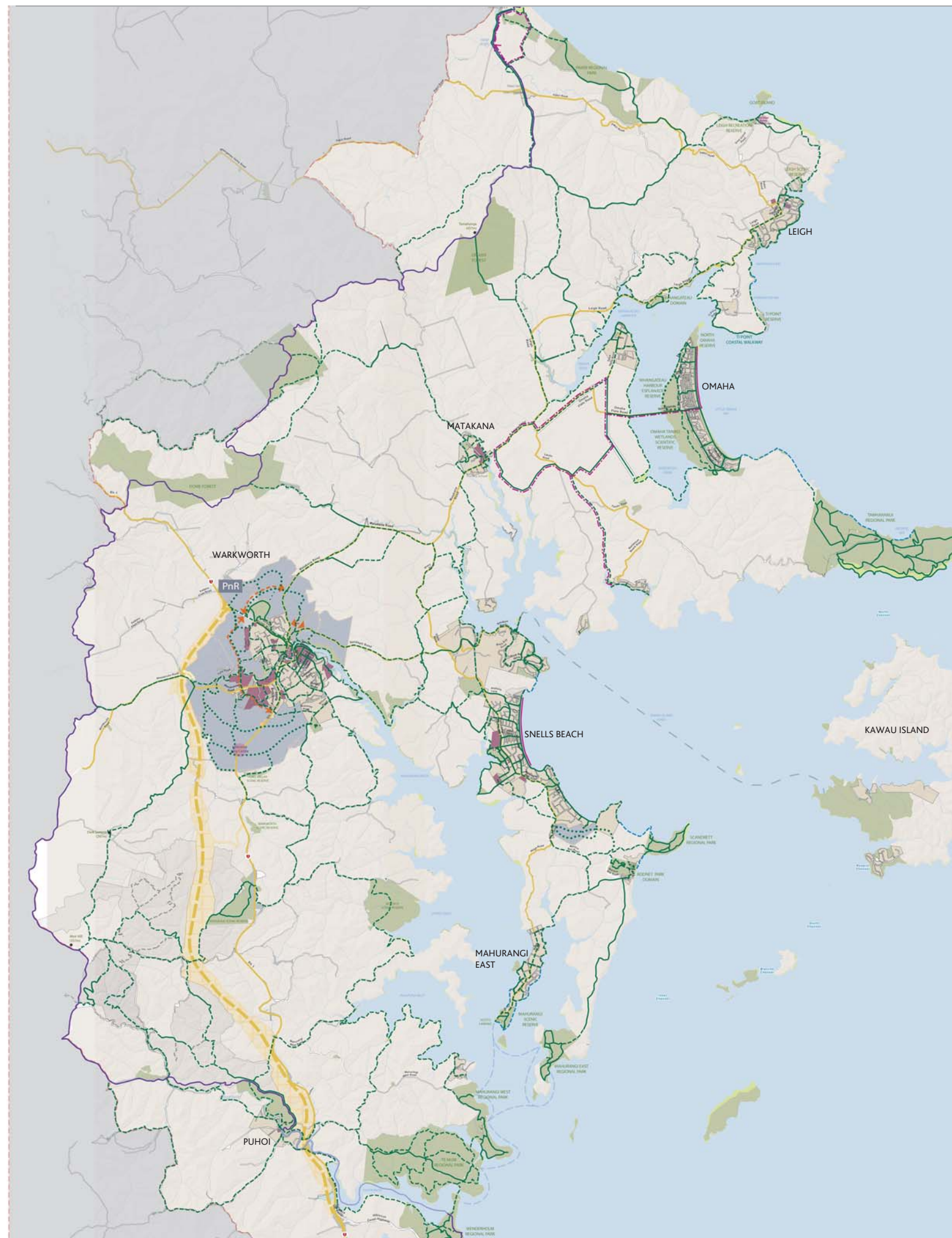
LEGEND:

Base information

- Key community destination
- Residential
- Future Urban
- Park and reserve land
- Coastal area
- Streams & Rivers
- Roads of local importance
- SH1 and arterial roads
- Puhoi to Warkworth RoNS (road alignment and designation area)
- Proposed Park+Ride
- Consented subdivision
- Future road

Greenway connections






- Existing route
- Proposed route
- Proposed bridleway
- Proposed coastal route
- Te Araroa national trail (land)
- Te Araroa national trail (waterway)
- Future greenway



3.2 Proposed Priority Routes

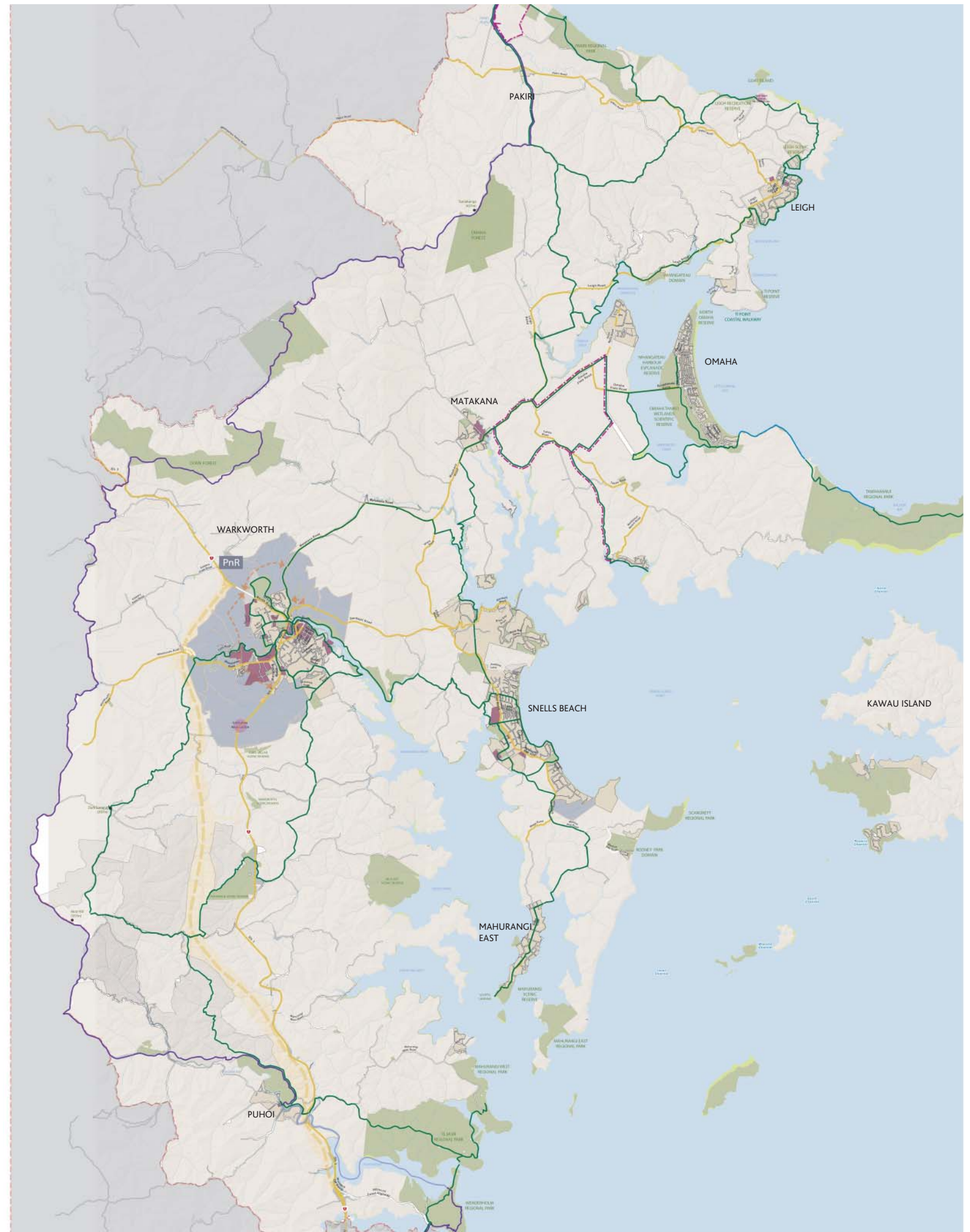
As noted earlier, the greenways plan is a long term vision, and in order to deliver a tangible result, a number of routes have been prioritised for delivery and/or advocacy over the next 3-5 years. Not all of these routes will be delivered, due to financial constraints - but these routes give an indication of where attention will be focused in the short term. Further detail on these routes is contained within Appendix C.

In Appendix C the priority routes are divided into two types of sections, based on the approach to be taken in a project phase: complex and straightforward delivery. Straightforward delivery sections are marked with a solid line, which means the ownership status, topography and environment enables a relatively fast evaluation. Complex delivery means land ownership, AT negotiations or topography makes evaluation necessary by these agencies in a project phase. In Appendix C, these complex delivery sections are marked with dashed lines.

- Greenway connections
-  Proposed greenway route
 -  Proposed bridleway
 -  Proposed coastal route
 -  Te Araroa national trail (land)
 -  Te Araroa national trail (waterway)



Scale 1:120,000 @ A3

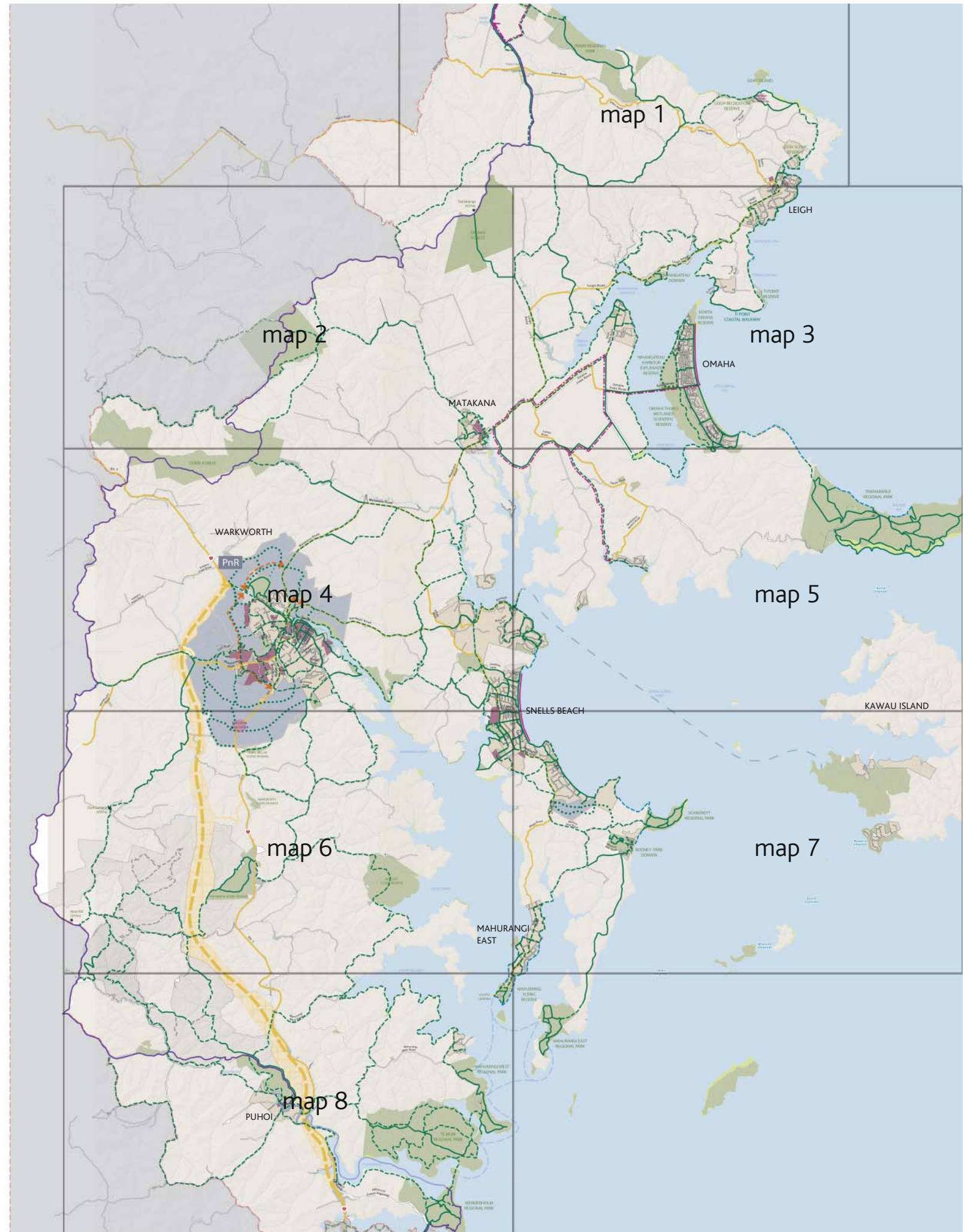


3.3 Proposed Greenway Network Reference Plan

Due to the difficulties in portraying such a large area at a legible scale, the network can be viewed at a closer scale on the following pages. On page 31 and 32 the Snells Beach and Matakana areas are shown independently. The plan adjacent shows how the network is sectioned.

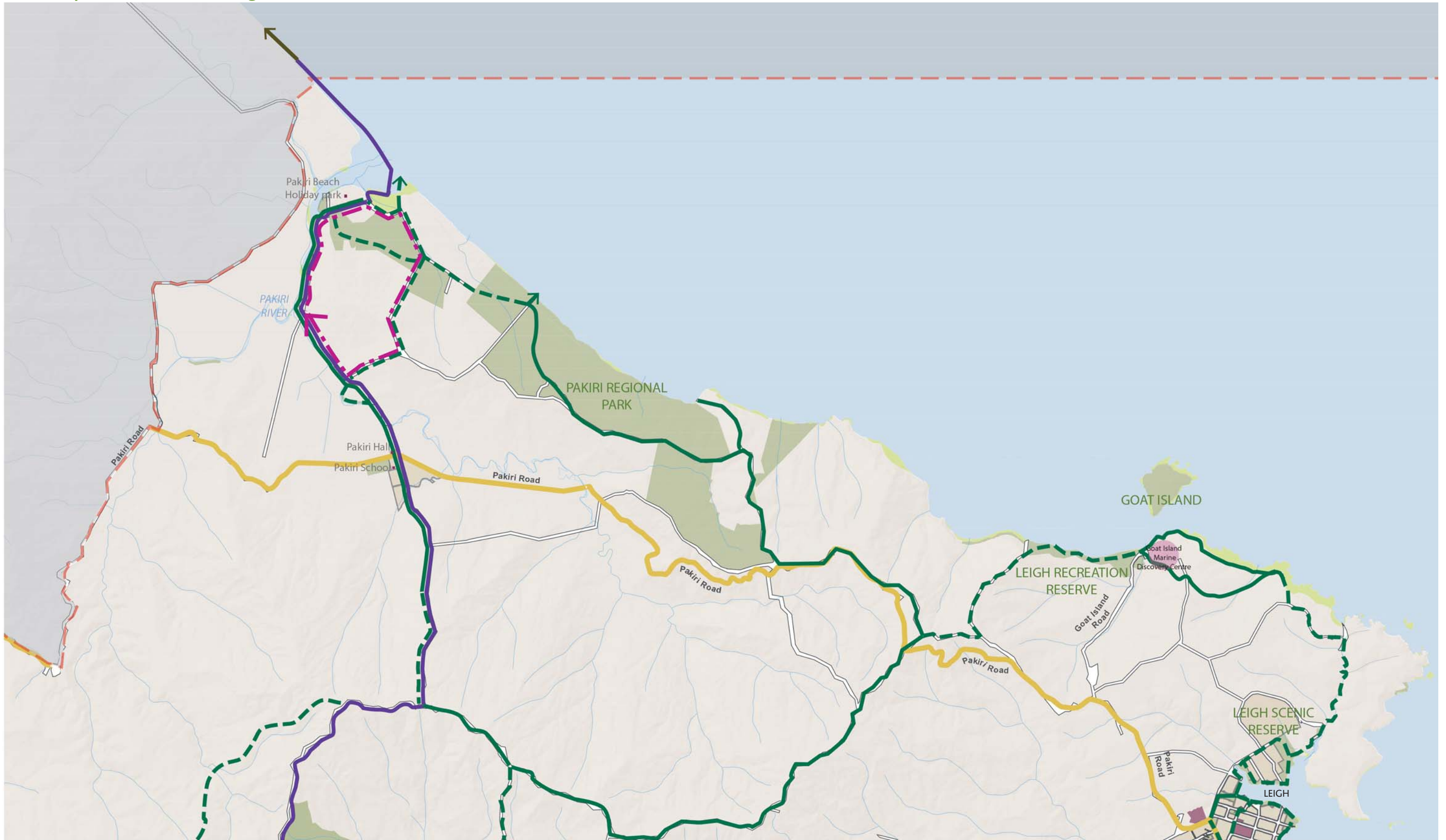


Scale 1:120,000 @ A3



3.4 Proposed Greenway Network Plan

Map 1 of 8 - Pakiri and Leigh



LEGEND:

Base information

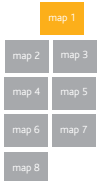
- Key community destination
- Park and reserve land
- Residential
- Coastal area
- Future Urban
- Streams & Rivers
- Roads of local importance
- SH1 and arterial roads
- Puhoi to Warkworth RoNS (road alignment and designation area)

- PnR Proposed Park+Ride
- Consented subdivision
- Future road

Greenway connections

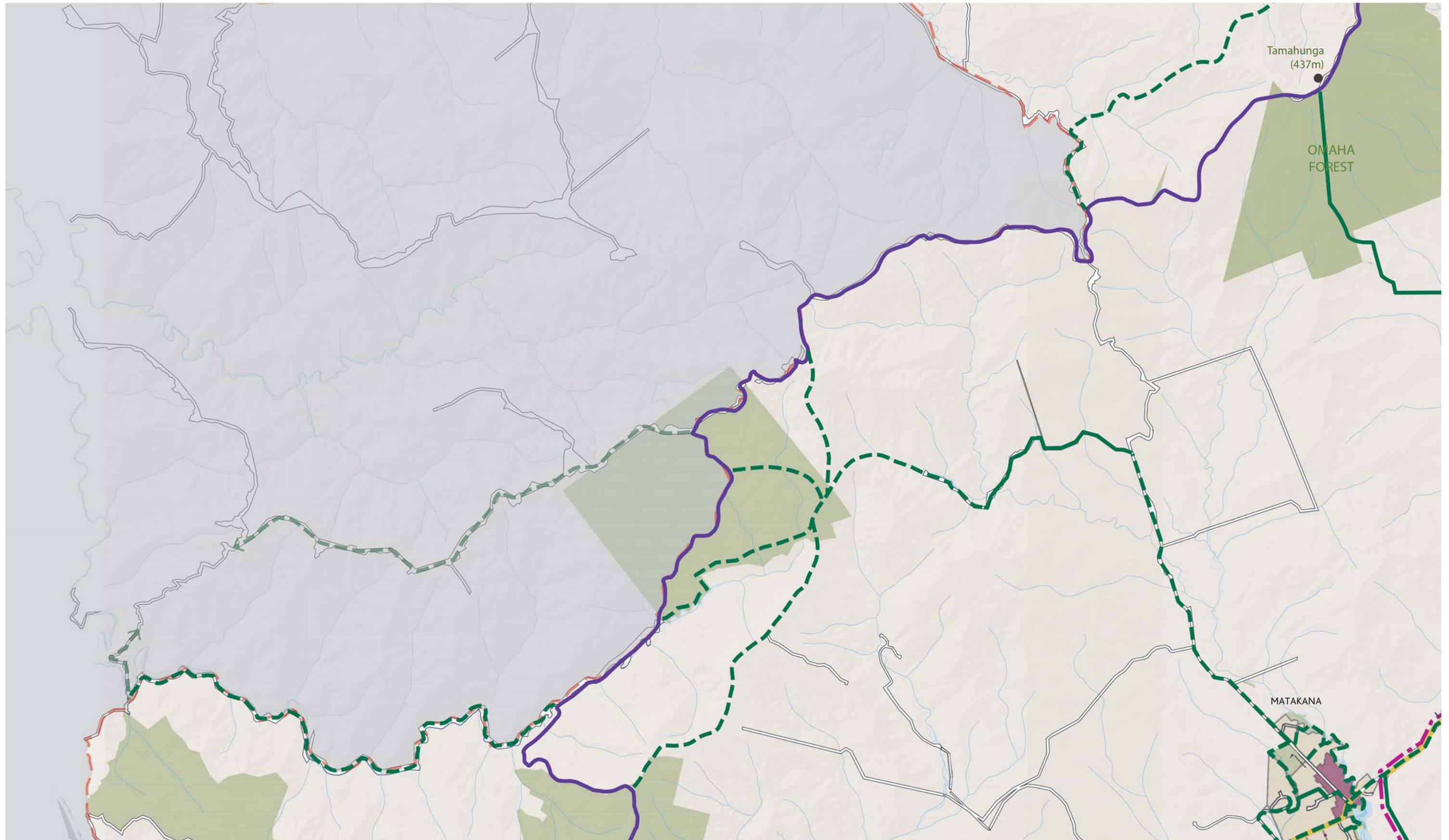
- Existing route (might require upgrade)
- Proposed route
- Proposed bridleway
- Te Araroa national trail (land)
- Te Araroa national trail (waterway)
- Future greenway
- Proposed coastal route

Scale 1:30,000 @ A3



3.5 Proposed Greenway Network Plan

Map 2 of 8 - Matakana North



LEGEND:

Base information

- Key community destination
- Park and reserve land
- Residential
- Coastal area
- Future Urban
- Streams & Rivers

- Roads of local importance
- SH1 and arterial roads
- Puhoi to Warkworth RoNS (road alignment and designation area)

- PnR Proposed Park+Ride
- Consented subdivision
- Future road

Greenway connections

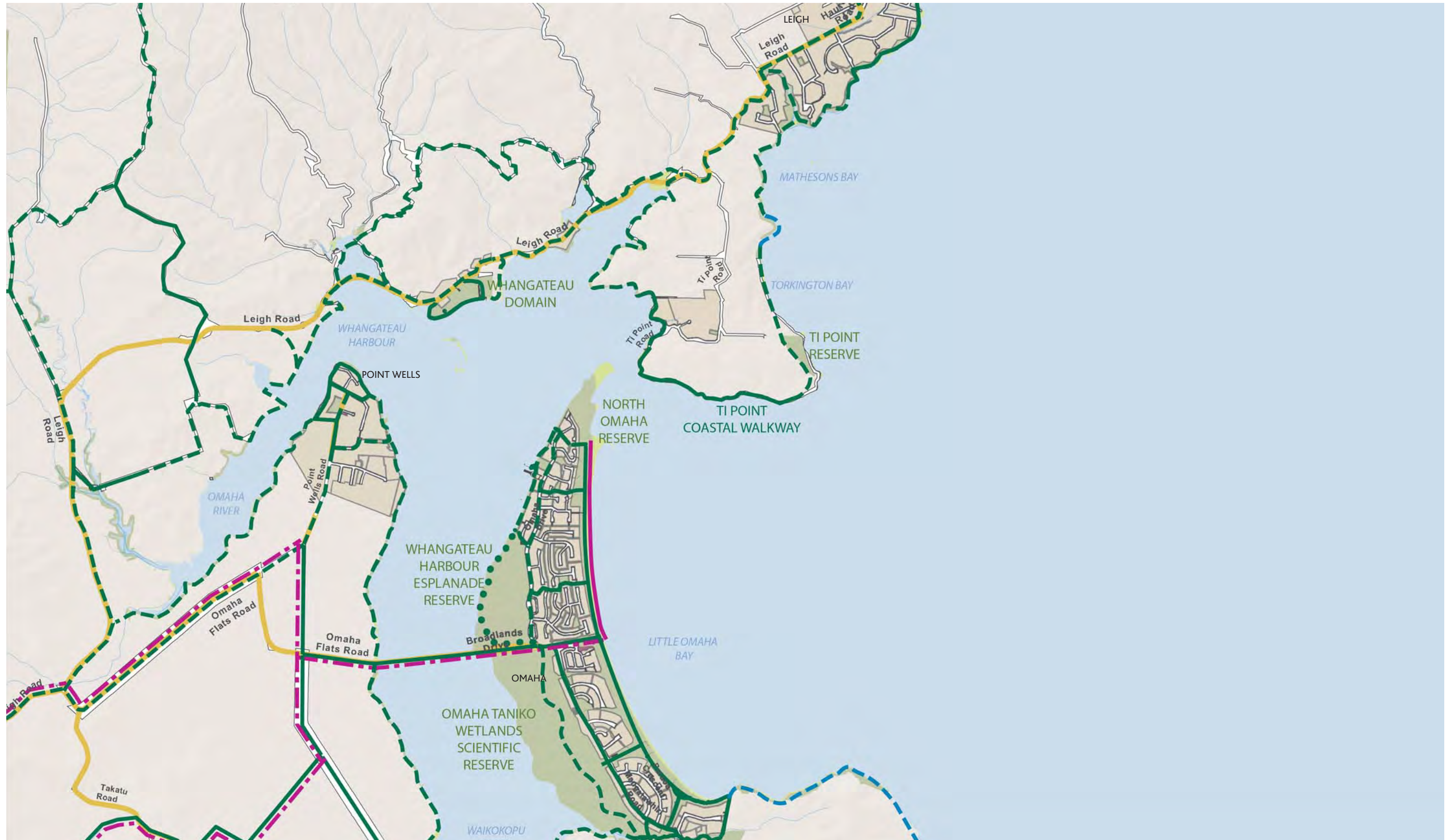
- Existing route (might require upgrade)
- Proposed route
- Proposed bridleway
- Proposed coastal route
- Te Araroa national trail (land)
- Te Araroa national trail (waterway)
- Future greenway

Scale 1:30,000 @ A3



3.6 Proposed Greenway Network Plan

Map 3 of 8 - Omaha



LEGEND:

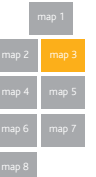
Base information

- Key community destination
- Residential
- Future Urban
- Park and reserve land
- Coastal area
- Streams & Rivers
- Roads of local importance
- SH1 and arterial roads
- Puhoi to Warkworth RoNS (road alignment and designation area)

Greenway connections

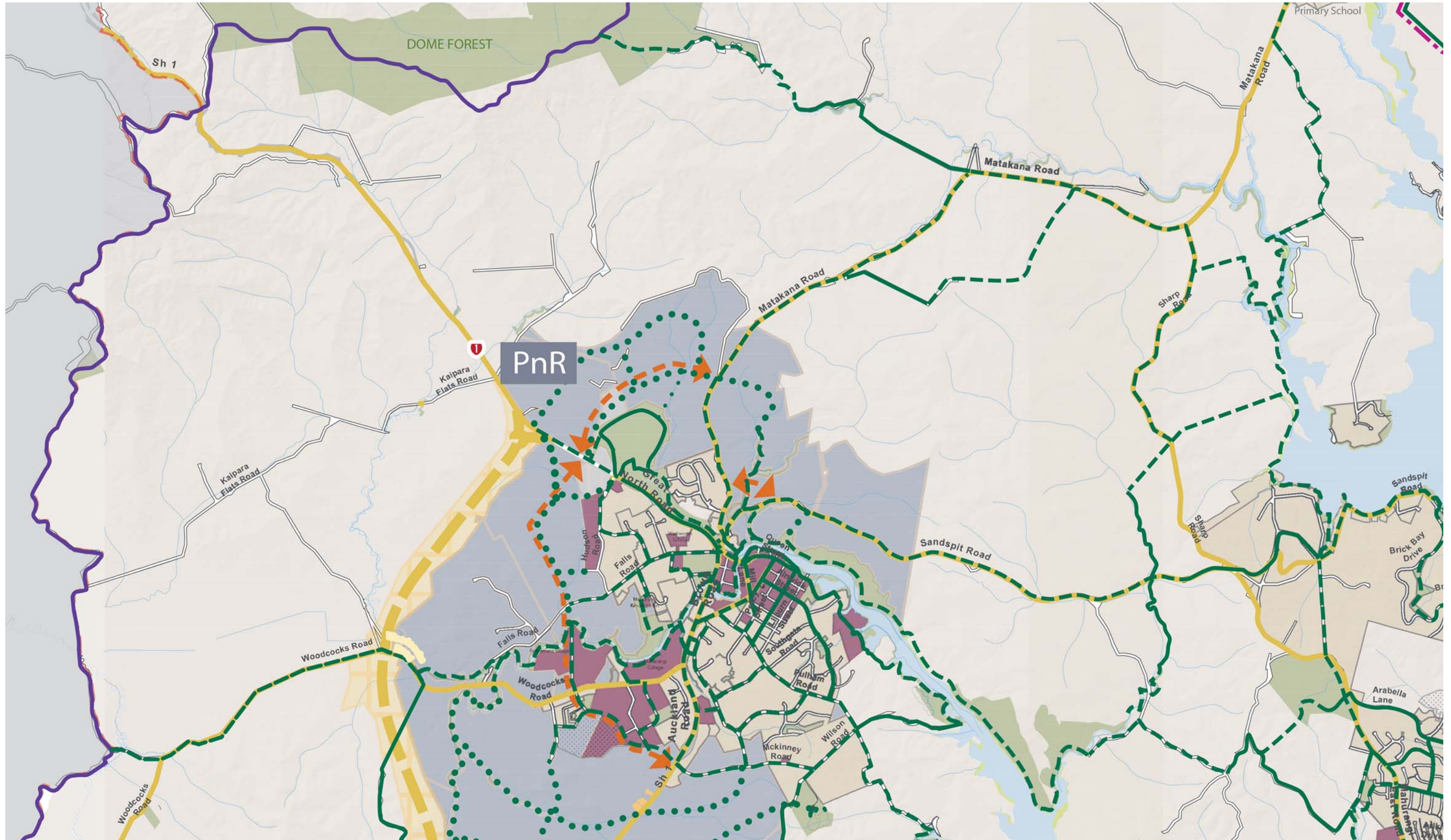
- PnR Proposed Park+Ride
- Consented subdivision
- Future road
- Existing route (might require upgrade)
- Proposed route
- Proposed bridleway
- Proposed coastal route
- Te Araroa national trail (land)
- Te Araroa national trail (waterway)
- Future greenway

Scale 1:30,000 @ A3



3.7 Proposed Greenway Network Plan

Map 4 of 8 - Warkworth



LEGEND:

Base information

- Key community destination
- Park and reserve land
- Residential
- Future Urban
- Coastal area
- Streams & Rivers
- Roads of local importance
- SH1 and arterial roads
- Puhoi to Warkworth RoNS (road alignment and designation area)

- PnR Proposed Park+Ride
- Consented subdivision
- Future road

Greenway connections

- Existing route (might require upgrade)
- Proposed route
- Future greenway
- Proposed bridleway
- Proposed coastal route
- Te Araroa national trail (land)
- Te Araroa national trail (waterway)

Scale 1:30,000 @ A3



3.8 Proposed Greenway Network Plan

Map 5 of 8 - Tawharanui



LEGEND:

Base information

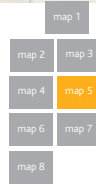
- Key community destination
- Park and reserve land
- Roads of local importance
- Residential
- Coastal area
- SH1 and arterial roads
- Puhoi to Warkworth RoNS (road alignment and designation area)
- Streams & Rivers

- PnR Proposed Park+Ride
- Consented subdivision
- Future road

Greenway connections

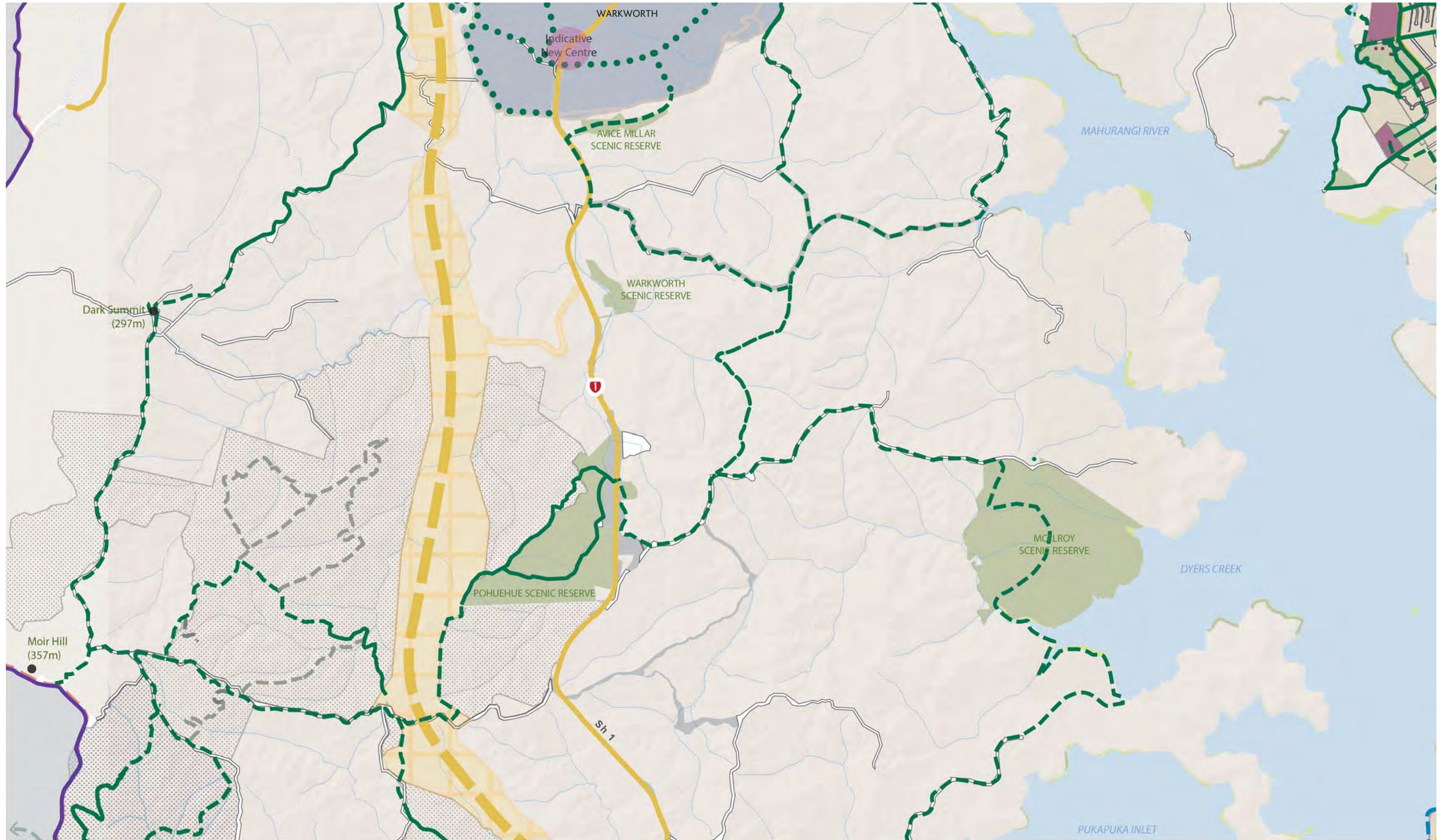
- Existing route (might require upgrade)
- Proposed route
- Proposed bridleway
- Proposed coastal route
- Te Araroa national trail (land)
- Te Araroa national trail (waterway)
- Future greenway

Scale 1:30,000 @ A3



3.9 Proposed Greenway Network Plan

Map 6 of 8 - Warkworth South



LEGEND:

Base information

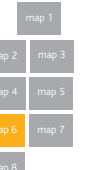
- Key community destination
- Park and reserve land
- Residential
- Coastal area
- Future Urban
- Streams & Rivers
- Roads of local importance
- SH1 and arterial roads
- Puhoi to Warkworth RoNS (road alignment and designation area)

- PnR Proposed Park+Ride
- Consented subdivision
- Future road

Greenway connections

- Existing route (might require upgrade)
- Proposed route
- Proposed bridleway
- Proposed coastal route
- Te Araroa national trail (land)
- Te Araroa national trail (waterway)
- Future greenway

Scale 1:30,000 @ A3



3.10 Proposed Greenway Network Plan

Map 7 of 8 - Algies Bay and Mahurangi



Base information

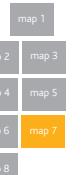
- Key community destination
- Residential
- Future Urban
- Park and reserve land
- Coastal area
- Streams & Rivers
- Roads of local importance
- SH1 and arterial roads
- Puhoi to Warkworth RoNS (road alignment and designation area)

- Proposed Park+Ride
- Consented subdivision
- Future road

Greenway connections

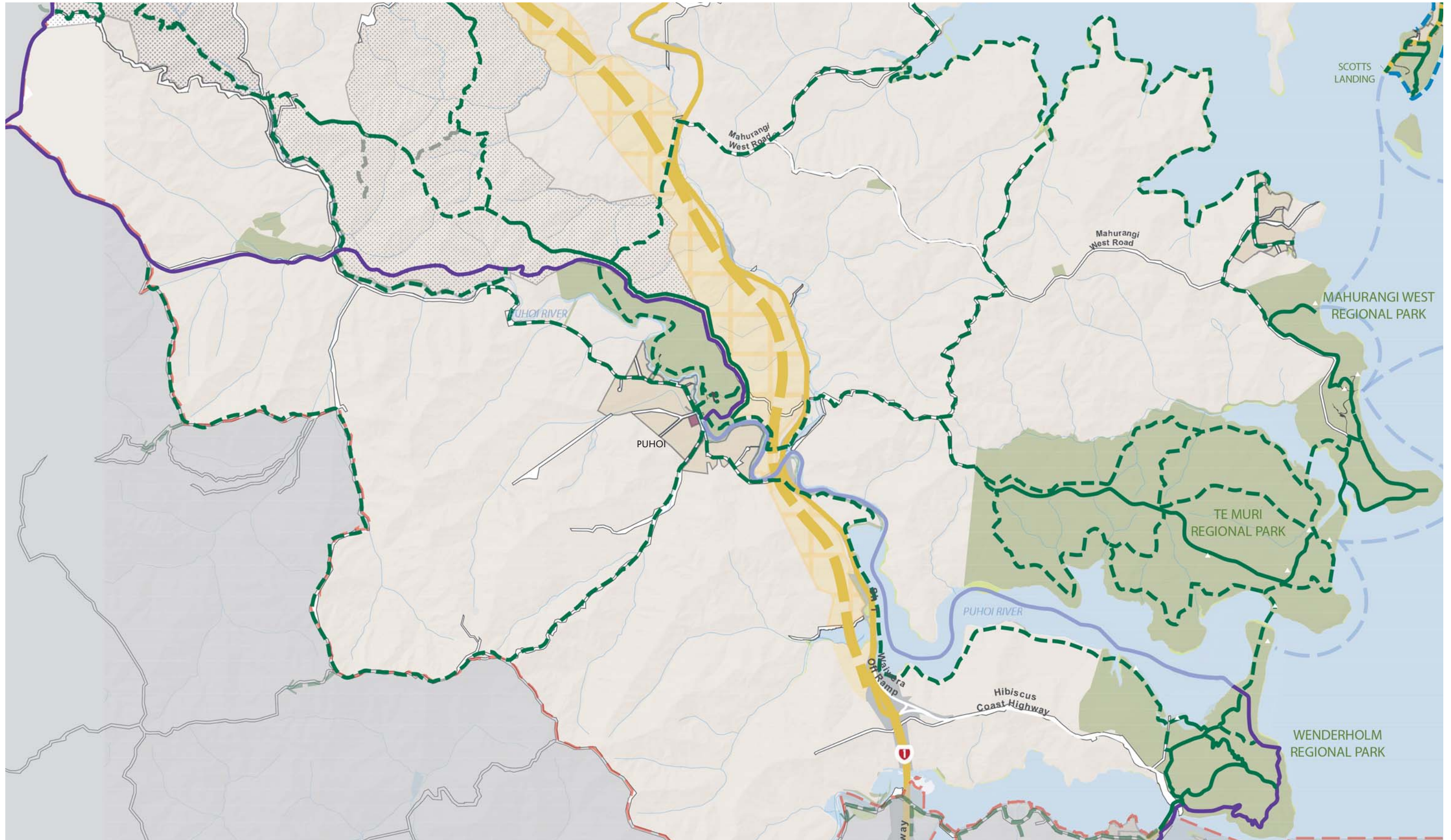
- Existing route (might require upgrade)
- Proposed route
- Proposed bridleway
- Proposed coastal route
- Te Araroa national trail (land)
- Te Araroa national trail (waterway)
- Future greenway

Scale 1:130,000 @ A3



3.11 Proposed Greenway Network Plan

Map 8 of 8 - Puhoi



LEGEND:

Base information

- Key community destination
- Residential
- Future Urban
- Park and reserve land
- Coastal area
- Streams & Rivers
- Roads of local importance
- SH1 and arterial roads
- Puhoi to Warkworth RoNS (road alignment and designation area)

- PnR Proposed Park+Ride
- Consented subdivision
- Future road

Greenway connections

- Existing route (might require upgrade)
- Proposed route
- Proposed bridleway
- Proposed coastal route

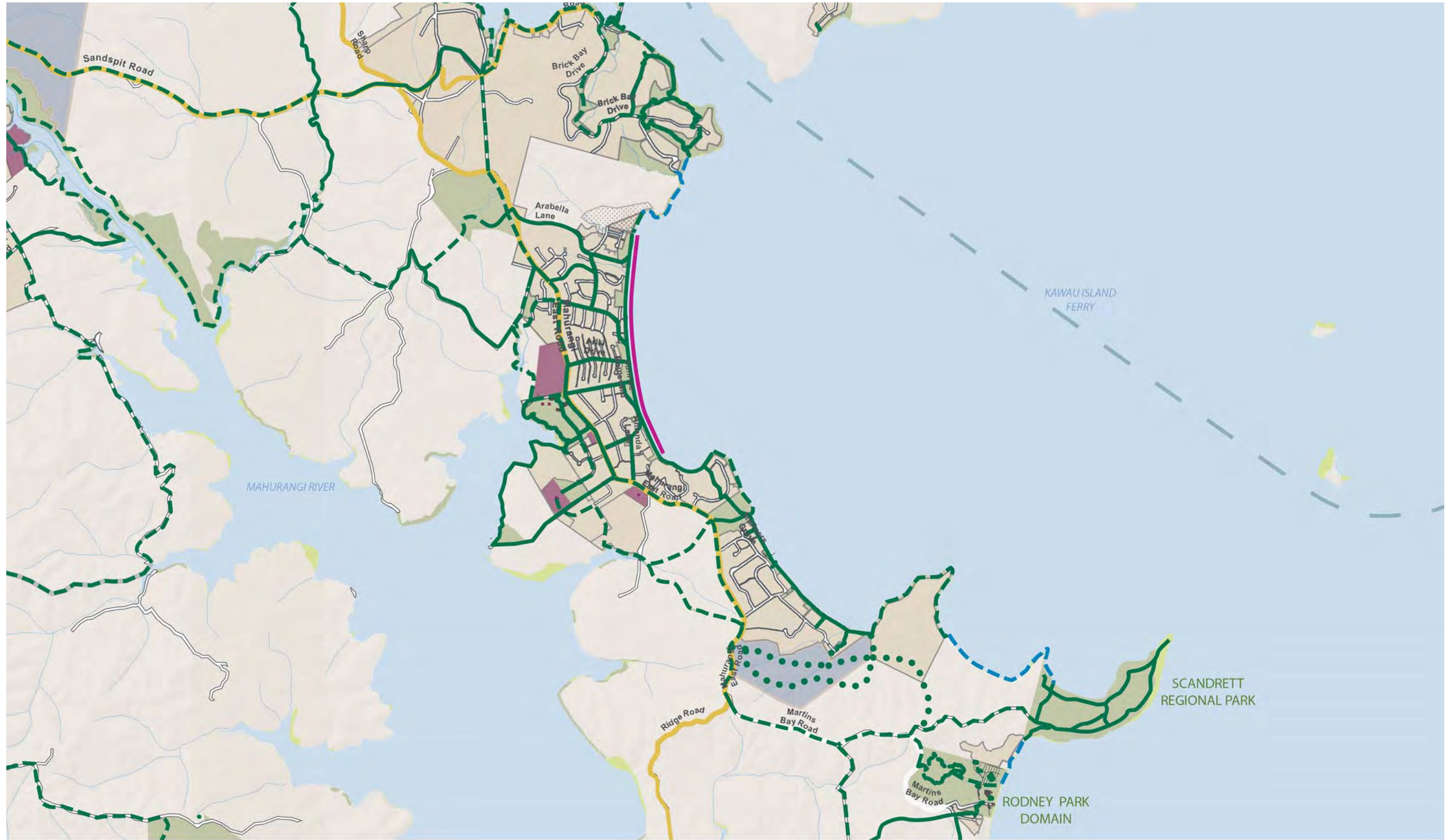
- Te Araroa national trail (land)
- Te Araroa national trail (waterway)
- Future greenway

Scale 1:30,000 @ A3



3.12 Proposed Greenway Network Plan

Snells Beach



LEGEND:

Base information

- Key community destination
- Residential
- Future Urban
- Park and reserve land
- Coastal area
- Streams & Rivers
- Roads of local importance
- SH1 and arterial roads
- Puhoi to Warkworth RoNS (road alignment and designation area)

- PnR Proposed Park+Ride
- Consented subdivision
- Future road

Greenway connections

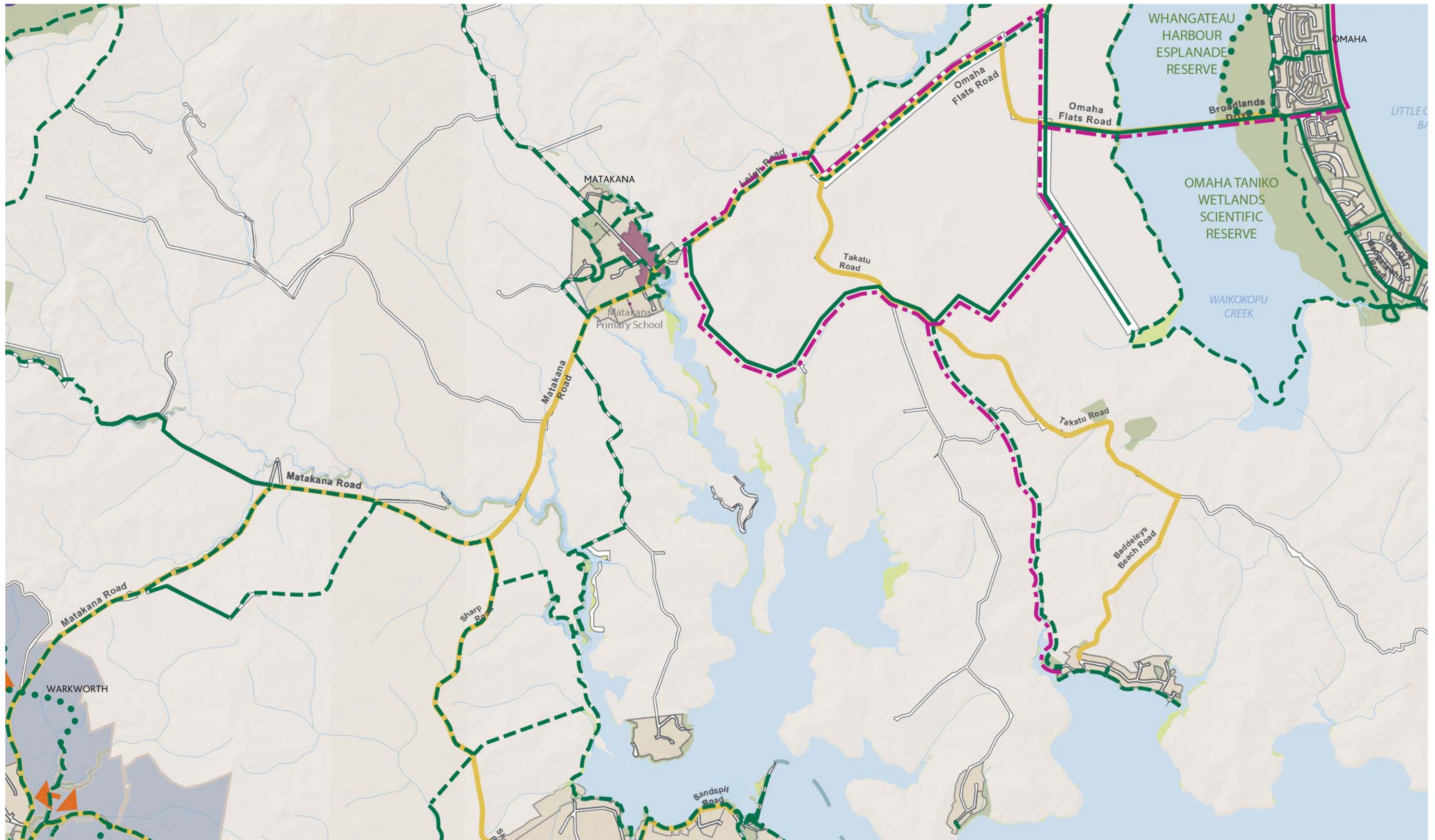
- Existing route (might require upgrade)
- Proposed route
- Proposed coastal route
- Proposed bridleway
- Future greenway
- Te Araroa national trail (land)
- Te Araroa national trail (waterway)

Scale 1:130,000 @ A3



3.13 Proposed Greenway Network Plan

Matakana



Base information

- Key community destination
- Park and reserve land
- Residential
- Coastal area
- Future Urban
- Streams & Rivers
- Roads of local importance
- SH1 and arterial roads
- Puhoi to Warkworth RoNS (road alignment and designation area)

- PnR Proposed Park+Ride
- Consented subdivision
- Future road

Greenway connections

- Existing route (might require upgrade)
- Proposed route
- Proposed bridleway
- Proposed coastal route
- Te Araroa national trail (land)
- Te Araroa national trail (waterway)
- Future greenway

Scale 1:30,000 @ A3





New Zealand Walking Access Commission

Guidelines for the Management of Unformed Legal Roads

Edition 1 February 2011



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ARA HĪKOI AOTEAROA



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Foreword

Recreational access to our lakes, beaches, rivers, and mountains is an important part of what it is to be a New Zealander. Being in the outdoors is part of our cultural identity and something that we see as part of the birthright of all New Zealanders.

The New Zealand Walking Access Commission (the Commission) is the Crown entity that promotes access to publicly-owned land. It aims to enhance free, certain, enduring, and practical walking access to the New Zealand outdoors.

Because of this, the Commission has a strong interest in roads – particularly in unformed legal roads.

Former Registrar-General of Lands Brian Hayes has researched the origin and legal standing of unformed legal roads. In his book, *Roads, Water Margins, and Riverbeds: the law on public access*, he says the unformed roading network is the true anchor of rights of access to the outdoors:

“There has long been a close affinity in New Zealand between roads along water, unformed roads, waterside reservations of public land in lieu of roads, and the publicly owned riverbeds which together provide our recreational highways.”

The intention of the Crown and the Colonial Office when founding New Zealand was to provide a new open country where the outdoors should be the preserve of the people rather than the privilege of the land owners. At the same time, land in New Zealand was to become a free market commodity, and private rights had to be respected.

The author has formed the opinion that the roading pattern set out by the early surveyors along water and over land to be Crown granted is and continues to be the foundation of free, public and permanent access in New Zealand. The intention was that most of these roads would remain in a state of nature. Next to the rivers, mountains, lakes and the sea, the unformed roading network, originally held in trust by the Crown for the people and now administered by local councils, is one of the greatest recreational assets of the nation, for it is the one mechanism that provides an unqualified guarantee of access for everyone.”

The Commission aims to be the lead government agency on public access issues. As part of this, we were assigned by the Government the task of providing this ‘best practice’ guidelines document for local authorities. These guidelines are designed to help support city councils and district councils.

The Commission was directed to lead a group of government agencies – made up of the Ministry of Agriculture and Forestry, Land Information NZ, and the Department of Internal Affairs – to work with Local Government NZ to develop and issue guidelines for local government on:

- a) the administration of unformed legal roads with the aim of removing possible impediments for their use for walking access; and
- b) the legislation and administrative practices on the stopping of unformed legal roads.

We have liaised with these organisations and other individuals and organisations to produce this document. We hope it will be of value.

We also expect that this will be just the first edition – and anticipate that future editions will be produced, taking into account experience from other organisations with a role in this area.

Comments, suggestions, and feedback on this document should be sent to:

The Operations Manager
New Zealand Walking Access Commission
PO Box 12-348
Thorndon
Wellington 6144
or contact@walkingaccess.govt.nz.

We have a small team in Wellington and a network of regional field advisors, who are working with local councils to provide advice, information, and guidance so that any conflict over public access can be resolved as quickly as possible.

John Acland

Chairman

New Zealand Walking Access Commission

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Introduction

Section summary

- The New Zealand Walking Access Commission was established to improve public access to and enjoyment of, the outdoors
- The Commission has developed an online Walking Access Mapping System (WAMS) which shows where the public may go
- Many public access ways are unformed or 'paper' roads
- Councils may receive more questions about rights to use unformed legal roads now this information is easier to obtain.

Access to the great outdoors is part of New Zealand's culture and identity. Outdoor New Zealand is a unique place to enjoy. Our rich recreational heritage – based on access to rivers, lakes, beaches and alpine areas – contributes to our quality of life as well as enhancing our awareness of the natural environment. However, public access to these places is not always clear and people are often unsure about where they can and cannot go.

The New Zealand Walking Access Commission (the Commission) was established by the Walking Access Act 2008 to enhance opportunities for public walking access to New Zealand's great outdoors, while respecting private landholders' rights and property.

One of the requirements of the Commission is to:

“Compile, hold and publish maps and information about land over which members of the public have walking access.”¹

The Commission has developed a Walking Access Mapping System (WAMS), an online resource designed to inform the New Zealand public and overseas visitors about land open to walking access. It can be accessed at www.wams.org.nz or through the Commission website at www.walkingaccess.govt.nz.

1. *Walking Access Act 2008*, No 101, Section 10 (1) (c). New Zealand Parliament.

The WAMS has been developed for the Commission by Terralink International Ltd in association with Geographic Business Solutions. It uses topographical and cadastral (land records) information highlighting conservation land, roads (including unformed or paper roads), esplanade strips, and other land open to public access (derived from Land Information New Zealand (LINZ) databases) and aerial photography, put into graphic form.

The mapping system is evolutionary. In addition to topographical and cadastral information, and aerial photography, more information will be added in the future, depending on how users respond. This information will appear as the Tracks and Access Points (TAPS) layer in the WAMS.

The WAMS does not exist in isolation and recreational users will continue to be guided by the New Zealand Outdoor Access Code², which provides advice on behaviour and expectations.

With the advent of the WAMS, walkers, trampers, cyclists, hunters and off road vehicle users have ready access to a way of identifying tracks, roads and walkways they can legally access. This greater public knowledge may result in councils receiving more questions about the legal status of and accessibility to

unformed legal roads, (sometimes known as 'paper roads')³, under their jurisdiction. Landholders may also be concerned about potentially greater use of unformed roads and how this might affect their privacy and security.

These guidelines are designed to explain the law and practice relating to the administration of unformed legal roads from a public access perspective.

Issues may include:

- landholder concerns about unformed legal roads intersecting or bordering their property being publicly identified
- landholders disputing the legal status of unformed legal roads
- members of the public objecting to obstructions such as fences, locked gates or buildings
- members of the public leaving gates open, lighting fires or bringing dogs into contact with a farming operation
- disputes between parties over the location of unformed legal roads
- proposals to stop unformed legal roads; and
- questions about the responsibility of councils for the maintenance of, or safety of users of, unformed legal roads.

2. New Zealand Walking Access Commission. (2010). *New Zealand Outdoor Access Code*.

3. The term 'paper road' was originally applied to roads that were drawn on the survey plans, but not pegged out on the ground. Case law has established that these roads have the same legal status as any other road.

Background

Section summary

- The Walking Access Act was the culmination of wide consultation
- During this process concerns about unformed legal roads were frequently raised
- Information about the location of legal roads whether formed or unformed is held by Land Information New Zealand (LINZ)
- The cadastral information in the LINZ database Landonline incorporates historical data that is subject to continuing review
- The Walking Access Mapping System (WAMS) makes data derived from LINZ much more accessible to the public
- There are accuracy issues about small amounts of this data, particularly that relating to rural areas.

The Walking Access Act 2008 was the culmination of widespread consultation with the public and interest groups in response to concerns about the availability of public walking access to New Zealand's outdoors. Two expert groups were appointed by the Government to guide the consultation and report on the issues. They were the:

- Land Access Ministerial Reference Group, which reported in 2003
- Walking Access Consultation Panel, which reported in 2007.

During this extensive consultation process, concerns were frequently raised about unformed legal roads and rights of public access.

Unformed legal roads are widespread throughout New Zealand. They are documented in the survey records held by Land Information New Zealand (LINZ), although these records do not distinguish between formed and unformed legal roads. The electronic form of these records can be accessed through Landonline (www.landonline.govt.nz), the LINZ interface for land title and survey records.

The survey records are public information but Landonline is designed for use by lawyers, surveyors and other land professionals rather than people who simply want information for recreational purposes. Topographical maps are

also published by LINZ. These maps show the physical features of the landscape, including road formation. Road formation does not necessarily indicate a legal road open to the public.

The WAMS provides walkers, trampers, hunters and others with easily accessible, current information about public access to New Zealand's outdoors.

Specifically it:

- indicates the location of land that, on the basis of the information held in the LINZ cadastral records, is open to public access
- enables the display of, or links to, additional information about walking access provided by other agencies or the public
- provides information and operational tools for the Commission to facilitate new access and mediate disputes over access.

The system has been designed to be:

- reliable, objective and as accurate as practicable, within the constraints of the underlying data
- current – the database will be kept up-to-date as legal and administrative changes are made (monthly via LINZ)
- free
- accessible, via the Internet, with the facility to view, download and print.

It should be noted, however, that the mapping system is only as accurate as the LINZ-sourced data it relies on. Many unformed legal roads were first defined in very old surveys. Although they met the needs of national mapping and surveying at the time, they are not as accurate as users today may expect. This can be illustrated by comparing high country boundaries defined by old surveys (subsequently manually transferred onto paper record sheets), with modern land information such as aerial or satellite photographs; inconsistencies of tens of metres can be found.

The process of overlaying the different information sources has potential for misalignment, and this needs to be taken into account in identifying the location of roads.

As a clearer picture emerges of the location of publicly accessible land, including unformed legal roads, local councils are likely to face challenges in managing public and private expectations.

Unformed legal roads – a legacy

Section summary

Unformed legal roads:

- were mostly established in the early years of New Zealand settlement
- are roads that have not been constructed
- have often not been 'pegged out' on the ground
- have the same legal status as any other public road
- are found extensively over the countryside as well as around the coast and alongside rivers and lakes.

Most unformed legal roads were established in the early days of settlement, particularly, in the period of provincial government (1854 to 1876). Before Crown land was sold, land was set aside as roads to ensure public access would be available once the land was developed. Roads were shown on survey plans but frequently not built or used. These include the 'paper' roads we have inherited today.

As well as intersecting our farmland and bush, unformed legal roads form much of the reserved land around the coast and alongside waterways. These waterside strips of land, sometimes referred to as the 'Queen's chain',⁴ were set aside for public use such as access to beaches, rivers and lakes. They were originally designated as 'roads', not because they were in many cases ever meant to be actual highways, but because a road was the most clearly understood legal form of public reservation available at the time to guarantee future public availability.

4. People often refer to the strip of land (usually 20 metres wide) reserved for public use along the sea shore and the banks of rivers and lakes as the 'Queen's chain' but there is no such legal entity. Instead there are a variety of land types which provide public access and/or protect conservation values. Private land also often extends to the water's edge so, in reality, no continuous chain of public land exists.

New Zealand has an estimated 56,000 kilometres⁵ of unformed legal roads. Some are part of farmland, others are muddy tracks, some are too rough to cross and some even traverse the side of sheer cliffs. The important thing to remember is that, however impractical, unformed or impassable, unformed legal roads have exactly the same legal status as any public road. They remain open to public access.

The term 'unformed legal road' generally refers to roads that:

- have not been formed as recognisable, surfaced roads. They may be just a strip marked on a map, ruts in the ground or indistinguishable from the surrounding countryside
- are formed roads that are no longer maintained by the responsible territorial authority, and have, in effect, reverted to being unformed.

Unformed legal roads are no different in law from formed public roads. That is, the public has the right to use them on foot, on horse back, or in vehicles without hindrance from the adjoining landholders or anyone else.^{6,7} However users of roads should still be considerate of others, including adjoining landholders and their livestock and property.

In summary, unformed legal roads may be unsurfaced, inaccessible and impossible to tell apart from the surrounding land but, in the eyes of the law – under the right to pass and re-pass – they are no different to the tarsealed highways we use every day.

5. Ministry of Agriculture and Forestry. (2007). Internal paper.

6. Hayes B. E. (2008) *Roads, Water Margins and Riverbeds: The Law on Public Access contains a full analysis of the rights attaching to unformed legal roads*. Faculty of Law University of Otago, New Zealand in conjunction with The Ministry of Agriculture and Forestry.

7. The right of free passage can be restricted by local councils by temporarily closing a road in accordance with the 10th Schedule of the Local Government Act 1974.

The law and unformed legal roads

Section summary

- The law does not distinguish between formed and unformed roads
- 'Roads' can include bridle paths and footpaths
- Legislation vested most roads in local councils in 1973
- The Local Government Act 1974 is the main statute covering roads, other than state highways, both unformed and formed
- In practical terms an unformed road is a road that has not been improved with gravel, metal or sealed surface.

These guidelines are concerned with roads that are recognised as public highways in law. All references to 'roads' mean roads in this legal sense, as distinct from road formation on private land that does not have this legal status.

An unformed legal road has the same legal status as any other road and the same general laws apply to both. The legal definition of a road is "a public highway, whether used as a carriageway, bridle path or footpath."⁸

The Crown used to hold title to all rural roads under the Public Works Acts. In January 1973 the ownership of roads in counties (which included virtually all of the unformed roads that are the subject of this paper) was transferred to the then county councils.⁹

The current law on the ownership of roads (other than state highways) is in s 316 of the Local Government Act 1974 which vests roads in the relevant council (territorial authority). Management and control of rural roads (as distinct from ownership) was devolved to county councils at a much earlier date, prior to 1900. Part 21 of the Local Government Act 1974 currently is the main statute covering roads, other than state highways, both unformed and formed.

8. Short W. S. (1907). *A Treatise Upon the Law of Roads, Bridges and Streets in New Zealand*, at p8. New Zealand Government Department of Roads.

9. *Counties Act 1956, Section 191A* as inserted by s2 of the Counties Amendment Act 1972. New Zealand Parliament.

The 1974 Act does not clearly define what a road is, other than by reference to existing roads. The term 'road' and the rights inherent in roads are largely common law concepts.

Neither does the 1974 Act describe the characteristics of an 'unformed' road. Section 2 does, however, define what the 'formation' of a road amounts to:

"Formation, in relation to any road, has the same meaning as the construction of the road, and includes gravelling, metalling, sealing, or permanently surfacing the road..."

An unformed road can, therefore, be taken to mean a road that has not been constructed or enhanced by adding metal, seal or any other type of surface.

Part 21 of the 1974 Act spells out councils' terms of ownership and responsibilities. In essence, councils hold title to roads (except state highways) on behalf of the public and are obliged to see that the right of passage is preserved.

Other statutes that have relevance to roads are:

- the Government Roading Powers Act 1989
- the Public Works Act 1981.

While the same roading legislation generally applies to both formed and unformed roads, there are legislative conditions that apply specifically to unformed roads:

- unformed roads are subject to resumption of ownership by the Crown. When the land is transferred from a council to the Crown it becomes subject to the Land Act 1948¹⁰
- roads along rivers and the coast, if stopped, become esplanade reserves vested in the council¹¹
- roads in rural areas cannot be stopped without the consent of the Minister for Land Information¹²
- unformed roads intersecting or adjoining Crown land may be closed (in this context meaning stopped)¹³
- unformed roads intersecting or adjoining land owned or acquired by the Crown may be closed prior to subdivision.¹⁴

A summary of legislation applicable to unformed legal roads can be found in Appendix A.

10. *Local Government Act 1974. Section 323.* New Zealand Parliament.

11. *Local Government Act 1974. Section 345 (3).* New Zealand Parliament. (Note, however, *Resource Management Act 1991. Section 77.* New Zealand Parliament.)

12. *Local Government Act 1974. Section 342 (1) (a).* New Zealand Parliament.

13. *Land Act 1948. Section 43 (1).* New Zealand Parliament.

14. *Land Act 1948. Section 43 (1).* New Zealand Parliament.

What the courts say

Section summary

- Over time, courts have clarified the status of unformed legal roads
- The Privy Council says a road identified on a record plan, even if not pegged out on the ground (a 'paper road'), has the legal status of a formed legal road
- Courts have favoured public rights to retain roads over private bids to stop them.

Disputes over unformed legal roads have arisen for as long as the roads themselves have existed. Some landholders regard unformed legal roads as an inconvenience; developers often want to get rid of them; and members of the public are sometimes upset when they find them blocked by buildings, fences or locked gates. When these disputes cannot be resolved between affected parties and local councils, the courts may become involved.

The courts have clarified the legal status of unformed legal roads. The key case is the decision of the Privy Council in *Snushall v Kaikoura County (1923)*,¹⁵ which reaffirmed decisions previously made by the Supreme Court (now the High Court) and the Court of Appeal.

The Snushall case established, on the authority of the Privy Council, that a road shown on a record plan but not physically 'laid out' on the ground (i.e. a paper road) has the same legal status as a formed legal road.¹⁶

15. *Snushall v Kaikoura County (1923)* AC459 (1840-1932) New Zealand Privy Council Cases 670, (1920) NZLR 783 (CA).

16. Hayes B. E. (2007). *Roading law as it applies to Unformed Roads*. Ministry of Agriculture and Forestry, Wellington, New Zealand.

The legal security of an unformed legal road has been protected by the historic and enduring common law right of citizens to pass and repass on a road. This principle has been strongly upheld by the highest courts.

Justice Peter Blanchard when delivering the decision of the Court of Appeal in *Man O' War Station Ltd v Auckland City Council (2002)*¹⁷ said:

"The integrity of the roading infrastructure is of such importance to the economic and social welfare of any society that it is to be anticipated that the public right to the use of roads will be given a measure of priority when it comes in conflict with private claims."

This judgement makes it clear the court gives priority to rights of public access over private interests when it comes to disputes over roads.

17. *Man O' War Station Ltd v Auckland City Council (2002)* 2 NZLR 267, at p286

Repairs and maintenance

Section summary

- Statute law does not provide clear guidelines about the maintenance of unformed legal roads
- The courts have tended to say councils are not liable for maintaining unformed legal roads
- The surface of unformed legal roads is often maintained by the occupiers (usually farmers) of adjoining or intersected private land.

A territorial authority has full power under s 319 of the Local Government Act 1974 to do whatever is necessary to construct and maintain any road under its control. The historic background on road formation and maintenance is contained in appendix B. In respect of formed roads there seems to be an ongoing obligation to maintain them. It is less clear whether there is any obligation to form or maintain historic unformed legal roads.

This apparent deficit in written law has been addressed by the courts in New Zealand, which have tended to absolve local councils from the responsibility for maintaining or repairing unformed legal roads, or at least made it discretionary.

Writing in *Roads, Water Margins and Riverbeds: the Law on Public Access*,¹⁸ Brian Hayes observes that a raft of case law has established that councils cannot be prosecuted on the grounds of nonfeasance (doing nothing) to maintain roads that have never been formed.

“A territorial authority is not bound to keep in repair roads which have never been formed and remain in a state of nature, and is not liable for injuries caused by defects in such roads to people who may use them.”

18. Hayes B. E. (2008) *Roads, Water Margins and Riverbeds: The Law on Public Access contains a full analysis of the rights attaching to unformed legal roads*. Faculty of Law University of Otago, New Zealand in conjunction with The Ministry of Agriculture and Forestry.

19. *Inhabitants of Kowai Road Board v Ashby* (1891) 9 NZLR658; *Tuapeka County Council v Johns* (1913) 32 NZLR618.

20. *Hocking v Attorney-General* (1963) NZLR513 (CA). Also refer to the Resource Management Act 1991. Section 77. New Zealand Parliament.)

Decisions from various court cases have further clarified the responsibilities of councils regarding the upkeep of unformed legal roads.

These can be summarised as follows

- the council has no obligation to construct or maintain an unformed legal road¹⁹
- if the council carries out no work there is no liability²⁰
- the council can fill in holes on part of a long line of unformed road, but still be immune from any duty to repair the whole road²¹
- the council is immune from the operation of natural causes²²
- if the council undertakes any artificial work, such as a culvert or bridge on a road which is generally unformed, it has a duty of reasonable care in construction and also a duty to monitor and repair any change in conditions that could make the construction dangerous.²³

Whenever the safety or convenience of the public applies, the council may require the owner or occupier of any land not separated from a road by a sufficient fence, to enclose the land with a fence that complies with council requirements.²⁴

There are additional responsibilities applying to secondary-use roads, such as old 'ferry

roads' leading to a river, which were originally maintained by the council as noted by Hayes.²⁵ In summary, the council is not liable for repair or maintenance for any damage to the unformed road through erosion, degradation or general wear and tear.²⁶

Further background on the case law relating to road stopping is contained in Appendix C.

Maintenance by adjoining landholders

Although they have no legal right of ownership, landholders of land adjoining unformed legal roads sometimes maintain the unformed legal road by laying down a gravel or metal surface or, if they are in pasture, keeping them free of noxious weeds. These actions may benefit the adjoining landholder but they also benefit recreational users because they can walk or ride through the land with greater ease.

This informal arrangement, where adjoining landholders privately care for the land comprising unformed legal roads, has traditionally saved councils time and money for weed and pest control. In return, adjoining landholders have had free use of the land for such purposes as the grazing of stock and have generally not been required to fence their boundaries with the unformed legal roads.

19. *Inhabitants of Kowai Road Board v Ashby* (1891) 9 NZLR658; *Tuapeka County Council v Johns* (1913) 32 NZLR618.

20. *Hocking v Attorney-General* (1963) NZLR513 (CA). Also refer to the Resource Management Act 1991. Section 77. New Zealand Parliament.

21. *Inhabitants of Kowai Road Board v Ashby* (1891) 9 NZLR658; *Tuapeka County Council v Johns* (1913) 32 NZLR618.

22. *Tarry v the Taranaki County Council* (1894) 12 NZLR487 (CA); *Hokianga County v Parlane Brothers* (1940) NZLR315; *Newsome v Darton Urban District Council* (1938) 3 All ER9; *Hocking v Attorney-General* (1963) NZLR513 (CA).

23. *Hocking v Attorney-General* (1963) NZLR513 (CA).

24. *Local Government Act 1974*, Section 353 (c). New Zealand Parliament.

25. Hayes B E. 2003. *Roads, Water Margins and Riverbeds: The Law on Public Access*. p84.

26. *Tarry v the Taranaki County Council* (1894) 12 NZLR487 (CA); *Hokianga County v Parlane Brothers* (1940) NZLR315; *Newsome v Darton Urban District Council* (1938) 3 All ER9; *Hocking v Attorney-General* (1963) NZLR513 (CA).

Guidelines for dealing with common issues

Section summary

- The public has right of passage along any public road
- The public has the right to use unformed legal roads, but must not endanger or cause distress to an adjoining landholders livestock or damage any property, including the surface of the unformed legal road
- Occupation does not equal ownership
- 'Licences to occupy' have no legal basis
- Fences, cattle stops and swing gates are allowed under certain circumstances
- In most circumstances, landholders are protected if someone is injured on their property while using an unformed road
- Farmers have a duty under the Health and Safety in Employment Act 1992 to warn visitors about work-related hazards.

Local councils are legally responsible for administering unformed legal roads. As the public becomes more aware of these access ways through use of the WAMS, councils may be called on to provide information, and mediate in disputes. Although the law is clear about the legal status of unformed legal roads, the practical application of the legislation can present challenges. Below are some brief guidelines for dealing with common issues.

Public rights

The public has the right of passage along any road regardless of whether it is formed or unformed.

Many unformed legal roads are not fenced off from neighbouring farmland, so extra care is needed. To avoid upsetting adjoining landholders, the public should follow some basic rules:

- leave gates as they find them
- don't litter or damage property
- don't chase or distress livestock
- keep dogs on a leash.

Any negligent behaviour that causes damage to property or distress to an adjoining landholder could result in legal action for loss or damage.

It is important to be aware that many unformed legal roads are indistinguishable from the surrounding countryside and users may unwittingly stray onto the adjoining private land.

The limitations of early survey and mapping techniques and other issues relating to accuracy mean that there can be a significant margin of error in the location of unformed legal roads in rural areas as shown in the cadastral records held by LINZ. In the more remote areas this could be up 50 metres either way in terms of their lateral location.

A hand-held Global Positioning System (GPS) receiver will typically achieve an accuracy of about 5-10 metres (greater accuracies can be achieved with more expensive equipment, commonly used for cadastral surveys). For these reasons, the use of GPS tools cannot be relied on for accurately determining the boundaries of unformed legal roads in rural areas. In the event of a dispute about the precise location of the boundaries of an unformed legal road a modern re-survey may be necessary.

From a practical perspective, the precise location of the boundaries may not be critical. Rather, an acknowledgement of the existence of the road by both the adjoining landholder and the public may be sufficient to reach a practical solution to accepting the public right of way through the area.

Just as private landholders have the right of undisturbed possession of their land, the public has a right to use a legal road. An issue is how the public can enjoy this right where there may be uncertainty as to the location of the boundary between the road and the private land, either because of a lack of precision in the cadastral record or because of a lack of any marked boundary. This difficulty applies just as much to the landholder in terms of protecting the private land from trespass.

There appears to be little, if any, case law on the point. A person can, however, be in a difficult position if served a trespass notice in a situation where the boundary may be unclear. The notice can be intimidating and, therefore, unlikely to be tested in the courts.

A landholder with an unformed legal road adjoining or intersecting their land who is concerned about possible trespass by the public, could indicate the whereabouts of the road. This will lessen the likelihood of a road user crossing land which the owner regards as private.

The boundaries of unformed legal roads are frequently not 'pegged out', unlike conventional land parcel boundaries. The exact location of a fixed boundary, if it is disturbed or there is an argument over its location, may be re-established to a degree of accuracy established by the law relating to surveys. Unformed legal roads that have not been defined on the ground do not have this attribute but do exist legally and physically, and establish legal boundaries with the adjoining land.

Physical identification by the landholder of the adjoining land of what the landholder considers to be the boundary with the unformed legal road should limit disputes. If, in spite of such identification, a dispute arises, the identified boundary will at least be a starting point from the landholder's perspective.

Private rights

Holders of land adjoining an unformed legal road have the right not to have their livestock disturbed, or property damaged as a result of people passing along an unformed road. Landholders should ensure that livestock do not prevent the use of an unformed legal road by the public. This is

reflected in s 33 of the Impounding Act 1955, which provides for the impounding of livestock wandering or tethered on any road in such a manner as to obstruct or be reasonably likely to obstruct the road. There is provision in s 34 of the 1955 Act for a local council to provide exemption from this provision where:

"...(it) is satisfied that any road or any portion of a road within its district is so infrequently used by motor traffic that stock depasturing on or near the road will not constitute an inconvenience or danger to the users thereof."

If landholders wish to keep people off their property they may define and fence their boundaries or place signposts indicating the boundaries.

In terms of protecting safety and convenience of the public, s353 of the Local Government Act 1974 empowers councils to require an adjoining landholder to fence the boundary of the road.

Fencing and gates

Councils are not financially responsible for the fencing of any legal road boundaries.

Unformed legal roads may be isolated with gates, installed by the occupier at their expense, in accordance with s 344 of the 1974 Act. The locking of such gates is not permitted. Section 344 of the 1974 Act requires any person who wishes to erect a gate across the road to apply in writing to the council.

Temporary fencing for the purpose of stock control may be erected across an unformed legal road but must not inhibit pedestrian access.

Does occupation equal ownership?

No. While many unformed legal roads that intersect farmland may have been occupied for many years, this does not give the occupier rights of ownership. This is clearly stated in s 172(2) of the Land Act 1948. While some adjoining landholders may treat unformed legal roads as though they own them, they have no greater right to use of the road than any member of the public. Moreover, they are not entitled to use the road in any way that obstructs the public right of free passage. It comes back to the robust legal principle that once a road is created it remains a road unless it is legally stopped. Even if the land parcels of road have been mistakenly included in a certificate of title for a parcel of private land, the law says the roads still exist even if they are not shown or referred to in the title document.²⁷

Licences to occupy and leases

Some local councils issue informal 'licences to occupy' or 'fencing permits' to occupiers of land adjoining unformed legal roads as a kind of grazing right over unformed legal roads. While this has become common practice, there is no provision in the 1974 Act for licences of this kind. Although local councils have control over unformed legal roads, the legal basis is more like that of a caretaker of the land for the public, and their powers do not extend to 'sub leasing' in this manner.

The only statutory authority for licences to occupy is in s 340 of the 1974 Act and applies to the use of roads for motor garages in urban areas.

27. Land Act 1948. Section 77. New Zealand Parliament.

Section 341 of that Act authorises leases of airspace and the subsoil of roads but requires the council to ensure there is no interference with the right of passage.

These two statutory powers highlight the absence of an explicit statutory power to lease or licence the use of the road surface.

Obstructions on unformed legal roads

If they are to fulfil their intended function, roads should not be obstructed in a way that interferes with the public right of free passage. This is reinforced in the 1974 Act, for example, by s 355 that empowers councils to require owners of abutting land to trim or remove overhanging trees that may interfere with the use of the road. A provision in s 344 empowers councils to authorise cattle stops or gates across roads that are not (longitudinally) fenced.

Obstructions on unformed legal roads may include fences, gates or even buildings. They could also include trees and other vegetation, especially if deliberately cultivated.

There are no explicit enforcement provisions in the 1974 Act in respect of obstructions, but keeping roads free of obstructions could be seen as a duty of local councils as part of their management responsibilities for roads.

It should be noted that it is an offence under the Summary Offences Act 1981 (s 22) to obstruct a public way. In some circumstances the police may be able to assist in dealing with obstructions on unformed legal roads.

If members of the public find an unformed legal road blocked by a fence or other obstruction

and they are not able to resolve the issue with the adjoining landholder, they should take up the matter with the responsible council. Involving the police should be a last resort.

Provision for cattle stops and swing gates

Landholders whose properties are intersected by unformed legal roads are, under certain circumstances, allowed to use gates and cattle stops to protect and contain livestock.

This is provided for in s 344 of the Local Government Act 1974 and the Gates and Cattle Stops Order 1955 (see appendix D). Where a gate has been placed across a legal road the public needs to observe the requirements in s 8 of the Trespass Act 1980 in respect of gates:

“8. Gates - Every person commits an offence against the Act who

(a)...

(b) with intent to cause loss, annoyance, or inconvenience to any other person, -

(i) Opens and leaves open a shut gate; or

(ii) Unfastens and leaves unfastened a fastened gate; or

(iii) Shuts and leaves shut an open gate - on or leading to any land used for the farming of domestic animals or of any other animals held under lawful authority.”

This section of the Trespass Act 1980 is designed to ensure that farming operations are not hindered by inappropriate behaviour concerning a gate, whether on private land, or on a legal road leading to farmland.

Use by motor vehicles

There is no specific legal provision to permanently stop vehicles using unformed legal roads but use – particularly by four-wheel drive vehicles – can result in considerable damage to unstable surfaces. The provisions in s 342 of the Local Government Act 1974 can be used to close a road temporarily to specified forms of traffic for reasons specified in the statute. These reasons relate, however, almost exclusively to formed roads. For these reasons, some local councils have investigated options to ban motor vehicles from using unformed legal roads where this poses risks of environmental damage.

The Dunedin City Council has made the following bylaw to deal with such situations.

It reads:

“PART 21: RESTRICTION OF TRAFFIC

21.1 Purpose – To prevent damage to the surface of unformed legal roads.

21.2 Statutes – The Council has jurisdiction to create such a bylaw under s 72 of the Transport Act 1962.

21.3 Restriction – The use of motor vehicles on the unformed legal roads identified in the attached schedule is prohibited except for motor vehicles associated with:

- *The Council and its contractors*
- *Telecom and its contractors; and*
- *Adjacent landowners and their contractors or agents for access to their properties;*
- *Activities being carried out under permit as set out in (5).*

21.4 Section of legal road subject to bylaw – The sections of road subject to the bylaw

are identified on the attached schedule and associated maps. Additional road sections may be added by resolution of the Council, following public consultation on each new proposal.

21.5 Permits – Permits may be obtained to allow events involving motor vehicles to be held on these roads. Applicants will be required to enter into a bond to cover any damage caused to the road or adjacent private property before a permit will be issued.

21.6 Date of effect – This Bylaw shall come into effect on the 1st day of August 2007.”

[the affected roads are listed]²⁸

While the Council has found the bylaws effective in dealing with a small number of specified roads under its jurisdiction, it acknowledges the approach may not be practical in dealing with a large number of roads because each road has to be identified.

A specific by-law making power to address vehicular use of unformed legal roads has been included in the Land Transport (Road Safety) Amendment Bill, before Parliament as at January 2011.

Liability

Councils assume no liability for the condition of any unformed legal road or the suitability of any activity carried out on any unformed legal road. Councils may, however, have liability in respect of structures or formation on roads previously constructed but now no longer maintained.

Liability for personal injury

Compensation for personal injury is provided for in the Accident Compensation Act 2001. There is only very limited potential civil liability for personal injury should this be attributable to a landholder or a council.

28. Dunedin City Council 2007. *Bylaw 21. Restriction of Traffic*

Liability under the Health and Safety in Employment Act

The object of the Health and Safety in Employment Act 1992 is the prevention of harm to all people at work, and others in, or in the vicinity of, places of work.

Under s 16 of the 1992 Act, persons who control workplaces have duties to ensure people who are in or at the workplace are not harmed. This includes visitors. There is also a duty to warn visitors to a workplace, including a farm, when they seek permission to be there. In these circumstances the person in control has a duty to warn visitors of any work-related, out-of-the-ordinary hazards that they know about that may cause harm.

Farmers, therefore, have two levels of duty:

- a duty to warn authorised visitors
- a full duty to paying customers (including people looking at or buying goods), employees, contractors and their employees, and people in the vicinity of the place of work.

A duty to warn

The public does not need permission to use an unformed legal road, but a farmer may give permission to access land which is in the vicinity of or which adjoins an unformed legal road.

Farmers have a duty to warn authorised visitors to their land, including people using unformed legal roads in, or adjoining their land, about work-related out-of-the-ordinary hazards.

These are hazards that arise out of work activity such as:

- trees being felled
- blasting
- earthmoving machinery operating

- pest control.

The need to inform does not include natural hazards such as:

- bluffs
- landslides
- swamps
- rivers
- wasp nests etc.

Under s 16 of the 1992 Act, farmers are not liable if they don't provide a warning about hazards to people visiting their land without permission.

A full duty to take all practicable steps

The 1992 Act extends a full duty of care to farmers to take 'all practicable steps' to ensure people adjacent to a place of work are not exposed to hazards arising in it, that are within the farmer's control. One situation might be when people are walking on an unformed legal road alongside a paddock where machinery is operating, or spraying is being carried out.

Landholders also have a full duty to other groups visiting a farm or other land as a place of work:

- all employees who work for them (e.g. farmhands, fruit pickers, forestry workers)
- all contractors they engage and their employees (e.g. for shearing, fencing, tree felling)
- all people buying or inspecting goods offered for sale (e.g. farm produce, craft items)
- all people that have paid to use the land for any purpose (e.g. camping, horse trekking).

The Department of Labour has a fact sheet explaining these issues: *If visitors to my farm are injured, am I liable?* The principles are the same for all rural land. It can be found at: <http://www.osh.govt.nz/publications/factsheets/farm-visitors.html> and in Appendix E of this publication.

Stopping of unformed legal roads

Section summary

- Councils can stop roads by following the procedure set out in Schedule 10 of the Local Government Act 1974
- If the road is in a rural area, the consent of the Minister for Land Information must be obtained for the road to be stopped
- The Minister for Land Information may stop a road under s 116 of the Public Works Act 1981
- Stopped roads bordering waterways must become esplanade reserves.

The term **stopping** refers to the legal process of permanently changing the status of the land so that it is no longer a road. This is different from **closing** a road, which is a temporary measure to restrict use for a period. Some confusion has been caused by earlier practice that sometimes used the term closing when referring to what is now termed stopping.

The essential pre-condition for any road stopping procedure is that the council must be satisfied that the road is not needed for use as a road by the public now or in the foreseeable future; nor for access to coastal marine areas.

There are two ways of stopping a road – through the Local Government Act 1974 and the Public Works Act 1981.

Road stopping under the Local Government Act 1974

Councils have the power to stop roads under the Local Government Act 1974, sections 319 and 342.

*“319. General powers of councils in respect of roads – The council shall have the power in respect of roads to do the following things:
(h) To stop or close any road or part thereof in the manner and upon the conditions set out in s 342 and the Tenth Schedule to this Act.*

and:

(k) *To sell the surplus spoil of roads.*

342. Stopping and closing of roads –

The council may, in the manner provided in the Tenth Schedule to this Act, –

(a) Stop any road or part thereof in the district; Provided that the council (not being a borough council) shall not proceed to stop any road or part thereof in a rural area unless the prior consent of the Minister of Lands²⁹ has been obtained..."

The process specified in Schedule 10 of the 1974 Act (see Appendix F) is the method used to stop a road that could be in demand for use by the public, and requires any proposal to be publicly notified.

Road stopping under the Public Works Act 1981

The Public Works Act 1981 also has a procedure for stopping roads, which applies to roads under the control of the Crown or a local authority. Section 116 of the 1981 Act provides for the stopping of roads by declaration of the Minister for Land Information. If the road in question is under the control of a regional council or territorial authority, the Minister must first obtain the authority's consent. There is no requirement for public notification.

As well as stopping roads, the Minister has power under s 323 of the Local Government Act 1974 to request that the land comprising the road be returned to the Crown. It then becomes unallocated Crown land and loses its status as a road.

The powers in relation to road stopping are exercised by LINZ officers, acting under delegation from the Minister.

Policy for stopping roads

The matters that need to be weighed up by local councils when considering stopping a road have been set out clearly in decisions of the Environment Court.

The key part of the process is the need to consider the public interest rather than the private interest of an adjoining landholder. The public notification process in the 10th Schedule of the 1974 Act provides an opportunity for the public to lodge objections but there is nothing to stop councils themselves from investigating the extent of public interest before embarking on the formal process of stopping a road. Not only would this avoid the cost of the formal objection process and an Environment Court hearing, it would provide an opportunity to explore options for alternative public access in advance of the formal process.

Recent cases where the Environment Court has upheld objections to road stopping have typically been instances where a council has sought to stop a road on behalf of an adjoining landholder. The Court has made it clear that the private interests of adjoining landholders are not relevant to the consideration of a stopping.

The view of the Environment Court is clearly expressed:

"A public road, even one that is unformed, may be an asset. It would be difficult to replace. If a public road is valued by the public or sections

29. *Local Government Act 1974, Section 342 (1) (a).*
New Zealand Parliament.

*of it, for use within the scope of the purposes of a public road, that value deserves to be weighed against whatever cause is shown for stopping it as a road and disposing of the land.”*³⁰

and:

*“We find that there is a need by a significant section of the community for the road, albeit not in the ordinary sense of the right to vehicular passage, but for a wide range of uses including foot and horse passage. We find that the Kokako Road provides a necessary link in passage across the countryside, which fulfils a range of societal needs now and in the future. While we understand the concerns of the council and the reason they have advanced for the commercial benefit to a landowner, they have not addressed the need of the local community.”*³¹

There may be scope for councils to explore alternative public access provisions before entering into a road stopping, especially where the unformed legal road is not in an ideal location. An example where the availability of alternative public access facilitated the stopping of a road was in the Waitaki District Council case for the stopping of Bushey Park Road.³²

Councils need to take care that they do not fetter the exercise of their powers prior to the formal process, which involves two separate steps: the stopping of the road; and if successful, the subsequent use or disposal of the land. Specifically, councils should not enter into a commitment to dispose of the land to an adjoining landholder prior to consideration of the merits of stopping the road. See *Lower Hutt District Council v Bank*.³³

30. Environment Court 2003. *Decision W21/2003. Paragraph 82.*

31. Environment Court 2002. *Decision A83/2002. Paragraphs 48 & 49.*

The role and policy of the Minister for Land Information

The Minister for Land Information has three statutory roles in the road stopping process. These roles are exercised by LINZ under delegated authority from the Minister.

The roles are:

- the consent required under s 342 (1) (a) of the Local Government Act 1974 for local councils to stop a road in a rural area
- the power to stop a road under s 116 of the Public Works Act 1981
- the power under s 323 of the Local Government Act 1974 to resume on behalf of the Crown, title to the land comprising an unformed road.

There are no formal policies used by LINZ in respect of each of these powers.

LINZ has a published standard (LINZS15002) for the stopping or resumption of roads.³⁴

The intended use of the standard is stated as:

“(a) A local authority, the New Zealand Transport Agency, and any Government agency or their contractor must use this standard when seeking a decision from the Minister or Land Information New Zealand (LINZ) on the stopping and resuming of a road

(b) All applications under this standard must be made to LINZ, as LINZ acts on delegated authority from the Minister.”

The purpose of the standard is expressed as follows:

“The purpose of this standard is to ensure that the Minister for Land Information’s role in road

32. Environment Court 2005. *Decision C100/2005*

33. *Lower Hutt City Council v Bank [1974] 1 NZLR545.*

34. Refer Appendix E or <http://www.linz.govt.nz/crown-property/standards-guidelines/crown-property-standards/index.aspx>

stopping or resumption is correctly carried out and that the protocols the Crown has with Ngā ti Mutunga and Ngāti Tama are followed when a road is proposed to be resumed."

Two statutory processes for stopping a road are available – that under s 342 of the Local Government Act 1974, or that under s 116 of the Public Works Act 1981 – the standard states:

"A local authority may request that the Minister stop roads under s 116 of the PWA. The decision whether to stop a road under s 116 of the PWA rests with the Minister. Use of s 116 of the PWA by a local authority will be made on a case by case basis. Justification A local authority should provide the Minister with reasons for why it considers use of s 116 of the PWA is more appropriate than s 342 of the LGA."

The standard goes on to say:

"...LINZ prefers that, in the first instance, local councils apply the procedures in s 342 of the LGA, including the requirements for public notification. Road should be stopped using the LGA when there are likely to be objections to the proposal, or matters of public access to consider."

LINZ has advised that the power for the Crown to take back the land comprising an unformed legal road by declaration by the Minister is rarely used. It has the effect of stopping the road.

Included in the standard is the requirement for the following information:

"(d) whether the road stopping will deny or restrict access to other areas, including bush, river, or sea,

(e) details of the intended recipient of the land once the land has been resumed by the Crown and is disposed of."

Stopping roads along waterways

Where roads are stopped either under s 342 of the Local Government Act 1974 or under s 116 of the Public Works Act 1981, special conditions apply to roads along waterways to safeguard public access and to protect the environment.

The law relating to stopping roads bordering beaches, rivers and lakes is governed by s 345 of the Local Government Act 1974, as well as the Resource Management Act 1991.

Essentially, if any road along a waterway is stopped, under s 345 of the Local Government Act 1974, it has to become an 'esplanade reserve' as defined in s 2 (1) of the Resource Management Act 1991. This provision is subject to any rule included in a district plan under s 77 of the Resource Management Act 1991.

Protection modified

In his 2007 publication *Roading as it applies to unformed roads*³⁵, Brian Hayes describes how successive law changes have weakened the protected status of roads along waterways.

"From 1882 to 1952, roads along rivers were statutorily protected and could not be stopped. At various times since, a road along water, if stopped became:

- if in a municipality, a public reserve for public convenience or utility (1954)*
- an esplanade reserve (1972)*
- a recreation reserve (1977)*

35. Hayes B. E. (2007). *Roading law as it applies to Unformed Roads*. Ministry of Agriculture and Forestry, Wellington, New Zealand.

- *a reserve for the purposes of providing access to the river, stream, lake or sea (1978)*
- *an esplanade reserve (1991, 1993).*

Now the stopping of a road along water may be governed by s 77 of the Resource Management Act 1991 which empowers a territorial authority in its district plan to provide that s 345(3) of the Local Government Act 1974 will not apply. In that event, public access to the water may be lost when a waterside road is stopped. Roads along water, which once had unique statutory protection, are now (in theory but hopefully not in practice) the least protected for public access.”

A new New Zealand Coastal Policy Statement has been published (2010) which gives increased prominence to public access.³⁶

Unformed legal roads in the foreshore and seabed

Section 15 (4) of the Foreshore and Seabed Act 2004 stopped unformed legal roads in the foreshore and seabed and vested the land in the Crown. These roads were in the foreshore mainly as a result of coastal erosion, although technical differences in the definition of the boundary with the foreshore has probably meant that parts of most roads bounding the foreshore have been stopped. There are, therefore, no unformed legal roads on the foreshore, although the landward margin of road if it is in the foreshore remains the boundary of the adjoining land.

Originally, under the Crown Grants Act 1908, the edge of the seashore was the line of high water mark at ordinary tides and roads along the coast ran along and upwards of this line. Under the 2004 Act the foreshore is the marine area up to the line of mean high water springs; i.e. the foreshore may extend further inland. As a result, in many cases the coastal road, which in any event may have suffered erosion, is now in whole or in part included in the foreshore and is stopped.³⁷

Walkways over unformed legal roads

Prior to the enactment of the Walking Access Act 2008 there was provision under the then New Zealand Walkways Act 1990 for walkways to be made on unformed legal roads. This is no longer possible.

36. <http://www.doc.govt.nz/conservation/marine-and-coastal/coastal-management/nz-coastal-policy-statement/>

37. The *Marine and Coastal Area (Takutai Moana) Bill*, currently (at January 2011) is before the New Zealand Parliament. The Bill appears not to affect the stopping of road below mean high water springs.

Recommended best practice

Issue	What the law says	Recommended action
Public rights	The public has rights of free passage on unformed legal roads.	Councils should: <ul style="list-style-type: none"> • uphold those rights • increase public awareness of them • legally enforce, if necessary.
Private rights	Private landholders have a right to privacy and not to have their property or stock interfered with or damaged by recreational users of unformed legal roads.	Councils should: <ul style="list-style-type: none"> • make sure recreational groups are fully aware of their obligations • encourage landholders to use appropriate signage to clearly establish boundaries between their land and unformed legal roads • advise adjoining landholders of their rights to legal redress if their rights are seriously breached.
Leases and licences to occupy	There is no provision in the Local Government Act 1974 for leases or licences of this kind other than in permits in respect of motor garages (s 340) and leases of airspace and subsoil (s 341).	Such permits or licences should be granted only in accordance with the relevant statutory powers.
Occupation v ownership	Long-term occupation of publicly reserved land does not confer rights of ownership.	Councils should ensure landholders are aware of the legal status of unformed legal roads that intersect or border their properties.

<p>Obstructions</p>	<p>It is unlawful to block the public right of free passage unless this is done by a territorial authority using a statutory power.</p>	<p>Councils should:</p> <ul style="list-style-type: none"> • ensure adjoining landholders do not fence or place locked gates across roads • ensure that any gates or cattle stops across roads are authorised by the council • investigate and deal with complaints by the public about unlawful obstructions • consider the scope to require landholders to fence roads to protect the safety and convenience of the public • note that there may be a remedy for unlawfully obstructing a road in the Summary Offences Act.
<p>Repairs & maintenance</p>	<p>Councils cannot be held liable for nonfeasance (not maintaining) unformed roads, but may have some liability for abandoned structures (such as bridges and culverts) or formation on roads that are no longer maintained.</p>	<p>Councils should be aware of the case law establishing their legal obligations regarding maintenance and repair.</p>
<p>Use by motor vehicles</p>	<p>Motor vehicles may in law use unformed legal roads. There may be scope to make bylaws restricting motor vehicle access under the Transport Act 1962. The Land Transport (Road Safety and other matters) Amendment Bill (as at January 2011) provides for the making of bylaws restricting motor vehicle access in certain circumstances.</p>	<p>Councils should be sensitive to landholders' concerns about vehicles driving over farmland or fragile tracks and work with them to resolve such concerns. Any bylaws should be made in compliance with the relevant statutory powers in force.</p>
<p>Cattle stops & swing gates</p>	<p>The law provides, in certain circumstances, for cattle stops and swing gates to be placed across unformed legal roads (s 344 of LGA 1974).</p>	<p>Councils should:</p> <ul style="list-style-type: none"> • ensure the criteria are met before such rights are granted • use discretion in applying this provision • make sure landholders know swing gates are not to be locked and should carry appropriate signage.

<p>Public safety</p>	<p>Compensation for personal injury is provided for in the Accident Compensation Act 2001. There is only very limited potential civil liability for personal injury attributable to a landholder or a council. However, councils can direct adjoining landholders to fence the boundary between their property and an unformed legal road if there is an issue of public safety. Because some unformed legal roads may be places of work, or adjoin places of work, some provisions of the Health and Safety in Employment Act 1992 may apply, such as the obligation of persons in control of a place of work to warn visitors about extraordinary work-related hazards, including those that may affect adjoining public land.</p>	<p>Councils should:</p> <ul style="list-style-type: none"> • be aware of any potential hazards that might arise from structures on unformed legal roads • be familiar with the provisions of the Health and Safety Act in Employment Act 1992 as it applies to authorised visitors to farms or other rural land.
<p>Stopping of roads</p>	<p>Councils can stop roads in accordance with s 342 of the Local Government Act 1974 and through following the process outlined in the 10th Schedule of the Act. Consent must be gained from the Minister for Land Information before roads in rural areas can be stopped. Roads along rivers, waterways and lakes, if stopped, must become esplanade reserves under s 77 of the Resource Management Act 1991 unless a plan provides otherwise. The Minister for Land Information may also stop roads under s 116 of the Public Works Act 1981.</p>	<p>Councils should take account of LINZ Standard 15002 and the decisions of the Environment Court in considering proposals to stop unformed legal roads. They should not fetter their decision-making by entering into prior commitments with adjoining landholders. Provisions in plans that may affect unformed legal roads must take into account the New Zealand Coastal Policy Statement 2010.</p>

Glossary

Accretion: The gradual build up of dry land along a water body (beach, river or lake) through the action of the water on the bed of the water body.

Cadastral records: Spatial data held in Landonline and survey records from which this data was derived which shows legal boundaries, including formed and unformed roads.

Council: A territorial authority.

Erosion: The gradual loss of land along a water body (beach, river or lake) through the action of the water on the land.

Esplanade reserve: Land along any sea, river, or lake that, on the subdivision of land, is set aside for the purpose of conservation, public access, or public recreation. The reserves are usually vested in the local authority and subject to the protection of the Reserves Act 1977.

Esplanade strips: A form of statutory easement that may be required as an alternative to esplanade reserves. As well as being established on subdivision, they may also be established by agreement with the landholder.

Public access may be restricted if the easement specifies this.

Formation: In relation to roads, formation means the same as the construction of the

road and includes gravelling, metalling, sealing or permanently surfacing the road.

Landonline: is New Zealand's online database for land title and survey information. Landonline enables surveyors, lawyers and other land professionals (including territorial local authorities) to search and lodge title dealings and survey data digitally – www.landonline.govt.nz

LINZ: Land Information New Zealand is a New Zealand government department responsible for land titles, geodetic and cadastral survey systems, topographic information, hydrographic information, managing Crown property and a variety of other functions.

Paper road: A term often used to refer to an unformed legal road. The use of the term unformed legal roads is preferred in this document because 'paper road' can appear to reduce the status of the roads as legal roads with the same rights of use as any other road.

Queen's chain: The Queen's chain is a popular term referring to a strip of land (usually 20 metres wide) reserved for public use above the sea shore and the banks of rivers and lakes. The Queen's chain is not a legal term. A variety of different types of public land exist for conservation reasons and to preserve public access. There are significant gaps in the reserves of water margin land.

Road: In this publication, refers to a road as defined in the Local Government Act 1974, that is a legally recognised public road. A legal road is subject to a common law right of passage. Almost all rural legal roads in New Zealand are of a nominal width of 20 metres.

Road stopping: This is the process of stopping a formed or unformed legal road, and removing its legal status as a road.

Rural area: A rural area is defined in the Local Government Act 1974 as 'an area zoned rural in a proposed or an operative district plan'.

Spatial data: Data that represents information about the physical location of something.

Territorial authority: A city council or a district council recognised as such under the Local Government Act 2002.

Topographic maps: Topography involves studying and describing the surface features of the land. The most common way of describing the surface of the Earth is with topographic maps. These are graphic, detailed representations of the land's natural and man-made features, represented to scale.

Unformed legal road : A legal road that has either never been formed or is not maintained by the council. It exists legally, (i.e. is shown on an official plan) but is not physically formed.

Unformed legal roads have the same status as any other road. Road rules apply, the public has the same right to use them, and landholders are obliged to respect public use. Unformed legal roads often border or intersect private land. They can be key points of entry to nationally treasured resources (forests, parks, rivers, coastlines, and lakes).

WAMS: Is the Walking Access Mapping System developed by the New Zealand Walking Access Commission. The system provides an accessible, user-friendly online resource for people wanting to find areas of public land which they can use for recreational purposes – www.wams.org.nz

Walking access: As defined in the Walking Access Act 2008 is the right of any member of the public to gain access to the New Zealand outdoors by passing on foot across land over which the public has rights of access and performing any activity that is reasonably incidental to that passing.

Water margin: Refers to the point at which the water in a sea, lake or river adjoins dry land. For legal purposes, more specific terms are used, such as mean high-water mark or mean high-water springs.

Appendix A

Legislation applicable to unformed legal roads

Legislation	Relevant provisions	Administering agency
The Local Government Act 1974 (Part 21)	Part 21 contains the regulatory regime that applies to roads. It includes a provision that if a water margin road is stopped it becomes an esplanade reserve.	Department of Internal Affairs for the statute itself; the relevant territorial authority for enforcement and statutory powers.
The Government Roading Powers Act 1989	Part 4 relates to the powers of the Government to make and control roads. It applies largely to state highways and motorways, and is of limited relevance to unformed legal roads.	Ministry of Transport.
The Impounding Act 1955	Provides for the impounding of livestock on roads; exemptions may be granted by the relevant local authority.	Department of Internal Affairs for the statute; the appropriate local authority for enforcement and statutory powers.
The Public Works Act 1981 (Parts 8 and 9)	Provides for the stopping of roads by Ministerial decision.	Land Information New Zealand.
The Gates and Cattle Stops Order 1955 (made under the Public Works Act 1981) See Appendix G in this guide	Prescribes the form and construction of gates and cattle stops which have been authorised to be placed across roads.	Land Information New Zealand for the statute; the appropriate local authority for compliance.

The Land Transport Act 1998	The rules for traffic behaviour on roads.	Ministry of Transport.
The Transport Act 1962	Provides for bylaws that restrict vehicle classes and loads on roads. This residual provision is due to expire when this power is re-enacted by amendment to the Land Transport Act 1988.	Ministry of Transport.
The Summary Offences Act 1981 (s 22)	Makes it an offence to obstruct a public way.	Ministry of Justice for the Act; Police for enforcement.
The Foreshore and Seabed Act 2004	Stops roads on the foreshore. The relevant land becomes public foreshore. It appears that the landward margin of the stopped road remains the boundary of the adjoining land.	Department of Conservation. Some functions may be delegated to a council.
The Walking Access Act 2008	Established the New Zealand Walking Access Commission to safeguard and enhance opportunities for public walking access to the great outdoors, while respecting private landholders' rights and property.	New Zealand Walking Access Commission.

Appendix B

Historical background on road formation and maintenance

The physical formation of roads and subsequent repair and maintenance has an obvious connection. So far as formation (or in context, the absence of it) is concerned, different rules applied depending on what period of history one is looking at.

- the pioneering period (1840 – 1900)
- the post pioneering period.

The Public Works Amendment Act 1900 introduced compulsory requirements for formation. Roads had to be a standard width of one chain, and statutorily dedicated to the public prior to actual use. Before 1900 the Crown was the principal subdivider but as land was bought and settled, substantial private subdivision began to take place. The Public Works Amendment Act 1900 sought to control private subdivision.

Neither the Crown nor the private subdivider could be compelled to form the roads they created on plans originating in the pioneering period, but since 1900 private subdividers

have had to form roads or provide for physical access. For this reason unformed legal roads on private subdivisions ceased to be a consideration after 1900.

In counties, the Crown divested management and control of rural roads to the county councils early in the pioneering period. If the Crown was exempt from an obligation to form and repair, given the vast distances of unformed roads, what then was the accountability of the county councils, which did have a legal obligation as part of their management responsibilities for construction and repair? The courts eventually protected councils from what would have been an unsustainable financial burden.

The decision of *Snushell v Kaikoura County* primarily confirms that unformed legal roads are like any other road. However, the observations of the judges on other relevant matters are significant and authoritative. Justice Sim in his Court of Appeal judgement (1920) NZLR 783 at 808 said:

“In the present case the County Council has the control and management of the roads in the county. It has the right to construct and maintain these roads, and also a duty to do so although, as pointed out in Tuapeka County Council v Johns, that duty cannot be enforced by indictment or by action.”

Justice Sim noted that there is a duty on the controlling authority of a legal road to construct and repair. Given the special nature of the then existing unformed roads in New Zealand, the courts, on the basis of earlier decisions,³⁸ will not enforce that obligation.

However, if a council accepts the vesting of land as a road and that road is unformed, the council will have a duty to form and maintain it and the council may be compelled to do so. This has been the law for more than 100 years, providing a caution for councils.

38. Chapman KC (later Mr Justice Chapman) counsel in *Bank of New Zealand v District Land Registrar (Auckland) (1907)* 27 NZLR126: “If the applicant’s contention is correct and these [unformed] roads have been dedicated, the local authority will have to maintain twenty five miles of

badly made or unmade roads running through a private estate, and that would throw a very heavy burden upon the ratepayers.” [the words in brackets added]. Note also the decision of the Court of Appeal in *District Court v Brightwell and Findlay (1912)* 31 NZLR707.

Appendix C

Environment Court case studies

Ruapehu District Council

Environment Court³⁹, 30 January 2002.

The issue

The Ruapehu District Council wanted to stop an 11 kilometre section of an unformed legal road which ran through a property owned by Ruatiti Wilderness Limited. The council received a number of objections and referred the matter to the Environment Court.

Council's submission

The council wanted to stop the road on behalf of the private owner who planned to develop the land as a tourist park and deer hunting area. It argued the road would become a danger to the public when hunters were shooting in the area. The council also said the road was redundant to its needs 'at present and in the future'.

Objector's case

There were numerous objections to the road stopping. Reasons included its:

- importance as a public access way
- interest to trampers, mountain bikers and

horse trekkers

- historical significance
- need to be maintained for future generations.

The Court

In considering the matter, the court relied on decisions by the former Planning Tribunal and English case law. It had this to say about the conflicting interests.

"When exercising our powers to stop a road we are required to consider the merits of the proposal in relation to the road itself and must judge whether the public benefit to be gained by the proposed stopping is outweighed by the private injury which would follow the proposal."

It also noted:

"It is clear that access by the public has been curtailed by the land use management practices of the proprietor who owns the land on both sides of the road. The road is currently incorporated into the farm property. Surveillance cameras, fences and barriers have prevented public usage and continue

³⁹ Environment Court 2002 Decision A083/02 ELRNZ. Reference 8 ELRNZ 144.

to do so. It appears that the owner has arrogated to itself a right to close the road."

Outcome

The court determined that the central issue in this case was establishing whether there was a public need for the road in question. It decided there was.

"The evidence clearly establishes that until the adjacent landowner made it difficult, a significant number of the community used the road for a variety of purposes: These included:

- *trekking*
- *tramping*
- *camping*
- *use of the road as part of a wider network linking tourists and recreation passages.*

We find that there is a need by a significant section of the community for the road, albeit not in the ordinary sense of the right to vehicular passage, but for a wide range of uses including foot and horse passage. While we understand the concerns of the council and the reason they have advanced for the commercial benefit to a landowner, they have not addressed the need of the local community."

The court also found the road provided an important link across the countryside, which could be developed in future. It reversed the council's decision to stop it.

In essence the decision made it clear that the court would not agree to the stopping of a road where there was a public interest in keeping it.

The public interest could be a current use or a potential future use, and use extended to recreational use.

Upper Hutt City Council

Environment Court⁴⁰, 17, 18 and 19 February 2003.

The issue

The road in question is an unformed legal road extending across Whiteman's Valley over a ridge into Wainuiomata. Most of the historic road has never been formed or used and the council, supported by the owners of the land through which it passes, wanted the unformed section to be stopped and the land sold to the adjoining owners, who planned to develop a rural subdivision.

Council's submission

The council arguments included:

- the road is impassable in its present state
- it will never be required as a road
- it allows access to private lands by unwanted intruders
- the council does not want responsibility for safety of people using it.

Objector's case

Objections were lodged by a recreational access group and two four-wheel-drive clubs.

The court

The court rejected previous decisions from the former Planning Tribunal which suggested

40. Environment Court 2003 Decision W 21/2003.

there was no obligation on local councils to keep roads open for recreational use. Instead it relied on the finding of the 2002 Ruapehu District Council case in reaching its decision and gave weight to rights of public access.

“A public road, even one that is unformed, may be an asset. It would be difficult to replace. If a public road is valued by the public or sections of it, for use within the scope of the purposes of a public road, that value deserves to be weighed against whatever cause is shown for stopping it as a road and disposing of the land.”

Outcome

The court ruled that the road should not be stopped. It accepted that although the terrain the road crossed was difficult in places for vehicles, it was not impossible, and it could be walked, especially if the council removed some of the obstructions.

“We have also found that the section in question is required now as a public road by some members of the public for use for recreational purposes. That is likely to continue in the future.”

The court determined that the private benefit to the land owner was not relevant to consideration by the court and rights of public access now and in the future was the paramount consideration.

Tasman District Council

Environment Court⁴¹, 26 January 2009.

The issue

The road in question consisted of three parts: the first was formed with a gravel surface, the second was unformed but could be used as a four wheel drive track and the third was unformed and was a farm track.

The applicant requested that the Tasman District Council stop the part of the unformed legal road which intersected the land which was to be subdivided.

Council's submission

Council's main reasons for stopping the unformed legal road were:

- there were adequate roads in the area to accommodate the increased traffic
- a condition of the subdivision consent was for an existing road to be upgraded with the intention it would service the subdivision
- a walkway was being constructed by the applicant and this would mitigate any negative effects of the stopping of the unformed road
- construction of the paper road would be difficult and expensive due to the terrain.

Objector's case

The primary objection was the increased volume of cars as a result of the subdivision.

41. Environment Court 2009 Decision W 004/2009.

Outcome

The court reversed the council's decision to stop the road. Its main reasons were:

- the Tasman Resource Management Plan (TRMP) included a subdivision design guide which referred to maintaining a single and central access to the Coastal Highway from each sub unit. The provision of access via a different road was inconsistent with the TRMP
- a planned by-pass road development included the intersection of the paper road at its farthest end and this indicated a potential future use
- the increased traffic resulting from the subdivision would mean the paper road would be well used if developed
- the court was not satisfied the council had adequately considered the strategic development of the area's roading network.

The court stated:

"We are not convinced that the closure of the road is needed for the development of the Carter Holt subdivision nor indeed that that is a valid reason for closing the road. Nor do we consider the retention of the unformed legal road is an improper use of the land. The key issue to be considered by the court on a road closure application is the need for the road for public use, or more specifically in this case whether or not the paper road could be used to provide feasible and practicable access in the future and should therefore retain its status as a road."

Appendix D

Gates and Cattlestops

Order 1955

PURSUANT to subsection (4) of s 11 of the Public Works Amendment Act 1935, as set out in s 16 of the Public Works Amendment Act 1952, the Minister of Works hereby makes the following order.

Contents

Schedule Specifications

1. This order may be cited as the Gates and Cattlestops Order 1955.
2. For the purposes of the said subsection (4) of s 11 of the Public Works Amendment Act 1935, the specifications for gates and cattlestops across public roads shall be those prescribed in the Schedule hereto.

Schedule Specifications

1. In these specifications—

Cattlestop means a device set in the formed portion of a public road consisting primarily of a number of rails or bars fixed horizontally over a pit in such a manner as to allow wheeled traffic

to pass but as to form a barrier for livestock. Gate means a swing gate constructed in conjunction with a cattlestop to provide access for livestock.

2. Cattlestops and gates shall be constructed of reasonably permanent material having regard to the circumstances applicable and shall be designed in accordance with sound engineering principles.

3. Every cattlestop shall be capable of supporting with the wheels in any possible position not less than one and a quarter times the maximum axle weight specified by the Heavy Motor Vehicle Regulations 1950 for the class of road on which the cattlestop is to be constructed:

Provided that if the road is classified lower than class three the road shall be deemed to be class three:

Provided further that the aforesaid axle weight shall be considered as being distributed over not more than two transverse rails or bars.

4. The minimum width of any cattlestop which is available for traffic shall be 10 ft, but either the cattlestop or the gate alongside shall afford a width available for traffic of at least 12 ft.

5. The minimum length of the pit of any cattlestop measured along the centre line of the road shall be 7 ft.

6. The depth from the top of the rails or bars of any cattlestop to the bottom of the pit shall be not less than 1 ft 6 in.

7. The rails or bars of every cattlestop shall be securely fastened to prevent movement under traffic, and shall be at right angles to the general direction of travel of traffic.

8. Openings adjacent to the running surface between rectangular bars or railway rails of any cattlestop shall be not less than 4 1/2 in nor more than 6 in. Spacing of pipes or chamfered rails of any cattlestop shall be not less than 6 in nor more than 7 in centre to centre.

9. The thickness of any earth retaining wall around the pit of any cattlestop, and of any wall supporting rails or bars of any cattlestop, shall be not less than 6 in.

10. Cattlestops shall have side fences effective to prevent the passage of livestock extending their full length.

11. A cattlestop shall be located so that it is clearly visible for a distance of at least 5 chains on both approaches.

12. The top of the part of any cattlestop carrying traffic shall be so built that it forms a continuation of the surface of the adjacent road.

13. At least one gate not less than 10 ft wide, of adequate design and construction with adequate hinges and fastenings, shall be constructed in conjunction with every cattlestop. No gate shall have timber members of less than the following widths and thicknesses:

	New Zealand Timber	Australian Hardwood
Rails	4 in x 1 1/2 in.	3 1/2 in x 1 in.
Stiles	4 in x 1 in double	3 in x 1 in double
Diagonals	4 in x 1 in double	3 in x 1 in double

14. All members of gates shall be securely bolted together with metal bolts of not less than 1/2 in diameter.

Appendix E

If visitors to my farm are injured, am I liable?

Under s 16 of the Health and Safety in Employment Act 1992, people who control workplaces, including farmers, have a simple duty to warn visitors who have permission to be on their properties of any work-related, out-of-the-ordinary hazards that they know about that may cause serious harm.

Under s 16 of the Act, farmers have two types of duties:

- A duty to warn authorised visitors
- A full duty to employees, contractors and their employees, people in the vicinity of the place of work and people who are paying customers (this is explained later).

You are not liable if anyone comes on to your land without your permission and suffers harm, whether from a work related hazard or for any other reason.

This fact sheet answers questions you may have about this law.

Duty to warn

You have a duty to warn authorised visitors of work-related, out-of-the-ordinary hazards.

What is meant by an authorised visitor?

This is anyone who comes on to your farm with your express permission. It includes people who come for leisure or recreational activities. It also includes people on your property who are doing work that is unrelated to your work, such as research workers.

What about workers who have legal authority to go on my property?

Your duty to warn expands to people who are legally authorised to be on your property, but only where they have given you oral notice of their visit. People in this situation include employees of electrical companies, Department of Conservation workers and local authorities.

What is meant by a work-related, out-of-the ordinary hazard?

This is a hazard that:

- arises from some work activity on the farm;
- wouldn't normally be expected to be on a farm; and
- could cause a person serious harm.

Examples might be:

- trees being felled
- blasting
- earthmoving machinery operating; or
- where pest control operators are working.

Natural hazards are excluded. You are not liable for warning visitors of natural hazards on your farm, such as:

- bluffs
- landslides
- rivers
- swamps
- wasp nests, etc.

What sort of warning should I give and when?

You need only give a verbal warning about the hazard. You need to do this at the time you give that person express permission to go on to your land. If a group of people are involved, it's sufficient to give the warning to a representative of that group.

The warning can be given by your farm manager if he or she is the person giving permission.

Full duty

The relationship changes if people pay to use your land for any purpose. In this case the people become your customers, and you have a full duty to take "all practicable steps" to ensure that they are not harmed by any hazard arising on the farm.

This would include situations where people pay to use your land in situations such as camping, horse trekking, "pick your own" fruit, or where a tour operator pays for tourists to visit a scenic site on your land.

You also have a full duty to other groups:

- all employees who work for you (e.g. farmhands, fruit pickers)
- all contractors you engage and their employees (e.g. for shearing, fencing, tree felling)
- all people buying or inspecting goods offered for sale (e.g. farm produce, craft items)
- all people in the vicinity of a place of work (e.g. driving on a road alongside a paddock where you are spraying chemicals).

What is meant by "all practicable steps"?

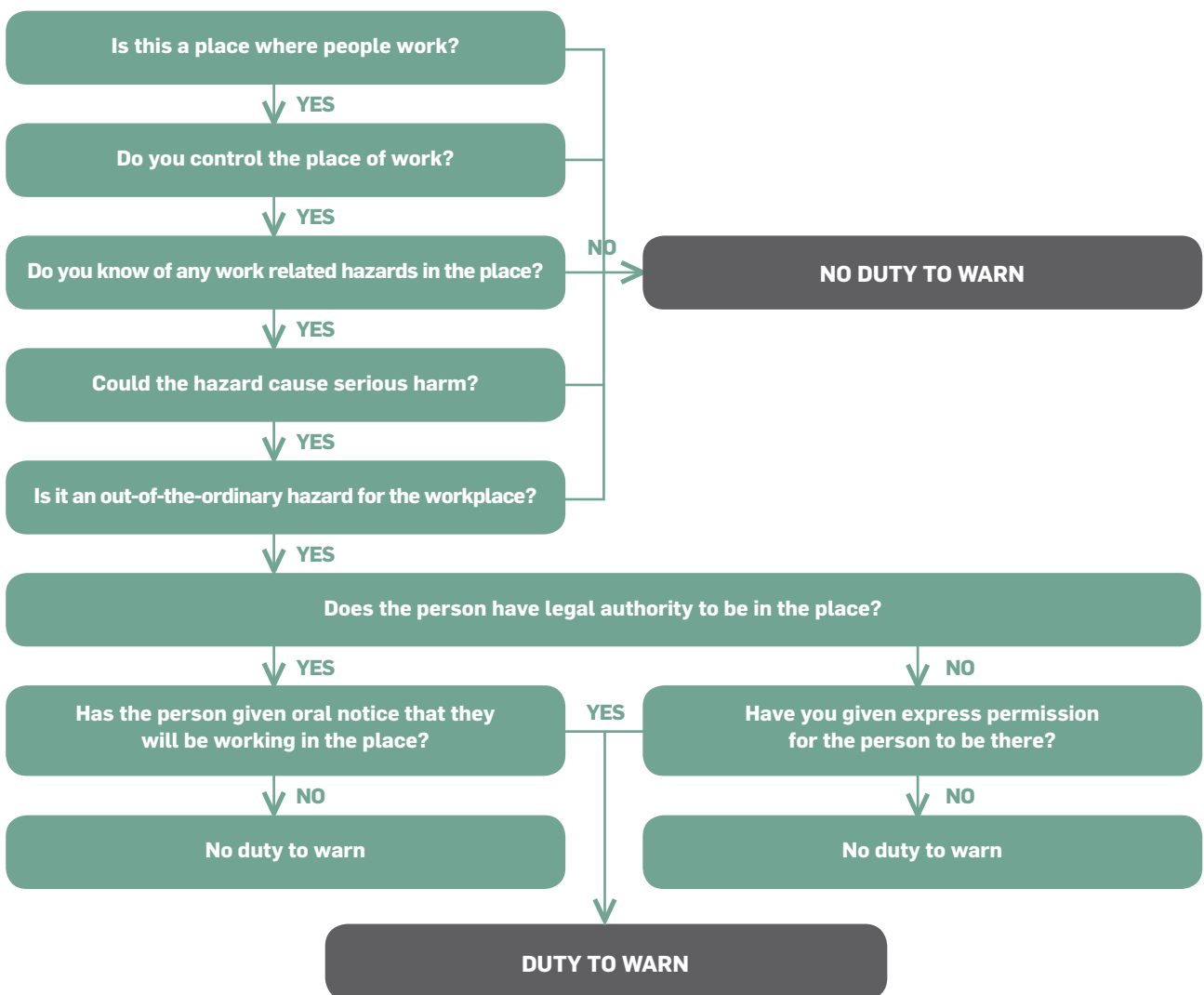
It means things that can reasonably be done to ensure that people are not harmed. It might also mean restricting access to certain areas of your farm, e.g. where chemical spraying is being done, or setting weight limits on bridges.

But remember, you are only required to take steps in respect of circumstances you know or ought reasonably to know about.

This fact sheet highlights the duties under s 16 of the Health and Safety in Employment Act 1992 only. Other duties may be owed under

other provisions of the Act, e.g. as an employer, self employed person or principal.

When do I have a duty to warn people about hazards?



Appendix F

Schedule 10 Local Government Act 1974

Conditions as to stopping of roads and the temporary prohibition of traffic on roads.

Schedules 10, 11, 12 and 13 were inserted as from April 1979, by s 3(1) of the Local Government Amendment Act 1978.

Stopping of Roads

1. The council shall prepare a plan of the road proposed to be stopped, together with an explanation as to [[why the road is to be stopped and]] the purpose or purposes to which the stopped road will be put, and a survey made and a plan prepared of any new road proposed to be made in lieu thereof, showing the lands through which it is proposed to pass, and the owners and occupiers of those lands so far as known, and shall lodge the plan in the office of the Chief Surveyor of the land district in which the road is situated.⁴² [[The plan shall separately show any area of esplanade reserve which will become vested in the council under s 345 (3) of this Act.]]

2. On receipt of the Chief Surveyor's notice of approval and plan number the council shall open the plan of public inspection at the office of the council, and the council shall at least twice, at intervals of not less than 7 days, give public notice of the proposals and of the place where the plan may be inspected, and shall in the notice call upon persons objecting to the proposals to lodge their objections in writing at the office of the council on or before a date to be specified in the notice, being not earlier than 40 days after the date of the first publication thereof. The council shall also forthwith after that first publication serve a notice in the same form on the occupiers of all land adjoining the road proposed to be stopped or any new road proposed to be made in lieu thereof, and, in the case of any such land of which the occupier is not also the owner, on the owner of the land also, so far as they can be ascertained.

3. A notice of the proposed stoppage shall during the period between the first publication of the notice and the expiration of the last day for lodging objections as aforesaid be kept fixed in a conspicuous place at each end of the road proposed to be stopped:

⁴² The words in both sets of double square brackets were inserted by s.362 of the Resource Management Act 1991.

Provided that the council shall not be deemed to have failed to comply with the provisions of this clause in any case where any such notice is removed without the authority of the council, but in any such case the council shall, as soon as conveniently may be after being informed of the unauthorised removal of the notice, cause a new notice complying with the provisions of this clause to be affixed in place of the notice so removed and provisions of this clause to be affixed in place of the notice so removed and to be kept so affixed for the period aforesaid.

4. If no objections are received within the time limited as aforesaid, the council may by public notice declare that the road is stopped; and the road shall, subject to the council's compliance with clause 9 of this Schedule, thereafter cease to be a road.

5. If objections are received as aforesaid, the council shall, after the expiration of the period within which an objection must be lodged, unless it decides to allow the objections, send the objections together with the plans aforesaid, and a full description of the proposed alterations to the [[Environment Court]].

6. The [Environment Court] shall consider the district plan, the plan of the road proposed to be stopped, the council's explanation under clause 1 of this Schedule, and any objection made thereto by any person, and confirm, modify, or reverse the decision of the council which shall be final and conclusive on all questions.]]

[This clause was substituted for the former clause 6 by s 362 of the Resource Management Act 1991.]

7. If the [[Environment Court]] reverses the decision of the council, no proceedings shall be entertained by the [[Environment Court]] for stopping the road for 2 years thereafter.

8. If the [[Environment Court]] confirms the decision of the council, the council may declare by public notice that the road is stopped; and the road shall, subject to the council's compliance with clause 9 of this Schedule, thereafter cease to be a road.

9. Two copies of that notice and of the plans hereinbefore referred to shall be transmitted by the council for record in the office of the Chief Surveyor of the land district in which the road is situated, and no notice of the stoppage of the road shall take effect until that record is made.

10. The Chief Surveyor shall allocate a new description of the land comprising the stopped road, and shall forward to the District Land Registrar or the Registrar of Deeds, as the case may require, a copy of that description and a copy of the notice and the plans transmitted to him by the council, and the Registrar shall amend his records accordingly.

11. The council may, subject to such conditions as it thinks fit (including the imposition of a reasonable bond), and after consultation with the Police and the Ministry of Transport, close any road or part of a road to all traffic or any specified type of traffic (including pedestrian traffic) –

(a) While the road, or any drain water race, pipe, or apparatus under, upon, or over the road is being constructed or repaired; or

- (b) Where, in order to resolve problems associated with traffic operations on a road network, experimental diversions of traffic are required; or
- (c) During a period when public disorder exists or is anticipated;
- or
- (d) When for any reason it is considered desirable that traffic should be temporarily diverted to other roads; or
- (e) For a period or periods not exceeding in the aggregate 31 days in any year for any exhibition, fair, show market, concert, film-making, race or other sporting event, or public function:

Provided that no road may be closed for any purpose specified in paragraph (e) of this clause if that closure would, in the opinion of the council, be likely to impede traffic unreasonably.

11a. The council shall give public notice of its intention to consider closing any road or part of a road under clause 11(e) of the Schedule: and shall give public notice of any decision to close any road or part of a road under that provision.

11b. Where any road or part of a road is closed under clause 11(e) of this Schedule, the council or, with the consent of the council, the promoter of any activity for the purpose of which the road has been closed may impose charges for the entry of persons and vehicles to the area of closed road, any structure erected on the road, or any structure or area under the control of the council or the promoter on adjoining land.[11C. Where any road or part of a road is closed under clause 11 (e) of this Schedule, the road or part

of a road shall be deemed for the purposes of –

(a) The Transport Act 1962 and any bylaws made under s 72 of that Act:

(b) The Traffic Regulations 1976:

(c) The Transport (Drivers Licensing) Regulations 1985:

(d) The Transport (Vehicle and Driver Registration and Licensing) Act 1986:

(e) The Transport (Vehicle Registration and Licensing) Notice 1986:

[(ea) The Land Transport Act 1998:]

(f) Any enactment made in substitution for any enactment referred to in [paragraphs (a) to (ea)] of this clause— not to be a road; but nothing in this clause shall affect the status of the road or part of a road as a public place for the purposes of this or any other enactment.]] [Clauses 11, and 11A to 11C, were substituted for this former clause 11 (as enacted by s 3 (1) of the Local Government Amendment Act 1978) by s 14 (1) of the Local Government Amendment act (No.3) 1986.

[In clause 11C, para. (ea) was inserted from 1 March 1999 by s 215 (1) of the Land Transport Act 1998.

[In Clause 11C the words “paragraphs (a) to (ea)” were substituted for the words “paragraphs (a) to (e)” from 1 March 1999 by s 215 (1) of the Land Transport Act 1998.]

12. The powers conferred on the council by clause 11 (except paragraph (e)) may be exercised by the Chairman on behalf of the council or by any officer of the council authorised by the council in that behalf.

13. Where it appears to the council that owing to climatic conditions the use of any road in a rural area, other than a State highway or Government road, not being a road generally used by motor vehicles for business or commercial purposes or for the purpose of any public work, may cause damage to the road, the council may by resolution prohibit, either conditionally or absolutely, the use of that road by motor vehicles or by any specified class of motor vehicle for such period as the council considers necessary.

14. Where a road is closed under clause 13 of this Schedule, an appropriate notice shall be posted at every entry to the road affected, and shall also be published in a newspaper circulating in the district.

15. A copy of every resolution made under clause 13 of this Schedule shall, within 1 week after the making thereof, be sent to the Minister of Transport, who may at any time, by notice 64 Appendix D to the council, disallow the resolution, in whole or in part, and thereupon the resolution, to the extent that it has been disallowed, shall be deemed to have been revoked.

16. No person shall—

(a) Use a vehicle, or permit a vehicle to be used, on any road which is for the time being closed for such vehicles pursuant to clause 11 of this Schedule; or [(aa) Without the consent of the council or the promoter of any activity permitted by the council, enter or attempt to enter, or be present, on any road or part of a road that is for the time being closed to

pedestrian traffic pursuant to clause 11 of this Schedule; or]]

(b) Use a motor vehicle, or permit a motor vehicle to be used, on any road where its use has for the time being been prohibited by a resolution under clause 13 of this Schedule.

[Para. (aa) was inserted by s 14 (2) of the Local Government Amendment Act (no. 3) 1986.]

Appendix G

Interim standard for stopping or resumption of road

(Reproduced in part)

How to have your say on the interim standard

Go to the LINZ website, www.linz.govt.nz, and type 15002 in the search box in the top right-corner. Click on the appropriate link for the comments form.

Please email your completed comments form to regulatorysubmissions@linz.govt.nz.

Your comments

- (a) Comments, in electronic format using the form provided, should be on the technical content, wording, and general arrangement of the interim standard.
- (b) Please provide supporting reasons for your comments and suggested wording for proposed changes.
- (c) Please do not return marked up drafts as comments.
- (d) Editorial matters such as spelling, punctuation, grammar, numbering, and references, will be corrected before final publication.

Confidentiality

LINZ is required to carry out its functions with a high degree of transparency. Accordingly, please be aware that any information provided to LINZ may be discussed with or provided to other parties. Please identify any information that you wish to remain confidential and provide reasons for this. You should also be aware that LINZ is subject to the Official Information Act 1982.

Enquiries: Manager Crown Property Regulatory

Telephone: 04 460 0110

Email: regulatorysubmissions@linz.govt.nz

Interim standard for stopping or resumption of road | LINZS15002

Effective date: 21 December 2009

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Terms and definitions

For the purposes of this standard, the following terms and definitions apply.

Computer register: As defined in s 4 of the Land Transfer (Computer Registers and Electronic Lodgement) Amendment Act 2002 and created by the Registrar-General of Land under ss 7 to 14 of that Act; formerly known as certificate of title.

council: As defined in s2 of the LGA. Has the same meaning as 'local authority'.

Gazette: The New Zealand Gazette - Te Kahiti o Aotearoa, the official newspaper of the Government of New Zealand Government

LGA: Local Government Act 1974

LINZ: Land Information New Zealand

local authority: A regional council or territorial authority. Definition from s 5(1) of the Local Government Act 2002. Has the same meaning as 'council'.

Minister: Minister of Lands referred to in s 4A of the PWA. The statutory responsibilities of the Minister of Lands are held by the Minister for Land Information.

Ngāti Mutunga Protocol: Land Information New Zealand Protocol with Ngāti Mutunga, entered into under the Ngāti Mutunga Treaty settlement

Ngāti Tama Protocol: Land Information New Zealand Protocol with Ngāti Tama, entered into under the Ngāti Tama Treaty settlement

principal administrative officer: As defined in s2 of the LGA

PWA: Public Works Act 1981

road: As defined in s 315 of the LGA and s 43(1) of the Government Rounding Powers Act 1989, and includes part of a road

rural area: As defined in s 2 of the LGA

territorial authority: A city council or a district council named in Part 2 of Schedule 2 of the Local Government Act 2002. Definition from s 5(1) of the Local Government Act 2002.

Foreword

Introduction

(a) The Public Works Act 1981 (PWA) and the Local Government Act 1974 (LGA) set out procedures for stopping and resuming of land that has the status of road. The Crown must use the provisions of the PWA to stop roads. Local councils may use the LGA or request the Minister use the PWA to stop roads.

(b) Consultation with either Ngāti Mutunga and/or Ngāti Tama will be required if there is a proposal to resume an unformed road that is situated in areas covered by the respective protocols entered into between the Crown and those respective iwi.

(c) Disposal of land that is stopped road must be carried out in accordance with the relevant statutory provisions in the PWA or the LGA.

(d) Disposal of land that is resumed road must be carried out in accordance with the relevant statutory provisions in the Land Act 1948.

Purpose of standard

The purpose of this standard is to ensure that the Minister for Land Information's role in road stopping or resumption is correctly carried out and that the protocols the Crown has with Ngāti Mutunga and Ngāti Tama are followed when road is proposed to be resumed.

Superseded documents

This standard supersedes the following documents:

LINZ 2004, *Legalisation: Accredited Supplier*

Standard 16, (as amended), Property Regulatory Group, LINZ, Wellington

LINZ 2005, *Disposal of Land: Accredited Supplier Standard 3*, Property Regulatory Group, LINZ, Wellington

Clause 33.6 of LINZ 2005, *LINZS2001: Guidelines to the Standard for the Acquisition of Land under the Public Works Act 1981*, Property Regulatory Group, LINZ, Wellington

LINZ 2008, *LINZS45001: Amendment to Accredited Supplier Standard 16 – Legalisation (Ngāti Tama and Ngāti Mutunga Settlement)*, Property Regulatory Group, LINZ, Wellington

References

The following documents are necessary for the application of this standard.

- Government Roding Powers Act 1989
- Land Act 1948
- Local Government Act 1974
- Ngāti Mutunga Deed of Settlement
- Ngāti Tama Deed of Settlement
- Public Works Act 1981

2 For the full text of a Deed of Settlement under the Treaty of Waitangi, contact the Office of Treaty Settlements.

Scope

- (a) This standard sets out the procedures to be followed and provides guidance for:
- (i) the stopping of road under the PWA and the LGA,
 - (ii) the resumption of unformed road by the Crown from territorial authorities,

and

(iii) the resumption of unformed road in the Ngāti Tama and Ngāti Mutunga protocol areas.

(b) A local authority is responsible for complying with all requirements of Schedule 10 of the LGA, including public notice. This standard does not cover those requirements.

2 Intended use of standard

(a) A local authority, the New Zealand Transport Agency, and any Government agency or their contractor must use this standard when seeking a decision from the Minister or Land Information New Zealand (LINZ) on the stopping and resuming of road.

(b) All applications under this standard must be made to LINZ, as LINZ acts on delegated authority from the Minister.

Road stopping

3.1 Introduction

The provisions for stopping road under the PWA and the LGA are as follows:

(a) The Minister may declare any road to be stopped under s 116 of the PWA.

(b) A council may stop any road under s 342 of the LGA but may not proceed to stop any road in a rural area without the prior consent of the Minister.

Guidance on mechanisms for stopping roads

Formed and unformed roads

The road stopping provisions under s 116 of the PWA and s 342 of the LGA apply to land which has the status of road, regardless of whether the road is formed or unformed.

Public Works Act 1981

Legislation

s 116 of the PWA provides for the stopping of road.

Use of s 116 PWA

Section 116 of the PWA must be used when the New Zealand Transport Agency or another Government agency proposes to stop a Government road.

A local authority may request that the Minister stop road under s 116 of the PWA. The decision whether to stop a road under s 116 of the PWA rests with the Minister. Use of s 116 of the PWA by a local authority will be made on a case by case basis.

Justification

A local authority should provide the Minister with reasons for why it considers use of s 116 of the PWA is more appropriate than s 342 of the LGA.

Local Government Act 1974

Legislation

Sections 319 and 342, and Schedule 10 of the LGA. s 342 of the LGA provides for the stopping of road.

When to use

LINZ prefers that, in the first instance, local councils apply the procedures in s 342 of the LGA, including the requirements for public notification. Road should be stopped using the LGA when there are likely to be objections to the proposal, or matters of public access to consider.

3.2 Road stopping under the Public Works Act 1981

When applying to the Minister to declare a road to be stopped under s 116 of the PWA, the application must include the following:

- (a) a report with a full description of the road to be stopped, and advice on the following matters, where applicable:
 - (i) whether the road to be stopped is a road, service lane, or access way,
 - (ii) public use of the road,
 - (iii) public use of any land severed by the road,
 - (iv) reasons for stopping the road, and
 - (v) proposals for the land following the road stopping;
- (b) a copy of the approved survey plan,
- (c) a plan or plans showing:
 - (i) the boundaries of the road that is proposed to be stopped,
 - (ii) topographic information for the road and adjoining land, and
 - (iii) the wider area showing the road that is proposed to be stopped and any alternative legal and practicable access to adjoining land;
- (d) evidence that adequate legal and practicable access to land adjoining the road is left or provided,
- (e) evidence that notice has been given under s116(2)(a) of the PWA,
- (f) a copy of any consent required under s 116(2) of the PWA,
- (g) the draft Gazette notice for execution, and
- (h) copies of the relevant computer registers.

Guidance on consents to stopping under the Public Works Act 1981

Legislation

s 116 of the PWA sets out the notice, situation, and consent requirements which must be met before the Minister may declare a road to be stopped.

Consent of adjoining owner

Under s 116(2)(b)(i) of the PWA, the consent of the adjoining owner is not required when adequate road access is left or provided. Adequate access should include both legal and practicable access to the adjoining land.

It may be prudent to obtain consent as it provides evidence that the adjoining owner has agreed to any exchange.

Form of consent

The consent of a local authority under s 116(2)(d) of the PWA should be signed by the principal administrative officer. Some local councils use a resolution under seal.

Guidance on road disposal under the Public Works Act 1981

Legislation

The key provisions relating to disposal of stopped roads are set out in Part 8 of the PWA.

Agreements for sale and purchase

Agreements for sale of land that is stopped road under s 117 of the PWA should not be entered into before the Minister's approval under s 116 of the PWA, unless the agreement is made subject to that statutory approval being obtained.

3.3 Stopping of road in a rural area under the Local Government Act 1974

Where consent from the Minister is required to stop any road in a rural area under s 342 of the LGA the application must include the following:

- (a) a full description of the road,
- (b) a report with advice on:
 - (i) whether the road to be stopped is a road, service lane, or access way,
 - (ii) public use of the road,
 - (iii) public use of any land severed by the road,
 - (iv) reasons for stopping the road, and
 - (v) proposals for the land following the stopping;
- (c) a copy of:
 - (i) the approved survey plan referred to in clause 2 of Schedule 10 of the LGA,
 - or
 - (ii) a plan which shows the proposed road stopping if a survey is yet to be completed;
- (d) a plan or plans showing:
 - (iv) the boundaries of the road that is proposed to be stopped,
 - (v) topographic information for the road and adjoining land, and
 - (vi) the wider area showing the road that is proposed to be stopped and any alternative legal and practicable access to adjoining land;
- (e) evidence that adequate legal and practicable access to land adjoining the road is left or provided,
- (f) a letter from the council requesting consent to the stopping, and

(g) a draft consent notice for execution.

This notice must contain the following:

- (i) the name of the road,
- (ii) the name of the territorial authority district,
- (iii) the name of the land registration district the land is located in,
- (iv) a description of the road, including:
 - (A) land area, in hectares,
 - (B) the lot and deposited plan numbers of any land the road adjoins or passes through,
- (v) space for a date and signature, and
- (vi) a file reference.

Guidance on stopping of road in a rural area under the Local Government Act 1974

Legislation

Sections 319(h) and 342 of the LGA provide for a local authority to stop any road, in the manner provided in Schedule 10 to that Act.

Minister's consent required

If a road is in a rural area, the local authority must obtain prior consent of the Minister of Lands under s 342(1)(a) of the LGA before proceeding to stop that road.

The Minister's consent should be obtained before public notice of the proposed road stopping is given under clause 2 of Schedule 10 of the LGA.

The local authority is responsible for complying with all requirements of Schedule 10 of the LGA, including public notice.

Updating of cadastre

Noted that under clause 9 of Schedule 10 of the LGA a road stopping does not take effect until LINZ makes a record in the cadastre following notification by the local authority.

4 Right of resumption for unformed roads

4.1 Introduction

The Chief Executive of LINZ has the delegated authority of the Minister of Land Information to issue a notice under s 323 of the LGA.

4.2 Application to Land Information New Zealand

Where it is proposed to transfer to the Crown, under s 323 of the LGA, any land that comprises an unformed road, the application to LINZ requesting the issue of a notice requiring that transfer must include:

- (a) a plan showing the location and area of the unformed road,
- (b) an explanation of the reason for the application to resume the road,
- (c) details of any alternative access to adjoining land that is intended to be provided,
- (d) whether the road stopping will deny or restrict access to other areas, including bush, river, or sea,
- (e) details of the intended recipient of the land once the land has been resumed by the Crown and is disposed of,
- (f) evidence of discussions with the council, and its response,

(g) comment on the current use of the unformed road,

(h) evidence of discussions with adjoining landowners,

(i) confirmation that the LINZ protocols with Ngāti Mutunga and Ngāti Tama have been considered, and complied with if applicable,

(j) details of any other matter that may be of consequence to the proposal, and

(k) the draft Gazette notice for execution.

Guidance on dealing with resumed roads

Legislation

The Land Act 1948 sets out the key provisions relating to the alienation of Crown land.

Resumed road becomes Crown land

Where the Minister requires the resumption of a road under s 323 of the LGA, the land ceases to be a road and shall be deemed to be Crown land subject to the Land Act 1948. Alienation of any such land will be under the relevant statutory provisions of the Land Act 1948.

4.3 Ngāti Mutunga Protocol

(a) Where the resumption of unformed road is proposed within the LINZ Protocol Area, depicted in Appendix A, the Ngāti Mutunga Governance Entity must be consulted with in terms of the principles set out in the Ngāti Mutunga Protocol.

(b) The Ngāti Mutunga Governance Entity must be provided with the information set out in subsection 4.2 above, and their views on the

proposal sought, ensuring that the information requirements set out in the Ngāti Mutunga Protocol are met.

(c) The unformed road must not be resumed unless LINZ is satisfied that the Ngāti Mutunga Governance Entity has been consulted.

(d) Any submission on the proposal provided by Ngāti Mutunga must be submitted to LINZ with the application to transfer the land under s 323 of the LGA, and the information in 4.2.

4.4 Ngāti Tama Protocol

(a) Where the resumption of unformed road is proposed within the LINZ Protocol Area, depicted in Appendix B, the Ngāti Tama Governance Entity must be consulted with in terms of the principles set out in the Ngāti Tama Protocol.

(b) The Ngāti Tama Governance Entity must be provided with the information set out in 4.2, and their views on the proposal sought, ensuring that the information requirements set out in the Ngāti Tama Protocol are met.

(c) The unformed road must not be resumed unless LINZ is satisfied that the Ngāti Tama Governance Entity has been consulted.

(d) Any submission on the proposal provided by Ngāti Tama must be submitted to LINZ with the application to transfer the land under s 323 of the LGA, and the information in 4.2.

Refer to the Ngāti Mutunga Deed of Settlement

or the LINZ website for the full text of the LINZ Protocol with Ngāti Mutunga.

Refer to the Ngāti Tama Deed of Settlement for the full text of the LINZ Protocol with Ngāti Tama.

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 4:45:42 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9842] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Shirley Merlene JENKINS

Organisation name:

Contact phone number: 094225742

Email address: lynvalefarms@xtra.co.nz

Postal address:

900 West Coast Road, Ahuroa, R.D. 1, Warkworth 0981
Ahuroa
Warkworth 0981

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Situation of landfill and effects of increased traffic travelling to the site

What are the reasons for your submission?

Concern regarding the effects of heavy rainfall which can cause overflowing of landfill into streams entering the Hoteo River which in turn flows into the Kaipara Harbour.

The proximity of the road on which trucks carrying waste will travel to the Greenbrook stream which is a tributary of the Hoteo river. This stream has small populations of the endangered Hochstetter's frog. Not only road run-off but diesel and/or petrol fumes are detrimental to all flora and fauna as well as waste material coming off the vehicles.

Several generations of my family have owned property on both sides of the road travelling over the Dome Hill and I and other family members who grew up and lived in the area are well aware of the effects of heavy rain on the areas covered in native bush or pines, let alone surrounding pasture areas. I have seen a significant slip that occurred on the western bush covered side a few metres down from the top of The Dome itself. With the expected climate change as well as droughts more heavy downpours can be expected.

Also, the thought of mountain bikers using the unstable land which is dangerous both to the land and themselves is horrifying.

What decisions and amendments would you like the council to make?

I would like the Council to consider high temperature incinerators for waste material that cannot be recycled and education of the public regarding reduction of waste

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 5:00:34 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
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Details of submission

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Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Sophie Bretherton-Jones

Organisation name:

Contact phone number: 022 090 8459

Email address: sbrethertonjones@gmail.com

Postal address:

72 Orchard St
Avondale
Auckland 1026

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole proposal as 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 National Policy Statements on Freshwater Management; contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan....

What are the reasons for your submission?

believe the landfill poses multiple high impact risks to the environment, particularly the Hoteo River and Kaipara Harbour, and to the community. 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).

What decisions and amendments would you like the council to make?

I would like the council to decline the resource consent completely

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 5:00:34 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9844] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: nicola

Organisation name:

Contact phone number: 021655524

Email address: nmaire@xtra.co.nz

Postal address:

5b harley rd
takapuna
auckland 0064

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:
landfill rubbish in dome valley

What are the reasons for your submission?

Oppose any harm New zealand waterways

What decisions and amendments would you like the council to make?

complete review of no landfill near any waterway, stream, tributaries - all waterways not matter how small lead to bigger rivers, oceans and our food chain. More forward thinking of rubbish options. We have a terrible history of thinking short term not 100 plus year long term picture. think long term. think west coast disaster and many more waiting to happen.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 5:15:34 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9845] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Thomas Gregory Parsons

Organisation name:

Contact phone number: 0210307365

Email address: parsonstom@gmail.com

Postal address:

86 Shakespear Road
Army Bay
Auckland 0930

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

1. Lack of logic and justice in supporting documents,
2. Imposition of remote urban power on a rural community despite strong local objections,
3. Questionable use of local government power to hire a for-profit corporation (that can legally hide information from the public) to perform tasks traditionally handled as civil service responsibilities, as the tasks are required by all residents,
4. Wasteful expenditure of transport expenses; money that might be spent on safer and more complete treatment of the waste,
5. Clear incompatibility with Auckland's commitment to Zero Carbon 2050,
6. Proposed abdication of its civic responsibility by the Auckland City government.

What are the reasons for your submission?

Submitting a strong opinion on such an important matter, I feel it proper to briefly introduce myself, as the sources of information and opinions on such a high-impact project should be well understood by those in charge of the final decision.

Born in San Francisco 75 years ago, I was grateful to be welcomed as a science teacher and allowed to bring my family to New Zealand over 30 years ago, and I have been pleased and proud to be a New Zealand citizen since 1992.

Besides teaching, I have been an exporter of expertise for almost 20 years, bringing in yen by sitting at my computer and editing the English of freshly translated (Japanese-to-English) technical papers to a publishable standard. This at a very low cost in energy and minimal environmental impact. We have a home on the Whangaparaoa Peninsula and also a mostly-wooded rural bach we call Kuku Woods, within sight of Wellsford. Driving between these places takes me past the proposed "landfill" site and exposes me to the strong feelings of those whose quality of life stands to suffer from its presence.

This submission is based on my serious concern that the several most important aspects of this entire "landfill" issue have not been adequately examined, in spite of the small mountain of costly professional expertise devoted to insinuating that it is the only reasonable solution, submitted by its naturally and legally profit-motivated corporate proponent.

(1) THIS PROPOSAL IS FOR A GARBAGE DUMP, NOT A LANDFILL

I hope that you will seriously question the misleading public-relations salesmanship of the term "landfill". I see now that this worldwide re-naming during my lifetime was clearly intended to mislead public sentiment. As a young boy I was told forcefully that it was not a good thing to throw our trash over the fence into the neighbour's backyard. As a young man, the only term I ever heard for a project like the one presently under consideration was "garbage dump". But in early San Francisco, swampy land and tideland at Bay's edge was seen as good for nothing, so a combination practice arose of dumping garbage there and keeping it more-or-less in place with fill-dirt, to the point where it became commercially valuable waterfront property. Hence the much more positive and misleading term "landfill". [For the original and now overwhelmed (but quite sensible) use of the term, see Wikipedia https://en.wikipedia.org/wiki/Land_reclamation]

Now that an effort is being made to do somewhat better than simply dumping the rubbish where nobody who matters cares about it, a far more accurate and useful term would be "waste treatment facility" (WTF). The use of this term would simply acknowledge the actual purpose of the facility and could lead to more productive consideration of the many costs and possible benefits of the various collection and post-collection procedures that are now possible.

(2) CONSIDER THE MORAL ISSUES

I also hope that you will seriously consider the moral issues involved. The proposed "landfill" will severely damage the quiet and beautiful rural way of life freely chosen by residents for many kilometers around it. I speak here from personal experience over many years, as I encountered people who moved to the Dome Valley area for precisely that purpose, and who were very happy to have done so. This threat to their way of life is only possible because their local government was abolished and they were made subjects of a rather distant and repurposed Auckland by a decree of the even-more-remote central government in Wellington. They never had a vote in this matter, but were simply conquered by force majeure.

(2a) I think that most people would agree that the current proposal would be quite unacceptable if this type of WTF were proposed, say, for St. Heliers. This despite the fact that St. Heliers is much closer to the center of the region that produces the vast majority of the waste in the first place. The residents of a neighbourhood with more and wealthier voters are automatically tiptoed around, and more distant and less influential people living far from City Hall are felt to be less important, or more to the point, relatively helpless.

Or perhaps the extra expense of the optimum processing and storage of waste in the watershed of the Hauraki Gulf, much nearer to the source of the waste, was a major factor in choosing the remote location in the neighbouring Kaipara watershed. In any case, the current (and mis-labeled) "landfill" proposal resembles in every detail the colonialism that we like to think of as a bygone evil. If it is approved, that approval will reveal something very unlikeable and embarrassing about ourselves and those we entrust with the public good.

(3) THE COST OF THROWING THE TRASH OVER THE FENCE

Please consider also how questionable any net gain from the proposed new site is. Have the true costs of the added one-way-trip distance of 42 km* northward, beyond the Redvale "landfill", been publicly considered? Redvale is a functioning "landfill" that still has a significant adjacent region of sparsely developed land. The proposed additional 84 km round trip to the north and back each day for 260 waste trucks is thus exposed as "Throwing it over the back fence", keeping in mind that the last 5 km of northward hauling takes the waste over the hill and into the Kaipara watershed. One might suspect that this is not as near and dear to most Aucklanders as our beautiful Hauraki Gulf. *[approximate distances determined from Google Maps online]

Would central Aucklanders be seriously distressed if mismanagement, corporate bankruptcy, or a natural disaster freed the waste and delivered its contaminated runoff into the Kaipara watershed? As distressed as if a similar event occurred in the Hauraki Gulf watershed? Is this proposal a very expensive exercise of "Out of sight, out of mind"?

Surely the extra dollar expense of using the proposed site rather than (for instance) extending the Redvale (or another, closer) site should be estimated before making a final decision. Even my rough calculations for a single variable, based on the supporting information provided by the applicant (40BUN60339589IntegratedTransportAssessment.pdf), show what might be just the first of several surprises to the voting and rate-paying public. Considering only the estimated 260

waste-truck round trips to the proposed site per day, and not the additional 110 non-waste vehicle visits each day, gives us a waste-truck total of (84 extra km/r-trip)(260 r-trips/day) = 21,840 extra km/day.

Rounding to 22,000 km/day and assuming an average speed of 80 km/hr means at least 275 extra driver-hours/day, which would (with its associated expenses) cost the corporation quite a bit more than the \$5500/day that might be paid out in wages at \$20/hour. Which of course we Auckland ratepayers would be supplying to the corporation, plus their associated administrative expenses and profits. And this simple labour cost calculation does not include driver overtime, fuel, vehicle maintenance, road repair, air and noise pollution, etc.

22,000 km/day is a lot of wasted driving, and a lot of wasted driver-hours, which means a lot of wasted money for Auckland ratepayers to spend to throw their garbage over the hill. Just for a more distant WTF? Even if the corporation switched to electric vehicles, that environmental benefit would be achieved at a far higher dollar cost – and all of these distance-related costs are both unnecessary and counterproductive. The same expenditure at a closer site would allow better treatment and containment of the waste, with less risk and less ongoing impact on the neighbours.

(4) HAS THE AUCKLAND COUNCIL SERIOUSLY CONSIDERED ALTERNATIVE WTFs?

I hope that no final decision will be made until a more serious study of the alternatives is performed, with cost/benefit analyses of all aspects of the various possibilities that go beyond the misleadingly simple dollar costs. I have seen claims, but no evidence, of such a study of alternatives to the current proposal. The one supporting document that addresses this site choice mentions just a few selected criteria that seemed quite limiting, and whose specific application to various sites was deliberately not revealed, as if aimed at making this site selection seem unavoidable [07BUN60339589 Appendix D: Site selection report]. Which it is clearly not. So its approval at this time would seem very premature. The rest of this submission addresses some of the possibilities.

(5) SITES ARE AVAILABLE MUCH CLOSER TO THE SOURCE OF THE WASTE

The most important alternative, when considered in the light of the issues already mentioned, is the placement of the WTF much closer to the sources of the waste. Such a treatment facility, if unacceptable to its more numerous and wealthier neighbours, should not be deemed appropriate for placement among rural neighbours simply because they add up to fewer votes and fewer available dollars. This is true both in a moral sense and in the most practical sense that such nearer-central placement would be vastly preferable in both financial and environmental costs due to the greatly reduced transportation distance. The reduced costs for fuel, truck maintenance, driver time, interference with other road users, and road-wear are possible to calculate, and the savings could be used to provide superior waste handling that greatly reduces any impact on the neighbours and reduces the likelihood of future waste-escape into the environment.

In fact, the savings from lower transport costs might also produce a public park, golf course, or sports stadium for local use, as portions of the actual land-fill operation are completed. This would bring the use of the term "landfill" closer to being factual and appropriate, rather than mind-bending propaganda. There could thus be a lasting recompense to the neighbours for whatever temporary reduction in pleasure or property value might be incurred, as well as providing a lasting benefit for us all in the reduced carbon emissions and other types of pollution that the seriously longer trip to the proposed facility requires.

(6) WHAT ABOUT AUCKLAND'S COMMITMENT TO ZERO CARBON 2050?

How can an unnecessary extra 22,000 km driven each day by massive trucks filled with waste (for half the trip, and on the empty half completely wasting their time and cost) be compatible with the Auckland Council's commitment to zero carbon emission by 2050?

While a totally central site may not be economical for more reasons than transport-distance, any look at a Google Earth satellite picture of the Auckland area will show many similarly sparsely settled localities much closer to most waste sources. This includes the currently active Redvale site, which is scheduled to close, but whose continued and expanded use would encroach on relatively few local residents, most of whom will already have accepted the nearby "landfill" location or they wouldn't still be there. And in any case it is clear that the city has the legal ability to simply force the issue, as would be happening in the case of the proposed Wayby/Dome Valley "landfill", which is so massively unpopular with so many in that beautiful rural area.

According to Professor James Renwick of Victoria University, speaking on RNZ about the 7-8% Covid-19 lockdown's reduction in CO2 emission, that 7-8% is the annual reduction needed from now until the goal year of 2050, in order to meet the goal. The applicant's proposed extra-long trash trips would make the promised reduction in CO2 production much more difficult.

(7) GIVE US PUBLIC SERVICES FOR OUR RATES, NOT SECRECY AND OVERSEAS SHAREHOLDER PROFIT

The consideration of point (4) could begin with the investigation of an old fashioned alternative:

Why not simply have the City of Auckland provide such a public service as waste disposal, as it is a service required by all residents and ratepayers of the City? Why are we instead considering giving the job to a private, profit-making corporation?

Even the most honest and well-intentioned large corporation must pay several levels of administrators, and must also pay dividends to investors. Maximizing profit is the quite legal goal of all private corporations not specifically devoted to charitable enterprise. And some of their money intake may also be taxed by other levels of government (and likely by other governments) in ways that the civil service functions of our municipality would not.

It cannot be efficient to pay these extra costs, which would not exist if the city provided the public service from our tax dollars in the usual way that communities have traditionally done. It would be far better for all of us if the ratepayer money this costs ends up in local pockets. Better also if the employees were civil servants, who are naturally a part of the community and will have greater job security and often better treatment than obtainable from a private corporation. Otherwise, local private employees will be doing the work, usually with fewer benefits and less job security than any civil servant. Such hirelings would in this case be ultimately subject to overseas executives and other kinds of control from unknown subsidiaries.

Most importantly, in the current case, no matter how honest and well-intentioned the corporation may be, a significant percentage of our dollars would necessarily go overseas, removing that money from our local economy. Auckland could deal with its own waste, using its own employees, without the intervention of a corporation whose main reason for existence is to make a profit for stockholders mostly located in the Northern Hemisphere! The New Zealand economy is in a perilous condition at the moment, and encouraging the haemorrhage of profits overseas is not in the New Zealand community's best interests.

When dealing with corporations, it can be nearly impossible to know just who you really are dealing with, and what hidden and powerful motivations there might be. Corporation stock is constantly changing hands, shell companies proliferate, and management also frequently changes. But the terms we are legally bound to by contracts we sign do not change. This is yet another reason why tasks of public importance such as healthcare, national defence, environmental protection, education, and law enforcement should be managed only by publicly elected officials and their hired professional civil servants, never by private corporations.

All such corporations can claim the need for commercial confidentiality about commercial operations, and all too often keep secret from the citizenry even the exact terms of their contracts with the governing body elected by the citizens. Consider the New Zealand Herald's report (26 March, 2020) that "The Government has approved the sale of the site to Chinese-controlled Waste Management for an undisclosed price." Such enforced public ignorance of what would otherwise be public knowledge is another step towards the kind of corporate dominance over governments that has brought corruption, community disasters, and grief for millions in its wake all over the world. All private corporations (unless specifically created for charitable purposes) have private profit as their central motivation, as is legally required of them. And private profit is by definition not the same as the public good.

Consider the difficulties forced upon Auckland at its (re)formation by the inclusion of corporations misleadingly labeled "Council-controlled" organisations, but whose control by the Council and the voting public is actually far less than it would be if they were all simply city departments, employing civil servants. Even though nominally Council-controlled, they operate at more than one remove from the public that pays their expenses and that is supposed to benefit from their services. Notice how many officers of these "Council controlled" organisations are paid far more than any elected Auckland official, including the Mayor!

[https://d3n8a8pro7vhmx.cloudfront.net/taxpayers/pages/1441/attachments/original/1588399091/final_ad.png?1588399091]

We the tax-paying citizenry deserve more direct knowledge and control of the money that is taken from us using the power of government. Please consider how undesirable it is to have that money handed to a foreign corporation under the terms of a contract and likely behind multiple veils of secrecy. A corporation that is unavoidably subject to changes of management, organization, and policy that are far from our ability to even know about, much less to control. Such an un-examinable power-handoff seems to be complete abdication of the responsibility so eagerly sought at election time by our elected officials.

For the present, the common interest might be best served by a continuing relationship with the present waste management company, and expansion in time and space of the Redvale WTF or a nearby site. However, the greatest public good might ultimately be much better served by a well-managed shift to public employees.

(8) BOTTOM LINE

All things considered, I strongly urge you decision-makers to conclude that this present proposal is not worthy of approval.

What decisions and amendments would you like the council to make?

This application should be rejected. At best such a proposal might be modified to be enacted at the existing Redvale site, but not imposed on yet another rural community, and especially not at such a distance from the source of the waste. Detailed arguments are provided in the "reasons" item above.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 5:15:36 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9846] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Aaron Apihai Mathew Pihema

Organisation name:

Contact phone number: 0225839707

Email address: apihaipihema63@gmail.com

Postal address:

12 Godden crescent
Orakei
Tamaki Makaurau 1071

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The potential of site to leech paru into a taonga of our hapu our iwi and the nation as a whole

What are the reasons for your submission?

My centuries old connection to that the 2nd largest harbour in the world

What decisions and amendments would you like the council to make?

A decision of consent denied

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 5:45:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9848] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Gareth Davis

Organisation name:

Contact phone number: 0221117950

Email address: gojtd1@hotmail.com

Postal address:

64 mount royal ave
mount albert
Auckland 1025

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:
putting a dump site on my whenua

What are the reasons for your submission?

What decisions and amendments would you like the council to make?
stop the dump on my whenua

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 5:45:55 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9849] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Dianne Civil

Organisation name:

Contact phone number: 021705688

Email address: dianne.civil@gmail.com

Postal address:

111 Kaipara Flats Rd, RD 1
Auckland
Auckland 1010

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

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

What are the reasons for your submission?

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 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.

What decisions and amendments would you like the council to make?

I would like the council to decline the resource consent entirely

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 6:00:36 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9851] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Danny Morgan

Organisation name: Te Uri O Hau

Contact phone number: 0212303758

Email address: dannymorgan1969@icloud.com

Postal address:

115 Biddle Rd
Wellsford
Wellsford 0937

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Dome valley dump

What are the reasons for your submission?

My Whenua

What decisions and amendments would you like the council to make?

Stop the dump

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 6:15:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9852] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Justine Rockel

Organisation name:

Contact phone number: 0210700851

Email address: justine.rockel7@gmail.com

Postal address:

351 Wellsford Valley Road
Wellsford
Auckland 0973

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

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 tomors 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 Hotoe 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.

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).

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.

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 Hotoe 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 Hotoe River and Kaipara Harbour for their food and recreation.

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.

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 15th 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

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

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.

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.

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

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:

discharge of a contaminants or water into water

discharge of a contaminant onto or into land

the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials.

conspicuous change in the colour or visual clarity.

emission of objectionable odour.

rendering of fresh water unsuitable for consumption by farm animals or people.

significant adverse effects on aquatic life.

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.

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 Hoteo 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.

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.

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.

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.

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.

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.

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

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

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)

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 lin

What are the reasons for your submission?

I believe allowing this landfill to be sited at this location will be detrimental to the environment, local people and anyone using SH1 travelling through the area.

What decisions and amendments would you like the council to make?

I would like the council to immediately cease support for the development of this landfill. Furthermore i strongly encourage the exploration of environmentally responsible ways of dealing with waste to future proof our environment.

Toxic landfills are not the way forward, I would like to think that Auckland Council has the intelligence & integrity to rethink this decision & invest in improving recycling and reducing waste as a priority.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 6:30:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9853] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Paul Surman

Organisation name:

Contact phone number: 021940231

Email address: paul.aim263@gmail.com

Postal address:

PO Box 409
Warkworth
Auckland 0941

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

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. The proposal also conflicts with national air quality initiatives and statements including CO2 emissions, Sulphur particles, and other particulates in the air and healthy air initiatives by the Ministry of environment and Auckland council.

The application is not consistent and conflicts with Auckland council CO2 emissions and climate change objectives, vehicle emissions policy and strategic plans for healthy air and reducing pollution.

The application does nothing to address the additional Vehicle movements wear and tear on the roads and inefficient transportation over large distances travelled creating health and safety issues for public and drivers with the number of extra vehicle movements.

The distant travelled also means that Ratepayers potentially are paying for 2 tolls adding further significant cost to dispose of waste.

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

I would like the council to decline the application in full

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 7:00:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9854] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Sean Doughty

Organisation name:

Contact phone number: 02261351967

Email address: sjcdoughty@gmail.com

Postal address:

3/63 Opoho Road
North East Valley
Dunedin 9010

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The creation of the dome valley tip.

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Revoke the decision to go ahead with it.

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:

The Zero Waste utopia and the role of waste-to-energy

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While there is no doubt that the prevention of municipal solid waste (MSW) generation should sit at the top of any public policy, industrial strategy and individual behaviour, just like reducing the consumption of energy, this proposition might mislead the public into thinking that waste can suddenly disappear if only we had the will to make it happen. Despite these unattainable expectations, the ‘Zero Waste’ concept has become a viral and omnipresent phrase in recent years. A Google search of this term shows around half a million hits, as of March 2020, and countless government and non-governmental organisation initiatives worldwide. Zero Waste seems to be the only acceptable aim for today’s politicians who embrace an environmentally friendly platform. As a result, countries and municipalities all over the globe have committed themselves to achieving the goal of Zero Waste. So far, however, nobody has managed it, and given the many scientific and practical roadblocks, no one ever will.

In many respects, the Zero Waste concept in the waste management realm seems akin to those seeking to create a perpetual motion machine, and to sell the idea to uninformed citizens. People are fascinated by the idea because it envisages the inspiration of consuming with a good conscience, leaving no garbage behind. Several hundred years ago, they were similarly captured by the idea of producing energy from nothing, using a perpetual motion machine. While the possibility of the latter has often been debunked, the potential to attain a Zero Waste state is still too broadly accepted by citizens and their government officials.

Against this background, this editorial addresses the idea of Zero Waste and the impossibility of its realisation, as well as the essential necessity of (a certain amount of) waste generation as a consequence of economic activity and consumption, due to its function as a sink for non-recoverable toxic and harmful substances.

First, an introduction to modern waste management is given, to clearly show that even the most sophisticated and well-developed programmes for waste reduction, collection, recycling, and treatment systems for waste cannot prevent the formation of at least a moderate, if not significant, residual waste stream.

Since the Zero Waste philosophy is often grounded in ideological environmental prejudices and opposition to proven and cost-effective elements of waste management – naturally, landfills and waste-to-energy (WtE) facilities – the (mostly unsubstantiated and often willingly wrong) related arguments are reflected on in the second part.

Well-performing waste management systems rest upon three main technical pillars:

- Recycling, including composting;
- Energy recovery;
- Landfilling.

All these elements are inevitable for the effective and efficient function of the entire MSW management system, but their relative ratio can change to a very wide extent. Waste reduction and material recycling are the main targets, aimed at retaining as many resources as possible in the loop. Only those residual waste fractions which are no longer available for material utilisation should be treated in WtE plants, especially if they are harmful or hazardous. For inert and mineral waste and hazardous concentrates from other waste treatment processes, specific landfills are needed as final sinks.

Recycling

According to the European waste hierarchy, recycling is the desired treatment option for waste that cannot be prevented or directly re-used. A key prerequisite for a high-quality recycling system is the source separation of materials that have market values. Typical material streams that are collected separately in households (and, to some extent, also at commercial sites) are glass, metals, paper and cardboard, (mixed) plastics and bio-waste. Recycling points offer several further separate collection systems – for example, for wood, WEEE, batteries, hazardous wastes, building materials, etc.

In well-developed waste management systems, the collection and recovery rates are high and the quality of each stream tends to be good. Nevertheless, only the recycling of glass is close to becoming unlimited, if contaminants (typically additives used to deliver a specific colour) can be kept out of the material in the long run. All other materials can only be recycled to a certain extent or up to a limited number of cycles, due to several physical and other constraints, as discussed in Rigamonti et al. (2018).

The number of recirculation cycles for paper, for example, amounts, on average, to 3.5 in Europe and only 2.4 worldwide (ERPC, 2016). After the material is utilised, the degraded short fibres that cannot be incorporated into new paper products are used as fuel, normally by combustion at the site of paper mills to supply the energy for the paper-making process (and often by co-combustion of refuse-derived fuel (RDF)). Plastics show the lowest recycling rates of all separately collected bulk materials. In part, this is due to the wide variety of plastics in commerce, only some of which are recyclable. Depending on the collection system, a high share of non-recyclable material (considered

contaminates to buyers) is collected together with the valuables. In Germany and in Italy, for example, the official input-calculated recycling rate is, therefore, high, but less than 50% of the introduced material is, in fact, recycled. So, despite the good intentions of citizens, a significant portion of the after-use materials they deposit in recycling bins ends up as waste. More than 50% are incinerated as auxiliary fuels in coal power plants as well as in cement kilns and as sorting residues in WtE plants (Consultic, 2016). On a European level, the main share of plastics is used for energy recovery (39.5%) and 30.8% is still sent to landfill (Plastics Europe, 2016).

These facts clearly show that 100% recycling has not been possible to achieve even after decades of evolution in the waste management industry, aimed at maximising diversion of wastes from WtE plants and landfills. Harmful contaminants are always collected alongside the valuables and must be segregated to protect man and the environment. Apart from glass and metals, the valuables themselves may lose their original properties and need to be excluded from the cycle. For these residuals, a safe final treatment or disposal method must be available in order to protect public health. The only options are WtE for organic substances and landfilling for minerals and hazardous residues.

WtE

The necessity of a sink for non-recyclable and harmful substances has been explained above. Therefore, WtE is a necessary and compatible partner of recycling, and not a competitor that some might claim. A modern recycling economy is reliant on ecologically friendly and affordable treatment options for the residues arising from the recycling processes.

WtE is also indispensable for the treatment of another large and problematic fraction: the residual waste. These remainders of our civilisation have to be treated in an environmentally sound manner. Modern WtE plants are the method of choice and the only reasonable option for this purpose in locations with sufficiently dense populations and with the resources and technical talent to build and operate such plants.

WtE plants are able to destroy toxic organic substances and to mineralise all organic components in the waste. This can be regarded as a 'kidney function,' which is necessary for all organisms to keep themselves healthy and functioning (Bertram, 2013). If there were no sink for these harmful substances, our society would poison itself by the concentration of toxic components in all anthropogenic mass flows and, as a result, in water, air and soil. This fundamental kidney function can be fulfilled by WtE only – mechanical or biological waste treatment options (like mechanical and/or biological treatment (MBT)) are not able to guarantee this fundamental requirement, let alone the fact that they are just an intermediate processing stage.

State of the art for WtE is the incineration in dedicated plants with energy recovery, highly sophisticated flue gas cleaning and maximum recovery of the process residues. Nevertheless, alternative thermal processes, like gasification, pyrolysis, liquefaction or plasma technologies, are often considered a better option

for this purpose, because they allegedly offer higher efficiencies and, in some cases, also the possibility to produce chemicals or fuels. This is, however, not the case. It has been clearly proven that alternative thermal waste treatment processes are entirely unsuitable to treat residual waste (Quicker, 2015). Its non-homogeneous character is not appropriate for such complex approaches, however sensible they might be for industrial operations – and even assuming that the technological issues related to such non-homogeneous characteristics could be solved, one would still be confronted with lower performances and unfavourable economics (Consonni and Viganò, 2012). Only homogenous fractions with constant composition and very low impurities may be suitable input materials for these processes.

Landfilling

Landfilling sits at the lowest level of the European waste hierarchy. This means that waste fractions shall only be landfilled if they can be neither recycled nor used for energy recovery – that is, inert or mineral fractions. Even though landfilling is the least favourable option for waste treatment, it is nonetheless an indispensable element of a modern MSW management program. We need a sink for all mineral fractions that cannot be used in the cycle anymore, like polluted construction materials, contaminated soils, flue gas cleaning residues, asbestos, etc.

The preceding paragraphs make it evident that aiming for the establishment of a Zero Waste society is as impossible as the construction of a perpetual motion machine. But, in contrast to the thermodynamically impossible device, a lot of people, institutions and politicians are unwilling to accept the fact that Zero Waste is an unattainable utopia and cannot be realised in a world that operates according to the longstanding laws of physics. Nevertheless, in order to support their position and to show that Zero Waste is without alternative, its protagonists sometimes try to discredit other treatment options, especially WtE. Some of the most frequently spread myths and lies about WtE are briefly listed and refuted below.

Thesis: WtE prevents recycling

Zero Waste activists tend to claim that WtE is a competitor to recycling and subtracts recyclable materials from the cycle in order to feed the fuel needs of existing WtE installations.

In fact, the opposite is true. WtE supports recycling by two framework conditions. The first point is that recycling needs a sink for the non-recyclable residues (as previously described). The recycling system can function properly only if ecologically friendly options for the treatment of these fractions exist. The second point is an economic one. The costs for WtE are much higher than for landfilling and on a comparable level to recycling. As a result, there is no economic driver to switch valuable materials from recycling to WtE. If landfilling is the only alternative to recycling, like it is the case in many southern and south-eastern European countries, the economic incentive to divert resources,

which would otherwise be recycled, to cheap landfills is high. The relationship between landfilling, WtE and recycling in the European Union countries is well known among practitioners. It shows that those countries with a highly developed waste management system, characterised by high recycling rates, have the highest share of WtE and the lowest percentage of landfilling.

There is actually a third point worth considering. The recycling programs are far from being well established worldwide, being affected by market fluctuations as well as by specific policies such as China's 'National Sword'. This might, and already has, stress a system that can work properly only if the full value chain is operational and healthy. Being able to rely on the WtE option guarantees to deal with such situations, without the need to store huge amounts of waste materials, with a consequent risk of uncontrolled fires.

Thesis: WtE emits CO₂ and intensifies climate change

WtE is carbon neutral when it comes to the combustion of the biogenic fractions such as paper, wood, and food waste. If landfilled, the degradation of such fractions would release methane, a more significant greenhouse gas than CO₂, in situations where full capture of the landfill gas is not achievable. Obviously, the combustion of waste plastics will release fossil CO₂, but the saved emissions from the displaced fossil fuels are offsetting, and this is especially relevant for high-efficient WtE facilities. Moreover, the recycling of low-quality mixed plastics streams, whenever that it is feasible, will hardly deliver a favourable greenhouse gas balance. Finally, in case a carbon capture and storage system is put in place at WtE facilities, they would become carbon negative!

Thesis: MBT is the better alternative

It is difficult, if not impossible, to establish a fair comparison between MBT and WtE, since the former is just a pre-treatment process that generates a number of outputs (as high as 80–90% in mass of the input), which require subsequent processing such as energy recovery, whether in a WtE plant or in co-combustion. Co-combustion in cement kilns is a fascinating option, but it can hardly be a structural one because, among others, of the reliance on a private sector that might be subject to market fluctuations and different dynamics. Moreover, MBT is not able to destroy toxic organic substances or to concentrate harmful inorganic ones – that is, it cannot act as a sink for pollutants.

Thesis: WtE affects the environment and human health by harmful pollutants

There is a general consensus that WtE has the lowest emission limits among all industrial facilities and WtE plants normally perform much better by orders of magnitude, sometimes even below the detection threshold of the instruments. WtE plants are the best monitored combustion plants, with atmospheric emissions continuously controlled and publicly reported. The effect of the residual emissions on the air quality is negligible, when compared, for

instance, with the traffic emissions in surrounding areas (Lonati et al., 2019). Also, in comparison with landfills, the gaseous and liquid emissions from the latter are much more difficult to capture and contain.

Thesis: WtE is an extremely inefficient way of producing energy

Significant improvements have been achieved in recent years on the energy recovery efficiency of WtE plants. Large plants that produce only electricity can attain net efficiencies not too far from 30% – an impressive performance for a process where the waste-as-fuel input is very inhomogeneous and typically has a low heating value (lower than, say, coal) – a performance definitely higher than that achieved by small-scale biomass-fired plants. In addition, the combined heat and power operation is becoming mainstream, whether taking place at the service of district heating networks or of industrial facilities, yielding first-law efficiencies (sum of electric and thermal efficiency) of 80% and more.

The authors fully agree that society would be ideal if somehow we could operate an economy without waste. However, Zero Waste is clearly an unattainable chimera; it is, thus, irresponsible for government to structure programs to achieve a technological and economically infeasible objective, especially if by doing so it undermines the operations of well-established and functioning existing waste management systems. Proponents of Zero Waste are challenged to offer better achievable and certainly realistic alternatives.

The vital need of effective systems for dealing with residual waste streams, which include sinks for residuals, is demonstrated by the recent outbreak of Coronavirus, which is peaking as we compose this Editorial. For example, huge amounts of single-use, potentially contaminated items used to test for and treat COVID-19 patients are currently flooding the waste management system in many countries, and will do so whenever similar emergencies emerge in the future. The waste management sector must be structurally well prepared to effectively deal with such materials via combustion and secure landfilling when waste reduction and recycling alone cannot ensure the protection of public health and the environment.

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Subject: BUN60339589 [ID:9855] Submission received on notified resource consent
Date: Monday, 25 May 2020 7:15:44 PM
Attachments: [2020 WMR Editorial - The Zero Waste Utopia and the Role of WtE.pdf](#)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Marc Stammbach

Organisation name: HZI Australia Pty Ltd

Contact phone number: +61 2 8003 4011

Email address: marc.stammbach@hz-inova.com

Postal address:

Level 17, 40 Mount Street
North Sydney
North Sydney NSW Australia 2060

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

This submission suggest that Auckland Council should invest in:

- Source separation of organics (food and green waste) and treatment by composting and anaerobic digestion
- Recycling infrastructure for recyclables which can be technically and economically be recycled
- Waste to Energy for any residual waste which cannot be composted or recycled)

What are the reasons for your submission?

The proposed landfill is not sustainable because:

- 1) Landfills discourage recycling, composting, and Waste To Energy which all are higher-order uses of unavoidable waste
- 2) Waste is exported out of Auckland into a pristine environment (if landfills are harmless - why not build in Auckland?)
- 3) Landfilled waste is polluting air and groundwater (nobody can prove a safe landfill over hundreds of years and it is well-known that only 50% of the landfill gas is captured over the life of a landfill)
- 4) Our children and grand children will have to dig out an the landfill at some point in future at at

typically 10x the cost of landfilling today.

(please compare the attached document which discusses the feasible aspects of recycling, composting, waste to energy, and landfilling, as part of the so-called circular economy).

What decisions and amendments would you like the council to make?

Council should urgently consider going for higher-order uses for waste than landfill. Council should urgently investigate the proven waste to energy options which are available today instead of spending money on trucking, a whole in the ground, and a non-sustainable future.

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:

2020 WMR Editorial - The Zero Waste Utopia and the Role of WtE.pdf

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 7:30:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9856] Submission received on notified resource consent

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Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Sarah Kinred

Organisation name:

Contact phone number: 0211823148

Email address: 22ru14@gmail.com

Postal address:

8/28 Fifth Ave
Enderley
Hamilton 3214

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Opposing the landfill

What are the reasons for your submission?

Treaty of Waitangi
Sewage and landfill in the Kaipara region

What decisions and amendments would you like the council to make?

Cancel the project

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:

**SUBMISSION REGARDING THE PROPOSED AUCKLAND REGIONAL LANDFILL
FROM LEE LAUGHTON
APPLICATION BUN60339589 25.5.2020**

My main concern if this application is approved has always been for the future quality of our environment and its waterways including the stream that feeds from the proposed landfill, the Hoteo River and the Kaipara Harbour. The proposed landfill would be in Auckland's highest rainfall area, the Dome Valley has the highest rainfall north of Auckland, often with continuous thunderstorms and lightning strikes in winter, and up to 200ml of rain in a 24-hour period. When Waste Management contacted me by phone back in early 2019, I asked them where they were getting their rainfall data from, they replied that they were taking data from Wellsford, Matakana and Warkworth. I then asked why don't they have a rainfall data station up at the proposed site and the gentleman from Waste Management replied that the 3 stations around the area were enough. Sadly they are wrong.

I have lived in Wayby Valley next to the proposed landfill for 15 years and the weather here can never be predictable, it can be pouring down here at home and if you drive over the hill to Warkworth they might be getting light showers. I have often been in Wellsford trying to look back towards my property but have been unable to see it due to the rain coming down on the hills. My first concern, with this in mind, is how does Waste Management propose to prevent its lined valley from filling with water and becoming a toxic soup of plastic particles, acids, chemicals, medicines and oils, which will go on to enter the Hoteo River and directly flow into the Kaipara Harbour. Organic waste (e.g., wood wastes) can have chemical and biological impacts on rivers and streams. Among the many impacts are interfering with the establishment of aquatic plants, affecting the reproductive behaviour of fish and other animals, and depleting the water of dissolved oxygen as the wastes decompose. Further, toxic materials can leak or leach out of certain kinds of trash (e.g., pressure-treated lumber, used oil filters, and lead-acid batteries).

Both local and central government have a role to play in making sure drinking water is safe. The National Environmental Standard for Sources of Human Drinking Water sets out the requirements regional councils must follow to protect sources of human drinking water from contamination. It requires regional councils to ensure that effects of activities on drinking water sources are considered in decisions on resource consents and regional plans. The Health Act 1956 [New Zealand Legislation website] sets out requirements that need to be followed to protect public health by improving the quality of drinking-water provided to communities, not make it worse. Between the Dome Valley and Wayby Valley is an area known as Spring Hill, it is called this due to all the natural springs that emerge from the hillsides. Spring Hill is directly below the proposed landfill site and 1km down the road and also below the proposed landfill site are the 2 bores that feed water to the town of Wellsford. The entire area is made up of sandstone making it one huge aquifer (a body of permeable rock which can contain or transmit groundwater). Can Waste Management guarantee that no leachates will ever reach the stream, the Hoteo River, the Kaipara Harbour or the 2 bores that feed an entire town? The answer is NO, no one can, and any person who says yes, is a complete fool.

The extreme instability of the landscape is a key factor here. No method can control the risk of slips on steep sandstone base rock, or prevent the rain from flooding the site. In a perfect world with the perfect scenario, Waste Management's plastic liner looks fabulous but all it takes is to stop along Highway 1 just south of Wellsford and look back towards the proposed site to see that we

regularly have some major slips up there. Slips we mentioned to Waste Management at their open days to the public and they didn't even know they existed.

Waste Management were asking me and others how they could view this. Waste Management have not noticed much at all because they aren't local, they are planning this entire landfill from their offices in Auckland. This is not the place to be building a landfill with its entire success resting on a sheet of plastic liner 1.5mm thick.



On a personal note, this is a photo of me kayaking the stream 1.2km downstream from the proposed landfill site. This is just to give all of you an idea of the water that is collected in that area and this is just a small flood. In large floods this waterfall is non-existent and is washed out. I moved up here 15 years ago so I could raise my family in a pristine natural area and enjoy its surroundings. In summer you will always find my kids out playing in the many swimming holes before the stream enters the Hoteo river. My son and I often put a snorkel and mask on to go and collect fresh water koura for a treat to cook up and eat. Quote from John Hollows, Experienced Manager with a demonstrated history of working in the Aquaculture and Environmental sectors. Skilled in Sustainable Development, Environmental Issues, Sustainability, Water Quality, and Biodiversity and Aquaculture. Strong professional with a Post graduate diploma focused in Environmental Science from University of Otago. "There was not a lot of koura left in the wild because of declining water quality, land damage and other changes to waterways where they lived". Is the Auckland city council willing risk destroying this as well? Waste Management sadly are.

Chris Wills, Manager at Waste Management has told me on 3 occasions (once at my house during WM's first consultations with the neighbours and at both public open days at Spring Hill property) that the stream flowing through my farm will have cleaner water after the tip is operating than it does now.... Currently I would drink the water from the stream, there is no way I would dare if this last century process goes ahead. With a government screaming about climate change, Methane and Carbon Dioxide gases, why are we not going down the track of waste to energy plants. Landfill gas, which contains about 50% methane, and 50% carbon dioxide, is contaminated with a small amount of pollutants. Unlike at waste-to-energy plants, there are little or no pollutants and no leachates seeping into the soil and water.

1. I believe the landfill poses multiple high impact risks to the environment, particularly the Hoteo River and Kaipara Harbour, and to the community.
2. 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.
3. 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.
4. **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.
5. **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.
6. **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 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.
 - c) 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.
 - d) 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.

9. **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 Hotoe tributaries and the Hotoe 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 Hotoe 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 LAND

10. **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

11. **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.

12. **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

13. **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.

14. **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.

15. **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.

16. **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.
17. **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.
18. 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.

19. **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.
20. **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.
21. **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

22. **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.

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
To: [Central RC Submissions](#)
Cc: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9857] Submission received on notified resource consent
Date: Monday, 25 May 2020 7:30:45 PM
Attachments: [AUCKLAND REGIONAL LANDFILL SUBMISSION - Lee Laughton 25 May 2020.pdf](#)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Lee Laughton

Organisation name:

Contact phone number: 02040070022

Email address: nzpaddler2@gmail.com

Postal address:

80 Spindler Road, RD2
Wellsford
Auckland 0972

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole proposal as 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 National Policy Statements on Freshwater Management; contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan...

What are the reasons for your submission?

My main concern if this application is approved has always been for the future quality of our environment and its waterways including the stream that feeds from the proposed landfill, the Hoteo River and the Kaipara Harbour. The proposed landfill would be in Auckland's highest rainfall area, the Dome Valley has the highest rainfall north of Auckland, often with continuous thunderstorms and lightning strikes in winter, and up to 200ml of rain in a 24-hour period. When Waste Management contacted me by phone back in early 2019, I asked them where they were getting there rainfall data from, they replied that they were taking data from Wellsford, Matakana and Warkworth. I then asked why don't they have a rainfall data station up at the proposed site and the

gentleman from Waste Management replied that the 3 stations around the area were enough. Sadly they are wrong. See attached document (AUCKLAND REGIONAL LANDFILL SUBMISSION - Lee Laughton 25 May 2020) for our specific reasons and concerns.

What decisions and amendments would you like the council to make?

I would like the council to decline the resource consent completely.

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: No

Supporting information:

AUCKLAND REGIONAL LANDFILL SUBMISSION - Lee Laughton 25 May 2020.pdf

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Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Waimarie Ratu

Organisation name:

Contact phone number: 0272006141

Email address: waimarieratu@gmail.com

Postal address:

P O Box 117
Topuni
Kaiwaka 0543

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

All

What are the reasons for your submission?

Rubbish and Pollution of waterways

What decisions and amendments would you like the council to make?

Stop it from going ahead

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

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Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: CLAY HOANI HAWKE

Organisation name:

Contact phone number: 021850601

Email address: cjhawke@nwo.iwi.nz

Postal address:

4/111 Patteson Ave
Mission Bay
Auckland 1071

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The dumping of rubbish that will impact negatively on the health of the Kaipara moana.

What are the reasons for your submission?

As Mana Whenua, I am 100% opposed to the development and introduction of the foolishly proposed development of this site as a rubbish dump, which will significantly harm, destroy and pollute the precious Kaipara moana and its sea life. Ruining, harming, killing and polluting the beautiful moana, and significantly impacting the ongoing public use and enjoyment of the Kaipara Moana for day to day recreation, swimming and fishing within the harbour. The proposed dumping and placement of rubbish will completely destroy the Kaipara Moana and cause major, harmful pollution to the kaimoana, fish, birds, plants and sea life. Ruining the many living and sustainable benefits Kaipara moana offers for future generations. : (.

What decisions and amendments would you like the council to make?

STOP THE PROPOSED DEVELOPMENT OF A DUMP THAT WILL RUIN AND EFFECT THE KAIPARA HARBOUR AND PARTS OF THIS SIGNIFICANT WATERWAY.

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

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To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9860] Submission received on notified resource consent

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Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Joanne Macdonald

Organisation name:

Contact phone number: 0275829622

Email address: lucymac58@gmail.com

Postal address:

PO Box 270
Warkworth
Auckland 0941

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Impact on the natural ecology of the area including rare species
Impact on the surrounding waterways that run into the Kaipara Harbour
Increased heavy vehicles passing through Dome Valley - a well known traffic black spot area
Increased noise and pollution
Impact on surrounding properties

What are the reasons for your submission?

I feel very strongly about the ecological impact the proposed landfill will have on the surrounding area and waterways - long term irreversible damage and pollution.

What decisions and amendments would you like the council to make?

Oppose the Plan Change & Resource consent and refuse the use of this land for a new Regional Landfill site.
Undertake to find a new more suitable area for this type of operation with less impact to the natural ecology or
Get pro active regarding alternative ways to dispose of Aucklands refuse. We are world ground breakers in the fight against Covid-19, why stay in the dark ages when it comes to refuse disposal - look to overseas examples and come up with something that works for the people/ecology/economy/New Zealand - get up with the play - ask Kiwis for

solution ideas not just buy into an overseas investment request that only makes its investors money and costs New Zealand the ultimate price - our environment/ecology

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: No

Supporting information:

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To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9861] Submission received on notified resource consent

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Details of submission

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Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: James Graeme Chicken

Organisation name:

Contact phone number: 0211862925

Email address: chook@surf.co.nz

Postal address:

384A SH1 Te Hana
RD5 Wellsford
Auckland 0975

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The proposal to build and operate a landfill tip.

What are the reasons for your submission?

Environmental : As evidenced by recent events on the South Island West Coast and others, landfills cannot be trusted not to despoil the environment in extreme weather events. In such an environmentally risky location adjacent to a (comparatively) unpolluted coastal harbour and fishery and hatchery

What decisions and amendments would you like the council to make?

Decline the application.

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: No

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To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9862] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Ken Kerehoma

Organisation name: Ngāti Whatua Orakei

Contact phone number: 021806894

Email address: kenk@odyssey.org.nx

Postal address:

39 kupe street
Orakei
Auckland 1071

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Oppose in whole

What are the reasons for your submission?

Ridiculous planting a dump close by Iwi taonga the Kaipara

What decisions and amendments would you like the council to make?

Revoke and cancel the submission in its entirety

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
To: [Central RC Submissions](#)
Cc: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9863] Submission received on notified resource consent
Date: Monday, 25 May 2020 8:00:40 PM
Attachments: [Submission.pdf](#)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: David Bruce Mason

Organisation name:

Contact phone number: 021923210

Email address: david.b.mason@xtra.co.nz

Postal address:

211 Kaipara Flats Road
Warkworth
Auckland 0981

Submission details

This submission: is neutral regarding the application in whole or in part

Specify the aspects of the application you are submitting on:

Inadequate provisions around extreme rainfall

Inadequate provisions around long term maintenance of site

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Require conditions that represent the actual risks

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: No

Supporting information:

Waste Management NZ Ltd

Application for Resource Consent and Private Plan Change 42

Submission – Resource Consent and Private Plan Change

1. Introduction

In principal I am not at all keen on my backyard being used as a dumping ground for Auckland's waste. But as alternative strategies to handle waste (such as dramatically enhanced recycling) are out of scope of this process, I am limiting my submission to a couple of matters that require major change before I would feel even partially comfortable with the proposal.

2. Design Maximum Rainfall Criteria

2.1. Applicant's Proposed Setting

The dump's design criteria are set so that it can withstand at 100 year ARI rainfall event (as adjusted for climate change).

2.2. Extreme Weather Events

Extreme rainfall events are relatively common. The website nzextremerainfalls.com¹ discusses (with a meteorological focus) 122 New Zealand events that have exceeded the 100 year ARI. Importantly two were recorded at Warkworth and one at Leigh—all in the general area of the dump.

A consequence of climate change (global warming) is that there will be more extreme weather. To provide some qualitative illustration of this, the South Pacific suffered only two category five cyclones in the twenty years 1970-1989 but 14 in the twenty years 2000 to 2019². And its only a matter of time before another major cyclone makes a direct hit on the upper north Island. When this happens and the eye were to pass just west of the site, the hills of the Dome forest would act as a partial barrier to the wet air and an extreme rainfall event could reasonably be expected. One of the Warkworth events referred to above fits this description.

If an extreme weather event (such as is hit the Bay of Plenty town of Matata in 2005) were to hit the dump then its defences would be overwhelmed with serious consequences. The Matata event was caused by a slow-moving convergence front and is estimated as being in the range of a 200 year to 500 year ARI³. One of the Warkworth events and the Leigh event referred to above were related to convergence.

2.3. Playing the Odds

100 year ARI events are relatively common in the overall context of New Zealand. What makes them appear uncommon is that generally each only impacts a small area. And the Dome Forest is one of the wettest parts of Auckland⁴.

With a projected life of 35 years, designing the level of protection around a 100 year ARI means that there is a 1 in 3 chance of the dump's defences being exceeded. And if a second valley is opened up

¹ <http://nzextremerainfalls.com/index.html>

² https://en.wikipedia.org/wiki/List_of_Category_5_South_Pacific_severe_tropical_cyclones

³ <https://www.witpress.com/Secure/elibrary/papers/DEB06/DEB06035FU1.pdf>

⁴ TP108 Appendix A

later, presuming that it too has a 35 year projected life, takes the likelihood of an event at around 70%. These are not good odds.

2.4. What is at Risk?

There is insufficient information in the AEE to ascertain the potential damage should the dump's rain defences be exceeded. Is the risk limited to additional sediment making its way into the Hoteo or could the water also carry waste matter and / or leachate?

Its possible that in a worst case the containment measures would be destroyed and both waste matter and leachate would reach the Hoteo and eventually the Kaipara harbour.

An analysis is required of the effects of an event representative of the likely worst case on the dump's containment capabilities. I do not have the technical skill to assess what this worst case should be, but suggest that at a minimum it should align with the upper estimate of the Matata event—500 years ARI.

2.5. Conclusion

Basing the flood containment around the 100 year ARI does not make sense given the the length of exposure and potential danger of failure.

Before finalising conditions further technical work should be undertaken to—

- establish the appropriate ARI,
- the size of the associated rainfall event, and
- the capability of the proposed design to accommodate such an event.

3. Long Term Management (After Care)

The current plan is that after a period (ill-defined) hand over to Auckland Council.

3.1. Leachate and methane

It is not clear from the AEE how long it should take before the leakage of methane and leachate returns to background levels. Indeed, there is something of a reverse correlation between the degree with which capping excludes water ingress and the time for leachate to stop being produced. The better the cap the longer the process. It is also unclear from the AEE whether the production (and hence emission) of leachate and methane consistently drops in this after period until it reaches zero, or whether there are ups and downs—potentially as a response to seasonal variations in rainfall percolating into the waste material.

Waste Management should retain full responsibility for the site until the flow of leachate and methane has been demonstrated to be permanently finished. Unless unambiguous evidence is provided that there are no ups and downs in these emissions then the test for zero emissions for both categories should be emissions at background level continuously for two years.

3.2. Maintenance of Site

Grass Cap

The AEE is clear that due to the thickness of the cap, only grass can be allowed to grow. This requires a program in perpetuity to maintain the grass vegetation on the cap. This would require as a minimum periodic weeding (mechanical or spray) along with cutting.

Extreme Weather Event

In much the same manner as an extreme weather event could cause the dump defences to break (with potentially severe consequences), so to could such an event after closing the dump. However the risk are lower as there would be no open workface to protect. Rather the risk is that water flows could break the cap and cause waste material to flow into the Hoteo.

Until the leachate has stopped flowing the full defences are required. Beyond that point an expert view is required as to the best way to protect against this risk. One possibility is that the storm water defences used for live phase are retained to (at a minimum) screen physical debris from flowing downstream. This would require active management at times of heavy rainfall.

3.3. Fund and Bond

There needs to be an investment fund sufficiently large for ongoing maintenance to occur in perpetuity. i.e. The fund retains its discounted value after costs of the maitenance activities are deducted.

I understand that there is proposed to be a bond. Its purpose is not well described, but as a bond it is unsuitable for drawing down operational costs. Rather I see it as being to remediate potential future failures.

Both the fund and the bond need to be sized in the future. The fund sizing should include expert investment advice, and the bond expert risk management advice.

4. Conclusion

The conditions need the following—

- clear parameters regarding how to determine methane and leachate have essentially ceased. I suggest both be at background levels for 24 months continuous.
- A fund be provided to facilitate ongoing site maintenance in line with its special requirements in perpetuity. External advice on its size will be required once the maintenance costs are fully identified.
- The bond (separate from the fund) is provided to remediate unexpected events. External risk management advice is required to ascertain the frequency that the bond would be called upon.

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 8:30:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9864] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Herewaina Tumahai

Organisation name:

Contact phone number: 0274353045

Email address: herewainatumahai@gmail.com

Postal address:

39 Windsor Road
Maeroa
Hamilton 3200

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:
NO NO NO TO THE LANDFILL!!!

What are the reasons for your submission?
NO ABSOLUTELY NO TO THE LANDFILL!!!

What decisions and amendments would you like the council to make?
NO TO THE LANDFILL!!!

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 8:30:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9865] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Mark Oliver

Organisation name:

Contact phone number: 0210677301

Email address: ollyllo1962@gmail.com

Postal address:

47 hill St
Warkworth
Auckland 0910

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:
Proposals are contrary to sound resource management proposals

What are the reasons for your submission?

What decisions and amendments would you like the council to make?
Cancel the consent

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 8:30:36 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9866] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Mike Forbes

Organisation name:

Contact phone number: 021315212

Email address: mikeforbes01@gmail.com

Postal address:

25 Buchanan St
Kingsland
Kingsland 1021

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Location, traffic volume, pollution / leachate

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Find a new location for proposed landfill

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 8:30:36 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9867] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Deborah Hart

Organisation name:

Contact phone number: 022 658 6797

Email address: ms.deborah@gmail.com

Postal address:

PO Box 74339
Greenlane
Auckland 1546

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:
the construction of a new landfill site in the Dome Valley

What are the reasons for your submission?

Firstly the difficult and winding nature of the Dome Valley road makes it entirely unsuitable for the large number of trucks currently using it, let alone the addition of 450 round trips per day that are estimated should this tip site be approved on one of the deadliest stretches of roads in the country.

Secondly the Dome Valley is an area of great natural beauty and to site a rubbish dump smack bang in the middle is completely insane. Not to mention the deleterious effect the toxic leachate would have on the many streams and tributaries to the Hotoe river. This environmental disaster in waiting must not be permitted to happen. It is frankly an insane proposal and is indicative of the woeful waste management practices that go on in this country. We should be looking to Scandinavia for solutions on how to address our waste management problems and learn from them rather than this mad notion that we should continue to endlessly bury our rubbish. Sweden for example recycles 99% of its municipal waste and quite why we in "clean green NZ" cannot manage even a quarter this figure is pathetic. Perhaps if councils stop granting resource consents to these waste companies to bury waste that should be recycled, we might find more effective means of waste disposal.

What decisions and amendments would you like the council to make?

I would like the council to reject the resource application by Waste Management NZ, this is simply not the place for a new landfill.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 8:30:37 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9868] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Bianca Howlett

Organisation name:

Contact phone number: 0211172833

Email address: biancajhowlett@gmail.co.nz

Postal address:

144 Govan Wilson Rd
Matakana
Auckland 0985

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The proposed landfill in the dome valley

What are the reasons for your submission?

I do not want to effects on the environment in this area.

What decisions and amendments would you like the council to make?

Not to allow the landfill in the proposed location

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 8:45:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9869] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Casey Wikiriwhi-Heta

Organisation name:

Contact phone number: 0211586254

Email address: casey.wikiriwhi@gmail.com

Postal address:

317 port albert road
Wellsford
Wellsford 0972

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I am opposing the Wellsford Valley Landfill on a mana whenua status.

What are the reasons for your submission?

I am opposing the Wellsford Valley Landfill due to huge environmental risk it has to the land and the Kaipara harbour. We rely heavily on this resource for our livelihood.

What decisions and amendments would you like the council to make?

I want the Auckland Council to oppose the Wayby Valley landfill resource consent.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 8:45:38 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9870] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Linda M Clapham

Organisation name:

Contact phone number: 0211283244

Email address: linda.lca@xtra.co.nz

Postal address:

117 Shegadeen Road
Wharehine
Auckland 0973

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

This submission refers to all aspects of the application.

What are the reasons for your submission?

The reasons for this submission calling for the refusal of this application are as follows:

1. The Auckland Council has a conflicted interest in the processing of this application. The 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 affects of the proposal are greater than the Auckland Council Territorial Authorities boundary and ventures far into the Kaipara Harbour Catchment which is under the durisdiction of the NRC and KDC.
2. The Application contravenes Section 2 /8 ,9,12,13,14,15 of the 1991 RMA Act.
3. The Application contravenes the National Policy Statement on Freshwater Management.
4. The Application contravenes Watercare's Statement of Intent 2018-2021
5. The Application contravenes NZ Coastal Policy Statement 2010, Policy 2,3,4,5, 6,7,11,13,15,21,23.
6. The Application does not acknowledge the principle of "Te Mana o te Wai. "
7. The 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 Hoteo River which is the main nursery

and food source for all snapper juveniles in the Kaipara Harbour catchment

8. The Application is located on geological conditions, which includes a volcanic faultline, Onerahi Chaos, multitudinous aquifer, not appropriate for the applicants activity.

9. The Application limits the long term sustainability of Auckland's growth, and viability of water supply and storage to North Auckland. Areas close by have been previously identified by Auckland Regional Authority Water Board as an important possible water 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.

10. The Application is contrary to the Waste Minimisation Act 2008

11. The Application is contrary to the Auckland Council Waste Management and Minimisation guidelines.

12. The Application does not fulfill the Government guidelines on Landfill siting.

What decisions and amendments would you like the council to make?

A joint hearing of NRC, KDC, and Auckland Council Independent Commissioners refuse this application on the grounds of inappropriate land use and for reasons contrary to the principles of the RMA 1991.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 9:00:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9871] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Te Atarangi Edmonds

Organisation name: Te Aroha Pā Marae

Contact phone number: 09 5514277

Email address: ranger38@gmail.com

Postal address:

19 Kopi Place
Waitakere
Auckland 0614

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Impact on local iwi and hapu

What are the reasons for your submission?

1. We believe the landfill poses multiple high impact risks to the environment, particularly the Hoteo River and Kaipara Harbour, and to the community.
2. 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.
3. We are the tuakana marae of Ngati Rongo and acknowledge local iwi Te Uri o Hau, Ngati Manuhiri, Ngati Rongo 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.
4. Te Aroha Pā Marae is a manawhenua Marae with its own autonomy and confirm to have never been consulted

during any part of this process.

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

th 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.

4

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.

What decisions and amendments would you like the council to make?

Find a more suitable location out of the zone of the waterways. Definitely not in the Kaipara Harbour catchment which we deem to be our food bowl. Over the years it has suffered enough to the depletion of our kaimoana beds and affecting the practices of our fore-bearers.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 9:00:36 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9872] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Michelle Boler

Organisation name:

Contact phone number: 094225581

Email address: brookvale.farms@icloud.com

Postal address:

19 Boler Road rd4
Warkworth
Auckland 0982

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Opposition to waste dumping in the dome valley next to Hoteo river

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

To disregard this dump

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 9:00:36 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9873] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Ritia Kilkelly

Organisation name:

Contact phone number: 0211966771

Email address: ritia.kilkelly@live.com.au

Postal address:

65 Kitemoana Street

Orakei

Auckland 1071

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

To oppose the application in full

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

To disregard the submission

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 9:00:37 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9874] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Annalisa Wong

Organisation name:

Contact phone number: 0210330756

Email address: annalisakwong@gmail.com

Postal address:

17 Dalton Road
Snells Beach
Auckland 0920

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I object to the new proposed dump going into Wayby Valley

What are the reasons for your submission?

Because it's not an appropriate place to put a dump. Find a more resourceful, eco friendly well to dispose of rubbish

What decisions and amendments would you like the council to make?

To not give consent to putting the dump site in Wayby Valley

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 9:15:34 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9875] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Pallas Martin

Organisation name:

Contact phone number: 0224105704

Email address: pallasmartin@icloud.com

Postal address:

13A Hertford St
Blockhouse Bay
Auckland 0600

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

About the future of my home, the Kaipara. Having rubbish in amongst my whenua. No! I dont support that at all.

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Not to put a dump anywhere in the kaipara.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 9:15:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9876] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Kate Waldrom

Organisation name:

Contact phone number: 021884822

Email address: katewaldrom@hotmail.com

Postal address:

6A Centennial Park Road
Wellsford
Wellsford 0900

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:
Environmental concerns

What are the reasons for your submission?

The proposals are contrary to sound resource management principles; contrary to the purpose and principles of the Resource Management Act 1991; they conflict with national policy statements on freshwater management.

What decisions and amendments would you like the council to make?

I would like the council to oppose the application.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 9:15:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9877] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Holly Kestra

Organisation name:

Contact phone number: 0210641564

Email address: h80kestra@gmail.com

Postal address:

705 Waiteitei Rd Wellsford 0974

Waiteitei

Wellsford 0974

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I oppose the proposals.

What are the reasons for your submission?

I do not agree in any way with the concept of a landfill and certainly not in the beautiful Dome Valley next to the Hoteo river and all its tributaries into the Kaipara harbour. It is a lazy out of date concept(landfills).

What decisions and amendments would you like the council to make?

To stop the landfill and look at alternative waste management as landfills are just a coverup of festering and dangerous filth which will remain so leaching forever.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 10:00:34 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9878] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Caroline Milner

Organisation name:

Contact phone number: 021302717

Email address: milnercaroline1@gmail.com

Postal address:

42d Rodney Street
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:

Long term expansion (Valley 2):

The proposed use of the area termed Valley 2 is not outlined, so that interested parties can take a view on the project as a whole.

Geology:

I do not believe the geology of the area makes it safe and suitable for a landfill. There are numerous springs and Watercare has a bore for future town use in the same aquifer that the proposed landfill site shares I do to think Waste Management can have complete assurance that the shared aquifer will not be contaminated. Furthermore the Hoteo River feeds into the Kaipara Harbour - this is a known flood area - a backwash of contaminants may put the town and water supply at risk. This water supply is also a major source for tankers that supply tank users and with the current climate change water shortages the risk is too large.

Rahui:

I am non-Maori but I attended and was witness to the Rahui placed by Aukati on the 15th June 2019 this needs to be respected and considered.

What are the reasons for your submission?

I am a concerned resident and ratepayer of Wellsford

What decisions and amendments would you like the council to make?

Decline this application as a site that is with too many risks and unsuitable for its planned use

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 10:00:41 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9879] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Julia Newland

Organisation name:

Contact phone number: 0274960450

Email address: Neutral@xtra.co.nz

Postal address:

107 Ocean Beach Road whangarei 0174
Whangarei Heads
Whangarei 0174

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I don't believe we should be creating more tips.
We should be looking at alternative possibilities.

What are the reasons for your submission?

Planet health

What decisions and amendments would you like the council to make?

Look at alternative and more organic ways to manage waste

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 10:00:41 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9880] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Michelle Nahi

Organisation name: Nahi Whanau

Contact phone number: 0224225167

Email address: Kaiparamoana3487@gmail.com

Postal address:

3487 Kaipara Coast Highway RD4 Warkworth
Rodney Ward - Warkworth
Tamaki Makaurau Auckland 0984

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

1. The direct impact the landfill will have on the environment.
2. Concerns for fresh river species and harbour marine life.
3. Tribal and whanau fishing and kaimoana areas
4. Tribal and whanau connection to the area
5. Council decision and amendments
6. Cultural tribal relationship to Papa tuanuku (To be presented later)

What are the reasons for your submission?

Our whanau have lived on the Kaipara harbour and on the south side of the mouth of the Hoteo river for nearly 200 years. Nine generations of our immediate whanau have lived and fished on the river and harbour and will continue to stay there for generations and years to come.

Our reasons for opposing the Waste Management Auckland Regional Landfill at Dome Valley are

1. Major concerns for the environment and natural waterways and underground flowing waters that come from the Dome Valley. In the short and long term toxic waste will eventually contaminate and pollute the Hoteo river which will make its way down to the Kaipara harbour and will destroy everything in its wake. Regardless of the up to date

technology and design being proposed and used to seal against mother earth to prevent or protect to hold for the next 100 hundred years or more is a huge risk to nature and its environment.

2. The amount of land NZ Waste Management Limited had secretly purchased will eventually be a dumping ground for millions and millions of tonnes of rubbish for the next 100 hundred years or more.

3. The Kaipara harbour is our tribal food bowl and has been for generations, why should we not be concerned for our taonga. The landfill project proposal is seriously seen as a huge threat to the environment and to our food resources from the river and the harbour.

4. The Dome Valley, Hoteo river and the Kaipara harbour are all in sync with one another and is significantly more important to us than the Landfill development project.

5. The risk are just too higher price to pay.

6. When things do go wrong it will be irreversible and so costly, no financial band aid or man made insurance or written agreement along with company designs and technology for the landfill will sustain the health and safety of Papa Tuanuku.

7. Direct impact on the freshwater ecology in the upper and lower reaches of the Hoteo river and all the way down destroying life of the river, fish, kaimoana, tuna, inanga, migrating species, plants and nursery areas.

What decisions and amendments would you like the council to make?

1. Its important that national and local government high level policies on the regional natural environment of waterways, rivers, resources and the environment is protected and, will remain healthy, resilient, undisturbed and fully recognized for the future value this whole environmental resource will mean for the Rodney and Kaipara communities, for Tamaki Makaurau and for the nation, Aotearoa .

2. The Dome Valley and its waters ways to the Hoteo river and to the Kaipara harbour are tribal sacred areas to Ngati Whatua and the communities we live in.

3. We would like to see the Auckland Council maintain to uphold national and regional environmental policies to protect our nations natural water ways and harbours. Being the Dome Valley, Hoteo river, Kaipara harbour and Tapokopoko a Tawhaki Tasman sea.

4. Our father was a kaumatua and spokesman for our whanau and marae who was involved in the Redvale site at Diary Flat when it first started. He along with other tribal representatives from Ngati Whatua saw the potential of that site due to early engagement of consultation and processes that took place. He could see along with others that there was no potential threat to the environment like what we see and are experiencing with the Dome Valley.

He gave his support and was involved in the ceremony blessing of the site at Diary Flat.

Its a real shame that Waste Management LTD did not culturally acknowledge the same process of early tribal interaction and discussion. Our father along with many more other tribal representatives would have advised Waste Management LTD that this site at Dome Valley was not suitable, do not buy it.

Regardless of the challenges find another place like Dairy flat.

The answers to why it should have not been purchased are also in the meaning of the names of the rivers, the historical tribal history from the dome to the banks of the Hoteo river and to the Kaipara harbour. Regardless of its isolation through the contour of hills and its native forest surroundings at one time.

In view of our submission we fully support the Rahui that was placed on Dome Valley last year in June 2019 and we look forward in presenting our korero at the hearing along with other information on cultural practice, tikanga and whanaungatanga to the awa.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 10:15:34 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9882] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Janet Margaret Hooper

Organisation name:

Contact phone number: 0274976986

Email address: desmondoz@hotmail.com

Postal address:

PO Box 288
Mangawhai
Northland 0540

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I do not believe that this is an appropriate place for landfill for environmental and economical reasons

What are the reasons for your submission?

The environmental impact of leeching from the landfill into local water courses. It also transporting rubbish this distance will cause excessive congestion and wear on the roads.

What decisions and amendments would you like the council to make?

Locate it closer to the place the rubbish that needs to be disposed of

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 10:15:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9883] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Herby Skipper

Organisation name: Fight the tip. Save the Dome

Contact phone number: 0274033765

Email address: skipperherby@yahoo.co.nz

Postal address:

8 Clague Road
Wellsford Northland
Wellsford Northland 0972

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole proposal, as 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 National Policy Statements on Freshwater Management; contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan.

What are the reasons for your submission?

Please see Appendix A.

I have manawhenua and Kaitiaki status over the Hoteo whenua this comes from my ancestral links to Iwi hapu of the Dome Valley and Hoteo River they include the Ngati Manuhiri, Ngati Whatua, Te Uri O Hau, Ngai Tahu, Ngati Tahinga and Te Uri o Katea. These ancestral links, include the Nga waka Mahuhu Ki te Rangi, Tainui Te Arawa, and the Takitimu. There has been no consultation with Manawhenua I totally oppose the Dome Valley \ Hoteo land fill

What decisions and amendments would you like the council to make?

I would like the Council to decline the resource consent completely.

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:

Dome Valley Proposed Landfill Submission

Appendix A

- 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.

IMPACT ON LOCAL IWI AND HAPU

If you whakapapa as members of Te Uri o Hau, Ngati Manuhiri, Ngati Rango Ngati Whatua, Ngati Tahinga, Ngai Tahu and Ngati Mauku 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.

- 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.
- Local iwi Te Uri o Hau, Ngati Manuhiri, Ngati Rango and Ngati Whatua, Te Ulri o Katea and Ngati Mauku 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.
- **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.

- **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 15th 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

- **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
- **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.

- **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.
- **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

- **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:
 - discharge of a contaminants or water into water
 - discharge of a contaminant onto or into land
 - the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials.
 - conspicuous change in the colour or visual clarity.
 - emission of objectionable odour.
 - rendering of fresh water unsuitable for consumption by farm animals or people.
 - significant adverse effects on aquatic life.
- **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.

- **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 Hoteo 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.

- **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.

- **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.

- 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.

- **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.
- **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.
- **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.
- **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
- **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)
- **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.
- **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.
- **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.
- **Watercare** – Watercare sources some water from the Hotoe 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.

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 11:15:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9884] Submission received on notified resource consent
Attachments: Appendix A.pdf (87.06 KB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Herby Skipper

Organisation name: Fight the tip. Save the Dome

Contact phone number: 0274033765

Email address: skipperherby@yahoo.co.nz

Postal address:

8 Clague Road
Wellsford Northland
Wellsford Northland 0972

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole proposal, as 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 National Policy Statements on Freshwater Management; contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan.

What are the reasons for your submission?

Please see Appendix A. As manawhenua of the Dome Valley/Hoteo River whenua, I oppose the Dome Valley/Hoteo landfill. As required by the Resource Management Act, there has been minimal consultation with hapu and iwi.

What decisions and amendments would you like the council to make?

I would like the Council to decline the resource consent completely.

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:

Appendix A.pdf

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 11:15:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9885] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Abigail Meagher

Organisation name:

Contact phone number: 021468195

Email address: abbyandhemi@xtra.co.nz

Postal address:

45B Black Swamp Road
RD5
Wellsford 0975

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

- General location of the tip
- Potential Environmental Impacts
- Dramatic Increase in heavy traffic volume on roads that are already unsafe

What are the reasons for your submission?

As a family who has loved ones travelling through the Dome Valley every day we do not believe that the risk to human life is worth adding the huge amount of heavy trucks transporting rubbish to the tip from Auckland.

We have major concerns regarding the environmental impact on the Kaipara Harbour and surrounding area.

Particularly in relation to the Kaipara being an essential part of many of NZs fish stocks due to its breeding grounds. We also have concerns regarding the impact on Critically Endangered species such as the Maui Dolphin and the NZ Fairy Tern.

The ecological benefits of this region should not be underestimated.

What decisions and amendments would you like the council to make?

We do not believe this is just a case of NIMBY (Not In My Back Yard) but a project that has significant, legitimate failings that could impact all of NZ. We therefore believe that Auckland Council should stop this application and find a

site that is far more appropriate. That doesn't endanger lives on a daily basis, risks the fish stocks of the entire country and protects this ecological environment.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 11:30:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9886] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: JANE HOTERE

Organisation name: Mahurangi aho 2 Ngapuhi Waitangi tribunal claimants in Tamaki Makaurau,

Contact phone number: 0211666244

Email address: janehotere127@gmail.com

Postal address:

44.Kiwitea st
Sandringham
Auckland 1041

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Mahurangi aho support Ngati Whatua

What are the reasons for your submission?

Poisoning our Kaipara Awa, I'm a registered member Te Runanga o Ngati Whatua ki Whangarei, so our Whakapapa is to all Taitokerau, down to Tamaki, Auckland.

What decisions and amendments would you like the council to make?

Throw out, the application to construct. a station by the Chinese, its against Tikanga Maori, and Mokopuna wil starve.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 11:45:35 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9887] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Amy Griffiths

Organisation name:

Contact phone number: 094312029

Email address: amy.griffiths@restartrehab.co.nz

Postal address:

640 Oneriri Road
KAIWAKA
KAIWAKA 0573

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I am concerned regarding the threat to the waterways that the landfill would bring. The waterways involved are the Hoteo River and its tributaries and the Kaipara Harbour. It appears that the landfill is going to be situated in an area of unstable geology in an area prone to heavy downpours. This could result in toxins leaching into the waterways and threatening native bird and sealife

What are the reasons for your submission?

I am opposing the resource consent application as detailed above

What decisions and amendments would you like the council to make?

I would like the council to seek alternative options for this proposed landfill

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 11:45:36 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9888] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: debbie anderson

Organisation name: Tauraroa Area School Northland

Contact phone number: 0211287746

Email address: debbie.anderson@tauraroa.school.nz

Postal address:

21 Kahu Drive
Mangawhai
Kaipara 0505

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole application is wrong and no forethought into the impact of dumping rubbish into a remote area of natural beauty. Bury the rubbish in your own backyards. Better still re educate people on how to reduce waste at home and get rid of plastic off the planet forever.

What are the reasons for your submission?

The dome valley is an exceptional place. It is a natural untouched forest that the few residents who do live there are tucked into the habitat and live in peace with the beauty of the forest. Let the dome be a haven for these people and continue to be a place of natural beauty that allwus us humans to pass through and admire it and be in awe of it. Don't destroy it like we have been doing with remote places that don't effect big cities and use it as a toilet for human rubbish. Keep your own rubbish, educate aucklanders to respect the environment they live in and provide ways to compost and eliminate plastic. Education is the key. With so many foreigners living in Auckland they will bring with them habits learned from their homelands. We have a responsibility to educate on how to keep our country clean and green. Protect nature and live as one. Come on people Auckland has enough people paying taxes to resolve this issue without bullying a small community and ruining more of our natural habitat.

What decisions and amendments would you like the council to make?

No amendments, just chalk it up to a bad idea and rethink how to reduce waste from households and use your own yard to recycle. Not throw it over the fence. Shame on you.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 11:45:36 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9889] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Andrew Griffiths

Organisation name:

Contact phone number: 094312029

Email address: grand_designers@yahoo.com

Postal address:

640 Oneriri Road

KAIWAKA

KAIWAKA 0573

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The proposal conflicts with national policy statements on fresh water management

What are the reasons for your submission?

I oppose the landfill for the reason given above

What decisions and amendments would you like the council to make?

I would like the council to reject the proposal and seek alternatives to the landfill

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 2:45:34 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9890] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Amanda Jackson

Organisation name:

Contact phone number: 021454245

Email address: moon_chickie@hotmail.com

Postal address:

91 Ranganui Rd
Kaiwaka
Northland 0573

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Environmental
Roding

What are the reasons for your submission?

As a long term resident of land that borders the Kaipara Harbour I object to this site due to the environmental risk to such an integral part of not only our community but NZ as a whole.

The Dome Valley is known locally for its high rainfall, and with the Hotoe River in such close proximity it poses serious if not devastating risks to the Kaipara Harbour should there be a breach of the liner. We personally have planted thousands of trees on our land to try and do our part to clean up the Harbour and for this to even be on the table as a potential site is extremely concerning and definitely something I oppose.

My other concern is the very high impact on our wider community who travel the road through the Dome Valley. It is already a very dangerous stretch of road, the addition of 300-500 truck per day would most definitely cause a seriously negative impact, potentially fatal, on our community.

What decisions and amendments would you like the council to make?

I would like the council to deny the application for this site to be used as a landfill

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:



Haranui Marae Trust Board

PO Box 51, Helensville, South Kaipara, 0840. Email: haranuimarae2018@gmail.com

*Ko Tarawera te Maunga
Ko Kaipara te Moana
Ko Haranui te Awa
Ko Ōtakanini Haranui te Marae
Ko Ngā Tai i Turia Ki Te Maro Whara te Whare
Ko Ngāti Whātua te Iwi*

24 May 2020

Auckland Council
Private Bag 92300
Victoria Street West
Auckland 1142

Tena koutou

Objection to Resource Consent Application: BUN60339589

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1. INTRODUCTION

- a. This objection is being submitted on behalf of the beneficiaries of the Otakanini Haranui Marae, located at Haranui Road, South Kaipara.
- b. This submission is being made because we see immediate and long term risks to the surrounding environments, people and businesses by this proposed landfill. We see a clear lack of regard for protecting the land and our people from the far-reaching and long-lasting impacts of landfills by this proposal.
- c. We believe the landfill poses multiple high impact risks to the environment, particularly the Hoteo River and then to our Kaipara Harbour, to our hapu waterways and to the wider community.

2. OUR RELATIONSHIP TO THE KAIPARA HARBOUR

- a. In prehistoric times the thousand-mile coastline of the Kaipara Harbour supported one of the densest populations in New Zealand. Over the first two centuries of the last millenium, many waka associated to Maori settlement of Aotearoa stopped off or called into the Kaipara harbour.
- b. One of the most significant of these waka is Mahuhu-ki-te-tangi, captained by Rongomai who later drowned in the Kaipara¹ - this waka is most closely associated to Ngati Whatua and Ngati Wai. Our traditional history also concerns the waka Kōkirikohara which is linked to us here at Otakanini Haranui.
- c. Our hapu is one that descends from Haumoewarangi, through his son Haki-puta-tomuri, then through his younger son Pokopoko-whiti-te-ra, also known as Pokopoko-here-here-taniwha. Pokopoko was the conqueror of Taniwha and won his name after a battle which took place at Aotea (Shelly Beach), not far from where our marae stands today.
- d. Other of our oral traditions speak of our ancestor

¹ Rāwiri Taonui, 'Ngāti Whātua', Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/ngati-whatua/print> (accessed 25 May 2020)

Pokopoko-here-here-taniwha who, once he died, was given a sea-burial at the entrance of Kaipara Harbour, and he later became a taniwha himself, becoming a guardian of our harbour

- e. This korero demonstrates our connection, history and genealogical relationship to the Kaipara Harbour, and explains why we are so interested in the health and sustainability of the moana.**

3. THE IMPORTANCE OF CLEAN WATERWAYS TO US

Maintaining a high quality of our natural water resources is a major issue because:

- a. water is seen as sacred because of its purity and life supporting qualities
- b. water plays an important role from birth to death
- c. Each freshwater system has its own mauri which represents the life force of the resource and the ecological systems which live within that resource.
- d. the quality of the fresh water entering the harbour directly affects the quality of the marine environment
- e. Like all taonga, water is traditionally conserved and protected
- f. 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

4. OUR CLOSEST WATERWAYS.

- a. At the south end of the harbour, near the town of Parakai, our pa of Otakanini is situated on top of a small island separated from the mainland to the west by some 300 metres of mud-flats (now drained for pasture), and flanked to the south-east by a tidal creek.²
- b. Over the last several centuries, our ancestors have harvested food and

² <https://www.tandfonline.com/doi/pdf/10.1080/03036758.1972.10421818>

kaimoana from the Kaipara Harbour and the Kaipara River, for the sustenance of our whanau. **Today, many whanau still regularly harvest kaimoana to put food on their dinner tables and the sustainability of our kaimoana and ika is critical to our well-being.**

- c. Otakanini Pa is renowned in Ngati Whatua history for its ability to resist siege attempts over several centuries, due to being surrounded by the deep tidal creek coming from the Kaipara Moana on one side and swamps on two sides and also being serviced by a fresh water spring³.
- d. **Even today, centuries later, the same spring still supplies the modern marae and households in the Haranui neighbourhood with fresh drinking water, and is managed by a separate Trust, the Haranui Whanau Water Supply Incorporated⁴.**

5. OUR OBJECTION TO RESOURCE CONSENT APPLICATION

- a. **We are hugely concerned for the viability and sustainability of the local waterways located next to our marae and of our Kaipara Moana that we wish to record our strenuous objection to the above resource consent application to build a new regional landfill in the Dome Valley which is contrary to the purpose and principles of the Resource Management Act 1991, and inconsistent with the Auckland Unitary Plan.**
- b. **We also object to any changes to the Unitary Plan that are proposed to allow this project to go ahead.**
- c. **We absolutely support the wider Ngati Whatua campaign to protect the Kaipara and say NO to the Dome Valley Regional Landfill.**
- d. We believe that 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 <https://paperspast.natlib.govt.nz/periodicals/TPRSNZ1895-28.2.5.1.4>

⁴ <https://www.bizdb.co.nz/company/9429043185061/>

6. THE RISK OF LANDFILLS LEAKING AND BREECHING

- a. The risk of landfills breaching into the Hoteo River and leaking into the Kaipara - We have witnessed the Rotorua landfill court case and allegations of leaked discharges due to major weather events. We were also horrified when we saw the recent Fox Glacier landfill disaster on our TV screens and we became more anxious about the placement of this landfill which is in an unsuitable location is likely to lead to a future disaster and associated clean-up.

7. WATERWAYS ON LAND PURCHASED FOR THIS PROJECT

- a. This land includes tributaries to the Hoteo River which feed into the Kaipara Harbour which is the beginning of the marine food chain, and which is 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.

8. GEOLOGY AND WATER SYSTEMS

- a. 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.
- b. Risks caused by 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.

c. We are concerned for the well-being of these impacted waterways

- i. The Hoteo, being the third largest river (second after rain) that feeds 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).
- ii. 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 the Kaipara 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.
- iii. 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.
- iv. 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.
- v. Springs/tomos spontaneously occur in the area. These could affect the integrity of the landfill liner leading to breaches. We are extremely concerned about the potential for breeches, and

have no assurance that Waste Management will be able to afford all the environment that would reduce the cost to zero.

- vi. An aquifer / fresh water supply underlies the area's waterway systems and is a potential groundwater source for the Wellsford Water Treatment Plant.
- d. 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.
- e. Important species - The proposed landfill site and surrounding area contains many native and/or threatened terrestrial and aquatic species.

9. OUR TAUTOKO TO OTHER HAPU AND IWI AFFECTED BY THIS PROJECT

- a. We tautoko other local iwi Te Uri o Hau, Ngati Manuhiri, Ngati Rango and Ngati Whatua as 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.
- b. 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. 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.

10. OUR CONCERN FOR THE IMPACT ON LAND

- a. We are concerned about
 - i. habitat and species loss caused by tree felling and excavations

causing loss of biodiversity.

- ii. loss of habitat for species as previously listed
 - iii. loss of species directly through removal of species
 - iv. indirectly over time due to loss of habitat, and/or cascading effects through ecosystems
 - v. 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.
- b. Rubbish distribution is likely throughout the surrounding environment by wind and rainfall with adverse impacts on biodiversity.
- c. In previous years, it has been possible to see toilet paper and rubbish located in the exposed face of grassed edges, where it meets the shoreline, especially at Taporapora. This has been random rubbish dumped by boaties, fishing trawlers, tourist cruises and shipping vessels. The potential impact on the Kaipara if there was any incident of breaching or leakage cannot be overestimated, especially if the breach were on a scale similar to the Fox Glacier disaster, where rubbish washed up along more than half the coastline of the South Island.
- d. The potential impact of hazardous materials is too dangerous for us to risk the wellbeing of the Hotoe River and Kaipara Harbour. 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.

11. IMPACT ON THE WATER

- a. 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:

- i. discharge of a contaminants or water into water
- ii. discharge of a contaminant onto or into land
- iii. the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials.
- iv. conspicuous change in the colour or visual clarity.
- v. emission of objectionable odour.
- vi. rendering of fresh water unsuitable for consumption by farm animals or people.
- vii. significant adverse effects on aquatic life.

12. SEDIMENTATION

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

13. LEACHATES

- a. We are especially concerned for leachates which 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, degradation of water quality and spreading through the food chain.
- b. Leachates from landfills change overtime as well, so the future of the area, particularly the Hoteo River and Kaipara Harbour will be at risk long after the landfill closes as well, which is unacceptable to us. Considering the huge importance of the Kaipara Harbour to our country's internal and exported seafood industry, this is a major concern.
- c. 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.

14. UNDERGROUND FRESHWATER SPRINGS

- a. The area purchased is known as "Springhill farm" for a reason, and this landfill would likely cause significant adverse effects on the water table via these springs. 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, human error, product failure, or changes to site stability, the waste

industry themselves cannot guarantee that their liner will never breach.

- b. We are particularly concerned for any potential for pollution to our own natural spring, which has given us clean drinking water for centuries.

15. IMPACT ON PEOPLE AND THE COMMUNITY

- a. 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.
- b. 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.
- c. 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:
 - i. who come in contact with them.
 - ii. who consume infected flora and fauna.
 - iii. who consume affected seafood or any part of the food chain.

16. EMPLOYMENT ISSUES

- a. 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:
 - i. farmers alongside the Hoteo River and Kaipara Harbour.
 - ii. local tour operators and accommodation suppliers.

- iii. fisherpeople who recreationally and commercially use the harbour as a resource to feed their families

17. NUISANCES

- a. 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.
- b. 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 and have strong impacts on their ability to care and harvest the land.
- c. 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.
 - i. Increased heavy traffic volumes (300-500 trucks + 150 service vehicles PER DAY)
 - ii. Increased risk of accidents/fatals (most fatals already involve trucks)
 - iii. Increased fire risk in inaccessible forestry/farmland, and proximity to the main gas line.
- d. 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.

18. COMMUNITY FEEDBACK IGNORED BY COUNCIL

- a. 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.

- b. These efforts will largely be reversed by the addition of this landfill.
- c. 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:
 - i. Integrated Kaipara Harbour Management Group (IKHMG) and
 - ii. Trees for Survival have been working on planting and improving the water quality in the wider catchment area and Kaipara Harbour.
 - iii. Million Metres - planting to protect the Hoteo River.
 - iv. 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.

19. 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.

20. CLOSING REMARKS

In closing, please note that:

- a. This objection is being submitted on behalf of the beneficiaries of the Otakanini Haranui Marae, located at Haranui Road, South Kaipara.

- b. This submission is being made because we see immediate and long terms risks to the surrounding environments, people and businesses by this proposed landfill. We see a clear lack of regard for protecting the land and our people from the far-reaching and long-lasting impacts of landfills by this proposal.
- c. We believe the landfill poses multiple high impact risks to the environment, particularly the Hoteo River and then to our Kaipara Harbour, to our hapu waterways and to the wider community.
- d. We are hugely concerned for the viability and sustainability of the local waterways located next to our marae and of our Kaipara Moana that we wish to record our strenuous objection to the above resource consent application to build a new regional landfill in the Dome Valley which is contrary to the purpose and principles of the Resource Management Act 1991, and inconsistent with the Auckland Unitary Plan.
- e. We also object to any changes to the Unitary Plan that are proposed to allow this project to go ahead.
- f. We absolutely support the wider Ngati Whatua campaign to protect the Kaipara and say NO to the Dome Valley Regional Landfill.
- g. Please address any response to our email at
haranuimarae2018@gmail.com



Te Aniwa Tutara
Signed as Interim Secretary, Otakanini Haranui Marae Trust Board

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
To: [Central RC Submissions](#)
Cc: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9891] Submission received on notified resource consent
Date: Tuesday, 26 May 2020 4:30:42 AM
Attachments: [200524 Otakanini Haranui Submission re Dome Valley Tip - Final_20200526042111.273.pdf](#)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Lynne Marie Te Aniwa Tutara

Organisation name: Otakanini Haranui Marae Trust Board

Contact phone number: 0223781397

Email address: haranuiarae2018@gmail.com

Postal address:

PO Box 51
Helensville
Helensville 0800

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Our Ngati Whatua marae objects to this proposal on the grounds that the potential risk to the safety and sustainability of the Hotoe River, the surrounding lands, fisheries and forests and to the Kaipara Harbour is too great to accept, and that 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 National Policy Statements on Freshwater Management, contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan. See our attached submission.

What are the reasons for your submission?

Our reasons are outlined in the submission which we wish to attach

What decisions and amendments would you like the council to make?

Our Marae would like to Council to decline the resource consent completely

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: No

Supporting information:

200524 Otakanini Haranui Submission re Dome Valley Tip - Final_20200526042111.273.pdf

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 7:00:09 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9892] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Jamie McDell

Organisation name:

Contact phone number: +16477077992

Email address: jamiemcdell@gmail.com

Postal address:

159 Tern Point
Mangawhai
Mangawhai 0505

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole proposal as the proposal is contrary to the 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.

What are the reasons for your submission?

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.

What decisions and amendments would you like the council to make?

I would like the council to decline the resource consent completely.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 7:15:10 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9893] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Dedrie Trnjanin

Organisation name:

Contact phone number: 02102488470

Email address: 01supermum@gmail.com

Postal address:

28 Parsonage Road
Woodend
Woodend 7610

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The decision for the use of the land for waste/landfill.

What are the reasons for your submission?

I lived in Glorit for 29 years. My parents farm was just south of the Hoteo River, our farm bordered the Kaipara Harbour. For a land fill to be situated on the Hoteo leaves it open for a natural disaster as seen at the Fox Glacier. This is a pristine part of New Zealand. Natural fauna, fishing and hiking. We oppose mining in the South Island, so why are we putting a landfill here? It is just the same - destroying the landscape for unnecessary waste.

What decisions and amendments would you like the council to make?

I would like the landfill submission to be declined. Yes, we need a landfill but why destroy such a beautiful part of the New Zealand?

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 7:15:10 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9894] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Joshua Potae

Organisation name:

Contact phone number: 0211696865

Email address: jpotae@gmail.com

Postal address:

45 View Road
Waiuku
Auckland 2123

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Land fill

What are the reasons for your submission?

Opposing rubbish being dumped on our whenua's land

What decisions and amendments would you like the council to make?

Rethink cleaner strategy gery

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 8:00:10 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9895] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Hoki Edmonds

Organisation name:

Contact phone number: 0223207400

Email address: hokiedmonds@gmail.com

Postal address:

66 Ferguson Street
Mangere East
Auckland 2024

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I do not wish to have a Landfill made here.

What are the reasons for your submission?

I believe the future generation of my people will reap the problems this lanfill will cause, not by their choice.

What decisions and amendments would you like the council to make?

Finding another location for the landfill. Not near the water.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 8:15:11 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9897] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Teri Wilson

Organisation name:

Contact phone number: 0422250266

Email address: tl.wilson49@gmail.com

Postal address:

19 Nigel street
Redbank Plains
Brisbane 4301

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I don't want to be swimming in rubbish

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Stop dumping rubbish into our water ways

Are you a trade competitor of the applicant? I am a trade competitor of the applicant.

I am directly affected by an effect of the proposed activity that adversely affects the environment, and that effect does not relate to trade competition or the effects of trade competition

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 8:45:10 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9898] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Denise Stuart

Organisation name:

Contact phone number: 024391507

Email address: denise@stuartbuilders.co.nz

Postal address:

7 Sunrise Lane
Mangawhai Heads
Northland 0573

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole proposal

What are the reasons for your submission?

The detrimental effects on the environment on the land, fauna and foliage.

The significant increase of trucks and other vehicles on a already dangerous and busy section of State highway 1.

What decisions and amendments would you like the council to make?

Decide against having a landfill on this site.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 9:00:09 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9899] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Shannon Greenwood - Ryan

Organisation name:

Contact phone number: +17078612272

Email address: shannonryanonline@gmail.com

Postal address:

4a Dawson Road
Snells Beach
Snells Beach 0920

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole proposal as the proposal is contrary to sound resource management principles. It is contrary to the purpose and principles of the Resource Management Act 199. The proposal conflicts with the Auckland Unitary Plan. The proposal conflicts with National Policy Statements on Freshwater Management. The proposal is contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan.

What are the reasons for your submission?

Shannon here. I was born in Warkworth and raised equally between Snells Beach on the east coast, and Glorit Hoteo on the west. My father was raised in Snells Beach and worked solo as a longline fisherman for Leigh (Lee Fish) Fisheries. He now works for Bio Marine Oysters with farms in the Kaipara Harbour and Mahurangi waterways. His livelihood, therefore, my livelihood, depended and still depends on the health of our waters. My Grandparents had a small organic dairy farm in Glorit, eventually standing on its own as Verona Organics. My mum grew up here, and I too lived on this farm next door to Puatahi Marae. Their livelihood, therefore, my livelihood, depended and still depends on the health of the waters and land.

I was schooled in Warkworth, Tauhoa and Wellsford. As any child educated in this area would know, our natural and cultural surroundings were a big part of our lessons. How lucky we are, us clean green Kiwi kids, to venture out into the environment and gain an education beyond the walls of a classroom, with an opportunity to connect to the people and

stories of all around us. Now, here I am questioning why anyone bothered to waste their energy on lessons that would come to cause disappointment and confusion to the woman that I have become.

As I've traveled and lived abroad, I have sung praises of the unique and special spans of lands, coasts, and people that were and still are integral to who I am today. Do you realise how much positive feedback we get as New Zealanders? Countless chit chats with strangers, some who have NEVER been to our fine country reporting a glowing image, an image that I intend to uphold.

Some of my strongest childhood memories are of swimming in the Hoteo river. Jumping off the bridge and into the waters coming in from the Kaipara Harbour and out of the Hoteo River on hot summer days. As I grew older, I kayaked with my year 12 peers on an excursion organised by Mahurangi College, which took us throughout the Hoteo River for a staged rough night 'lost' in the bush. That experience itself has popped up numerous times as I reflect on how incredibly giving our homelands have been. Lessons and insights that are a gift, I know, because of the response I have received when recounting my youth experience to new friends from around the globe that I have made along the way.

And this is just me. One human, one a leaf on a tree firmly rooted in the very lands at risk because of old fashioned business and failed practice. What sort of contradiction is actually being considered here? I believe no land or community deserves a landfill. I believe there are good alternatives available and this is a blatant money-making mockery on clean green NZ. We cannot sit in idle as proven failures continue to press on due to one key factor. Money. A lot of money. This is not a service. This is not waste management.

As for our future. I planted trees along various waterways when I was little, just as children right throughout the region continue to do now. What are we to tell them when they inevitably discover that the ways we are teaching them don't hold up in the big bad world after they leave school? How are they to feel about who they are and where they stand if our practices are in contradiction to the teachings that inspire their purpose in life? I know how they feel, and I won't stand for it.

Just last year, I spent time with hundreds of others including service men and women from the NZ Army, Navy and Airforce assisting in the Fox Glacier landfill landslide clean up. Please justify to me the sense it makes to send our Defence Force to clean up after a landfill spill into a river, and in addition commit taxpayer dollars to the health of the Kaipara Harbour, all while planning another landfill? Need I repeat this cycle again, or is once enough? I saw the impact of a landfill years after it was decommissioned. It was clear the cleanup mission was futile knowing that a plan to create another landfill by waterways leading to the Kaipara Harbour was in motion. We now know that our trash doesn't disappear when it gets dropped off at the landfill. Thankfully, we can look to places like Raglan and to the great minds using their academic and scientific prowess to look for the solutions of change.

We cannot bury a problem. The tide has turned and in doing so has washed up the waste of our ways. I see the message and support a change in how we manage our waste, and also how we as a country chose to consume. Allowing for a landfill sets the stage for a much larger problem to continue to perpetuate with astronomical and certain risk to the environment and all it hosts.

What more can I say of my own personal experience that without scientific backing should be enough to pull our community, our country, into deep reflection. I returned to a waterway in Makarau that I could swim in as a child. It was foul. Too many times now I revisit places that once inspired clean green NZ pride in me. Now I feel a sense of shame, knowing things have come to this, despite what I was taught. Despite what we are teaching. I will not stand for it.

So, while I am confused, the reasons make sense. While I am disappointed, I have a deeply ingrained optimism. I have had teachers who continued to provide the lessons. For that, I am thankful. Because they prepare us, for now, they remind us of our purpose, they hold us accountable. Thankfully, Aotearoa New Zealand produces some who stand by the clean green image of the land they call home, who are connected to the mana, to the environment, and to the lessons that are there for a reason. Perhaps so that some of us wouldn't forget. So that we would be prepared for the never-ending onslaught of a greed feeding from the broken system we have been conditioned to rely on.

As an adult I feel strength in the foundation that my upbringing built within me. It would be a crime to cheat future generations out of this and put all that our environment hosts at risk.

I am opposed to this landfill. The water is murky. The reasons are clear.

Ko Atuanui te maunga
Ko Hoteo te awa
Ko Kaipara te moana
Ko Puatahi te kainga
Ko Shannon Ryan toku ingoa

What decisions and amendments would you like the council to make?

I would like the council to decline this application in whole.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 9:00:10 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9900] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Jane Jackson

Organisation name:

Contact phone number: 0212082090

Email address: janejacksonz@hotmail.com

Postal address:

4 Inglewood St
Wai-o-taiki Bay
Auckland 1072

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The Dome Valley is unsuitable for this project. Traffic problems and possible leaching of waste to local streams and Kaipara Harbour.

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Scrap the whole thing and look at other more sustainable ways to dispose of Auckland's waste

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 9:00:10 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9901] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Sharon Kemp

Organisation name:

Contact phone number: 0211694459

Email address: sdmkemp16@gmail.com

Postal address:

28 Totara View,
Wellsfor
Auckland 0900

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

A landfill in the Dome

What are the reasons for your submission?

Will ruin our land and rivers

What decisions and amendments would you like the council to make?

To oppose the application

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 9:15:11 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9902] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Danielle Kennedy

Organisation name:

Contact phone number: 0274800478

Email address: danielle@kennedys.nz

Postal address:

5 Granger Road
Howick
Auckland 2014

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Assessment of environmental effects and Iwi kiatiakitanga and rangatiratanga

- I do not agree that this landfill development should be considered overall as a 'low' level of ecological effect.
- There is no guarantee that the developer or operator can prevent the waste and pollution from seeping in to papatuanuku and contaminating the most important and precious taonga that we have for our current and future Tamariki.
- I support Ngāti Whatua and I stand behind the mana whenua of this land - the iwi and hapu, and will follow their lead to protect this irreplaceable ecosystem.
- The benefits of this landfill development will not outweigh the detrimental environmental and cultural effects of its construction and operation in this location.

What are the reasons for your submission?

While the environmental effects of a new landfill in this area have been considered – they cannot be successfully mitigated. I believe this new landfill development is contrary to the intent of both the Waste Minimisation Act and the Zero Carbon Act.

Continuing to burry waste in the ground – particularly organic waste contributes to increasing emissions increasing the

impact of climate change and reducing our ability to transition to a resilient circular economy. There are less jobs and more profits removed offshore from a single disposal site than there would be from local resource recovery infrastructure to recover, reuse, compost and recycle our valuable resources – considered by many as ‘waste’.

An additional landfill to service Auckland would not be needed if policy leavers, investment and resources from Central and local government were directed into domestic and residential waste minimisation (adhering to the waste hierarchy), ahead of traditional disposal options. When there are other viable, practicable and profitable options to achieve the outcome of waste reduction, then these should be assessed prior or at least alongside a default landfill option, which has a more detrimental / most significant environmental impact.

The ecology and natural ecosystem services of the native bush and forest of the area must be protected and safeguarded. It cannot be guaranteed that methane gas, leachate, sediment run-off, dust along with noise and odour pollution can be effectively mitigated in this vulnerable site. The land clearance alone is significant and would displace many native flora and fauna reducing our biodiversity on the whenua and in our waterways.

Replanting and restoration in the catchment cannot replace the intrinsic value of NZ’s natives and will not replace what is removed. The forecast ‘moderate’ or ‘low’ levels ecological effects are not acceptable losses and the mitigation proposed will never be adequate, compared to the ongoing impact of the landfill. Landfill impacts including methane gas leaching and ground water contamination that cannot ever be stopped or avoided entirely. The affects assessment acknowledges that there will be high ecological values lost and that the ecological effect of the stream reclamation is ‘Very high’. There is also a specific Hochstetter’s frog species that will be significantly affected and a relocation and restoration programme success is not guaranteed. The effects of the irreversible reclamation of 15.4 km of intermittent and permanent stream cannot be sufficiently mitigated. The consultant reports acknowledge that the offset and compensation package has not been developed to achieve ‘no-net-loss’ of ecological function overall (and therefore seeks to profit from this ecosystem loss). The benefits of this landfill development will not outweigh the detrimental environmental and cultural effects of its construction and operation in this location.

We cannot continue to profit from polluting our land, waterways and climate to satisfy our society’s current throw away culture. We all have a responsibility as kaitiaki to prevent international corporations from exploiting our natural environment and find ways, looking to our tupuna, to live in harmony with papatuanuku.

What decisions and amendments would you like the council to make?

Please respect and protect the cultural and environmental values inherent in and services supplied by the natural ecosystems in the affected areas that will be irreparably damaged if this landfill goes ahead.

Please do not grant the resource consent to proceed. Please also discontinue the Private Plan Change 42 that would enable this development to proceed. Advise the applicant to investigate other areas suitable for resource recovery infrastructure or as a last resort landfill development.

If this landfill development goes ahead (which it should not), the minimum ask would be to ensure that the effects ‘offset and compensation package’ is required to achieve a ‘no-net-loss’ of ecological function and climate impact overall. And that significant financial (compensation) is returned to the affected (iwi and local resident) communities.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 9:15:11 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9903] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Marissa

Organisation name: Bale

Contact phone number: 02102542075

Email address: marissabale@hotmail.com

Postal address:

515 Mahurangi East Road
Algies Bay
Auckland 0920

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I oppose the application to create landfill in this area

What are the reasons for your submission?

The environmental impact of the landfill to the local waterway will be devastating. The road leading to the proposed landfill is already congested and not in the necessary condition to be able to handle the increase in large vehicles.

What decisions and amendments would you like the council to make?

Find an alternative site with less impact on the surrounding population and the environment.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 9:15:12 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9904] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Julia Carr

Organisation name:

Contact phone number: 021701628

Email address: carrjuliamerle@gmail.com

Postal address:

23 Devich Rd
Mangawhai
Wellsford 0975

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Siting and permission for the proposal

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Better protection of environment, ground water, river.
Opportunity cost
Options of investment in waste reduction and reuse

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 9:30:09 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9905] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Roxanne Edmonds-Aperhama

Organisation name:

Contact phone number: 0211802041

Email address: roxy3rd@gmail.com

Postal address:

4 Anarahi Place
Mangere Bridge
Auckland 2022

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Application number
BUN60339589

Name of applicant

Waste Management NZ Limited ('WMNZ')

What are the reasons for your submission?

I would propose finding a better alternative to a dumping site so close to our rivers. This will bleed into the Kaipara killing off our waterways and land and cause more disastrous economic effects that will lead to a bigger clean up in the end. We as a collective need to stop polluting our land and keeping our earth clean. There are studies shown in third world countries like the Phillipines who have managed to remove all plastic waste and clean up their beaches that were previously known to be the most polluted in the world. If we can base our actions on how to navigate through Covid-19 as a country based on science we can do the same for our environment and waste based on previous successful studies.

What decisions and amendments would you like the council to make?

Do not approve this application!!!

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 9:30:10 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9906] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Barry George and Rosemond May Rose

Organisation name:

Contact phone number: 09 423 9093

Email address: rose.barry@xtra.co.nz

Postal address:

74 Spindler Rd, Wayby Valley, R.D.2.
Wellsford
Wellsford 0972

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

All, Waste Management have not given any assurances or guarantees that their proposed land fill will not fail resulting in a major discharge of pollutants into our pristine valley and clear spring water ways which flow into the Kaipara Harbour and also Wellsford water supply

What are the reasons for your submission?

My concerns for the environment in total both local and regional and the Kaipara Harbour and also the affect of the extra heavy traffic density on an already clogged S.H.1 which is on the move in several ares due to the unstable land in the area, I was a police constable in the area for 25 years and have seen traffic volumes increase dramatically.

What decisions and amendments would you like the council to make?

To get up to date with the rest of the world and burn our rubbish, I believe that this is expensive but of no major impact to our environment and choose a location accessible by rail to reduce the carbon footprint and the proposed congestion on our roads an highways.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 9:30:11 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9907] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Alastair Brickell

Organisation name: Stargazers B&B and Astronomy Tours

Contact phone number: 078665343

Email address: abrickell@xtra.co.nz

Postal address:

9 School of Mines Lane
RD2, Kuaotumu
Whitianga 3592

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Overall concept of the landfill

What are the reasons for your submission?

High temperature incineration needs to be used for Auckland's waste, not another landfill.

What decisions and amendments would you like the council to make?

Deny this application in its entirety.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 9:30:12 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9908] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Miles Stratford

Organisation name:

Contact phone number: 021819345

Email address: miles1997@gmail.com

Postal address:

41a Pah Road,
Cockle Bay,
Auckland 2014

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The application in its entirety is flawed

What are the reasons for your submission?

Councils in New Zealand are dependent on holes in the ground for temporary storage of refuse. Doing so squanders the economic opportunities associated with this resource. It also builds up liability for future generations.

For the last 25 years, New Zealand has declined to truly treat 'waste' as a resource. By consenting this landfill, Auckland Council will continue that trend. At a time when there is huge focus on climate change and the consequences of dumping waste in holes in the ground are evident across New Zealand, consenting this landfill would be an outrage.

With the decision it makes around consenting this landfill and what will be done with its waste, Auckland Council has an opportunity to lead change. The impact our refuse has on the climate, makes the contribution of our transport fleet pale into insignificance. Yet the vision of Auckland Council in terms of mitigation of the city's impact on the climate, is electrification of buses.

Either we are serious about climate change or we are not. If this landfill is consented, we are not.

We have also seen what happens when we outsource elements of our waste stream management to offshore entities. We have to take responsibility for the consequences of our own life style choices. And we need to do this today, not place the byproduct of our lifestyles out of site, so we can sleep at nights.

Landfill liners fail and leachate leaks out.

Landfills catch fire - even modern ones.

Landfills produce vast quantities of methane.

We need to do better

Collaboration with other councils and integration of services, while challenging, creates opportunity. This is the way forward. Not more of the tried and failed strategies of the past.

What decisions and amendments would you like the council to make?

Decline permission for the landfill.

Pursue avenues for treatment of waste that avoid disposal of materials to landfill

Lobby central government for support of alternatives to landfill

Commit Auckland's refuse to a zero waste to landfill future

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 9:45:11 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9909] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Anne Richards

Organisation name:

Contact phone number: 021521513

Email address: peteanneplus3@gmail.com

Postal address:

6 Charis Lane
Wellsford
Wellsford 0975

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole proposal as the proposal is contrary to sound resource management principles; is contrary to purpose and principals of the resource management act 1991 conflicts with the Auckland Unitary Plan, conflicts with National Policy Statements on the Freshwater Management; contrary to the Waste Minimization Act 2008 and the Auckland Council Waste Management and Minimization Plan.

What are the reasons for your submission?

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.

What decisions and amendments would you like the council to make?

I would like the council to decline the resource consent completely.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 9:45:11 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9910] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Philippa Kingsford

Organisation name:

Contact phone number: 0212384729

Email address: pipk24@gmail.com

Postal address:

10 Charis Lane
Wellsford RD5
Auckland 0975

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole proposal as 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 Nationals Policy Statements on Freshwater Management; contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan.

What are the reasons for your submission?

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.

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.

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.

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.

What decisions and amendments would you like the council to make?

I would like the Council to decline the resource consent completely

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 10:00:11 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9911] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Raj Maharjan

Organisation name: iSolutions Consultants

Contact phone number: 02102231075

Email address: rajm@isolutionsnz.com

Postal address:

35 View Ridge Drive
Auckland
Auckland 0612

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:
Consultation

What are the reasons for your submission?

Inappropriate timing of consultation during lockdown.

What decisions and amendments would you like the council to make?

Extend consultation period to give the resident groups, Iwi and the general public fair chance to submit.

Consultation period maybe within legal parameters, including RMA, but there are ethical and moral reasons to consult genuinely. Furthermore and more importantly for WM, business reasons.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 10:00:12 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9912] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Aimee Packer

Organisation name:

Contact phone number: 02102738251

Email address: morningchild@gmail.com

Postal address:

16 Charis Lane
Wellsford RD5
Auckland 0975

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole proposal, as 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 National Policy Statements on Freshwater Management; contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan.

What are the reasons for your submission?

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.

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 and indirectly through impacts on processes in the ecosystem;

degradation of water quality for species and 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 Hoteo 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.

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.

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.

What decisions and amendments would you like the council to make?

I would like the Council to decline the resource consent completely.

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: No

Supporting information:

I believe this 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 cleanup.

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.

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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.

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.

IMPACT ON IMPORTANT NATIVE SPECIES

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

Terrestrial

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

Freshwater species found in nearby river Waiwhiu, other Hoteo tributaries and the Hoteo River itself include the shortfin eel and longfin eel (declining), inanga, common bully, red fin bully, banded kokopu, freshwater crayfish, freshwater tuna, whitebait.

Marine species

- Seafood stocks - snapper, tarakihi, mullet, multiple shellfish species
- 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 WATER QUALITY

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 could cause 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;

- 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.

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

Leachates from landfills change overtime as well, so the future of the area, particularly the Hoteo 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.

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.

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.

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.

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.

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 or who consume affected seafood or any part of the food chain.

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.

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

Agriculture – Many of the families in the area are farmers, and the addition of this landfill to the area could morally degrade their ambition to care and harvest the land and/or 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)

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.

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.

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.

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.

IMPACT ON LOCAL IWI AND HAPU

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.

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.

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 Hotoe 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 Hotoe River and Kaipara Harbour for their food and recreation.

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

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 15th 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.

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 10:30:10 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9913] Submission received on notified resource consent
Attachments: LANDFILL SUBMISSION.pdf (63.81 KB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Kathryn Hunter

Organisation name:

Contact phone number: 094250378

Email address: kathyhunter.nz@gmail.com

Postal address:

1217 Whangaripo Valley Road
RD2 Wellsford
RD2 Wellsford 0972

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Resource Consent and Plan Change.

What are the reasons for your submission?

The proposal is contrary to sound resource management principles. It 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

What decisions and amendments would you like the council to make?

Decline resource consent and plan change completely.

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

To Auckland Council
By email to unitaryplan@aucklandcouncil.govt.nz

And to: Waste Management NZ Ltd
c/ Tonkin & Taylor
Attention: Rachel Signal-Ross
By email to rsignal-ross@tonkintaylor.co.nz

SUBMISSIONS IN RELATION TO RESOURCE CONSENT APPLICATION BY WASTE MANAGEMENT NZ LIMITED OVER THE PROPERTY AT 1232 STATE HIGHWAY 1 APPLICATION NO. BUN60339589

- 1 Name of submitter:**
Maria Louise Henare, aka Mina Henare-Toka, Kaitiaki, Tinopai Resource Management Unit
- 2 Resource consent proposal:**
 - 2.1 This is a submission on an application by Waste Management NZ Ltd for resource consents for the construction and operation of a new regional landfill facility on approximately 1020 hectares of land at 1232 State Highway 1, Wayby Valley, between Warkworth and Wellsford (**the proposal**).
 - 2.2 The full legal description for the property is identified in the Assessment of Environmental Effects (**AEE**) at Table 1.1.
 - 2.3 The resource consents required for the proposal are identified in the AEE at Table 1.2. Overall, resource consent is required as a non-complying activity.
- 3 I am not a trade competitor for the purposes of [section 308B](#) of the Resource Management Act 1991.
- 4 I am 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.
- 5 The specific parts of the application that my submission relates to are—
All of the application
- 6 My submission is to **fully oppose** the entire application. General and specific reasons are set out below.

General reasons for this submission are:

- 6.1 The proposal does not promote sustainable management and is inconsistent with Part 2 of the Resource Management Act 1991 ("RMA"). It results in breaches of the RMA and adverse effects to kaitiaki, marae, Iwi and Kaipara Moana as follows:

- (a) s6(e) the relationship between Maori and their culture and traditions, whanaungatanga and tikanga over their ancestral lands, waters, sites, wāhi tapu and taonga;
- (b) s6(g) The protection of customary maori rights – Rahui;
- (c) s7(a) Kaitiakitanga;
- (d) s7(aa) the ethic of stewardship;
- (e) s8 the Breach of principles of Te Tiriti o Waitangi (including rangatiratanga and the active duty to protect taonga);
- (f) Part 2A – Mana whakahono a rohe – Iwi Participation;
- (g) Adverse effects to the exercise of kaitiakitanga by mana whenua/tangata whenua.

6.2 The proposal results in more than minor effects and include significant, actual and potential adverse effects to the environment as follows:

- Adverse cultural effects to mana whenua and the related cultural landscape where the proposal is located;
- Rāhui instituted by Te Rūnanga o Ngāti Whātua and their hapū and Marae in opposition to the proposal;
- Intergenerational impacts including future generations impacted by the long-term landfill legacy
- Adverse biodiversity effects;
- Impacts on freshwater, including Te Awa Hōteu and its catchments, and risk of discharge of contaminants to Te Awa Hōteu and Kaipara Moana;
- discharge (and unacceptable risk of discharge) of contaminants to water, land and air;
- Adverse impacts to Papatūānuku and mauri;
- Significant stream diversions, infill & reclamations (exceeding 15.4 km)
- Leachate (water and landfill gas)
- Climate change and greenhouse gas emissions
- Intrinsic values, amenity and quality of environment
- Landscape and natural character
- Traffic generated by the proposal

6.3 The proposal fails both gateways of the s104D RMA test.

6.4 The proposal is contrary to the relevant objectives and policies of the Auckland Unitary Plan. The proposal is inconsistent with other relevant provisions of the Auckland Unitary Plan including the Regional Policy Statement.

6.5 The proposal has not assessed the relevant cultural effects from all impacted mana whenua and tangata whenua. Te Rūnanga o Ngāti Whātua and/or Te Uri O Hau have not provided (to date) a cultural values assessment. Waste Management NZ Ltd and Council have failed to identify the adverse effects on Kaipara Moana and failed to undertake best practice consultation and engagement with ALL interested Iwi; resulting in inadequate information on cultural and other effects of the proposal. The proposal

does not meet the expectations of the RPS for mana whenua engagement which includes providing opportunity for active participation, partnership and meaningful engagement:

“Regional Policy Statement - B6.2.2. Policies

(1) Provide opportunities for Mana Whenua to actively participate in the sustainable management of natural and physical resources including ancestral lands, water, sites, wāhi tapu and other taonga in a way that does all of the following:

(a) recognises the role of Mana Whenua as kaitiaki and provides for the practical expression of kaitiakitanga;

(b) builds and maintains partnerships and relationships with iwi authorities;

(c) provides for timely, effective and meaningful engagement with Mana Whenua at appropriate stages in the resource management process, including development of resource management policies and plans;

(d) recognises the role of kaumātua and pūkenga;

(e) recognises Mana Whenua as specialists in the tikanga of their hapū or iwi and as being best placed to convey their relationship with their ancestral lands, water, sites, wāhi tapu and other taonga;

(f) acknowledges historical circumstances and impacts on resource needs;

(g) recognises and provides for mātauranga and tikanga; and

(h) recognises the role and rights of whānau and hapū to speak and act on matters that affect them. “

- 6.6 The proposal does not meet the expectations of Part 2A of the RMA for Mana Whakahono a Rohe – Iwi Participation which includes providing opportunity for active participation, partnership and meaningful engagement:

“58M Purpose of Mana Whakahono a Rohe

The purpose of a Mana Whakahono a Rohe is—

(a) to provide a mechanism for iwi authorities and local authorities to discuss, agree, and record ways in which tangata whenua may, through their iwi authorities, participate in resource management and decision-making processes under this Act; and

(b) to assist local authorities to comply with their statutory duties under this Act, including through the implementation of [sections 6\(e\), 7\(a\), and 8](#).”

- 6.7 The proposal fails to address relevant alternative methods and sites that result in more appropriate long-term outcomes for the region. Location, intensity and scale are inappropriate.

Specific reasons for this submission are:

6.8 Notification –Notification should have been enacted by Auckland Council within 20 days of receiving the application which is dated 31 May 2019 breaching s95 of the RMA:

S95 Time limit for public notification or limited notification

(1) A consent authority must, within the time limit specified in subsection (2),—

(a) decide, in accordance with sections 95A and 95B, whether to give public or limited notification of an application for a resource consent; and

(b) notify the application if it decides to do so.

(2) The time limit is,—

(a) in the case of a fast-track application, 10 working days after the day the application is first lodged; and

(b) in the case of any other application, 20 working days after the day the application is first lodged.

The application was notified on 26 March 2020. Te Rununga o Ngati Whatua, Te Uri o Hau and kaitiaki were not engaged with regarding the notification.

6.9 COVID19 Lockdown - I reserve my rights to dispute the notification period for making submissions which has been set down by Auckland Council when NZ were in COVID19 Lockdown between the period 25 March 2020 (Level 4) and 26 April 2020 (Level 3). It is arguable in the Courts of New Zealand that the lockdown period cannot be included as a normal "Working Day" in fact it is a period of exceptional circumstances; During this Lockdown period we were unable to do any research at libraries, universities and other establishments, although there was some reliance on the internet, those connections cost data which many people cannot afford; those connections also could not provide up to date information because of the Lockdown. In essence lockdown meant lockdown for ALL OF NEW ZEALAND. In essence Auckland Council have deleted the most lockdown period and defining their 40 working days within the Lockdown Period.

6.9 See attached document "Submissions and Cultural Impact Assessment submitted by Mina Henare, Kaitiaki, Tinopai Resource Management Unit. Due to the limited notification period (see 6.8 and 6.9 above) my document is still in DRAFT FORM, it is incomplete, it has not been cross checked and/or peer reviewed ("my Submission Document"). I have therefore not attached this to my submission but reserve my rights to complete my submission in the prescribed "40 working days" which has a lapse date of 23 June 2020 [if you remove the lockdown period 25 March to 26 April].

6.10 The Application breaches:

- (a) the Resource Management Act 1991;
- (b) the Wildlife Act 1953
- (c) the New Zealand Coastal Policy Statement
- (d) the National Policy for Freshwater
- (e) the Marine and Coastal Area (Takutai Moana) Act 2011
- (f) the Auckland Council Low Carbon Strategic Action Plan (Refer T&TAEE)
- (g) the New Zealand Waste Strategy (Refer T&TAEE)
- (h) the Auckland Waste Management and Minimisation Plan

6.11 The Application breaches the Crown's obligations and my rights in accordance with:

- Te Uri o Hau Claims Settlement Act 2002
- Te Uri o Hau Deed of Settlement 2000
- Te Uri o Hau Settlement of Historical Claims Schedules 2000
- Te Uri o Hau Kaitiakitanga o Te Taiao Environmental Management Plan 2011; and
- Tinopai Resource Management Unit Catchment Plan.


7 Outcome sought

I seek the following decision from the consent authority:

- (a) **decline** the resource consents applied for the proposal.
- (b) if not declined then, as a fallback, the remedies and pre-consent conditions set out in my Submission Document.

I 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 the hearing.


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

Date 26 May 2020

(A signature is not required if you make your submission by electronic means.)

Electronic address for service of submitter: minahenare2@gmail.com

Telephone: 0212313469

Postal address: 39 Ngatoto Road, R D 1, Matakohe 0593, Northland

Contact person: Tinopai Resource Management Unit, Mina Henare, Kaitiaki/Director

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 10:30:11 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9914] Submission received on notified resource consent
Attachments: Submission BUN60339589 - M HENARE VS WMNZ.pdf (2.46 MB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Maria Louise Henare

Organisation name: Tinopai RMU Limited - Tinopai Resource Management Unit

Contact phone number: 0212313469

Email address: minahenare2@gmail.com

Postal address:
39 Ngatoto Road
R D 1
Matakohe 0593

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:
See attached

What are the reasons for your submission?
See attached

What decisions and amendments would you like the council to make?
See attached

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 10:30:13 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9915] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Robbie Douglas

Organisation name:

Contact phone number: 0275471500

Email address: charming.robby@gmail.com

Postal address:

20 Hector Street
Ponsonby
Auckland 1011

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Oppose in all its content of a rubbish dump being created in the Dome Valley as opposed to a purpose built, less environmentally impacted venue that would be more appropriate .

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

To regret the resource consent being issued to Waste Management and look at alternative less environmentally impacted Venues.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 10:30:13 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9916] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Michelle Bow

Organisation name:

Contact phone number: 0274149572

Email address: artbydesign@xtra.co.nz

Postal address:

1150 Oneriri Rd
Kaiwaka
Kaiwaka 0573

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I oppose any waste dumping in the Dome Valley.

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Do not approve Waste Managements application.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 10:45:10 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9917] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Robert Pinder

Organisation name:

Contact phone number: 021425886

Email address: rob.ransomwines@gmail.com

Postal address:

79A Point Wells
Warkworth
Auckland 0986

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

support for the submission already lodged by Mahurangi East Residents and Ratepayers Association

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

More consideration to environmental impacts. Consider rail to whangarei alternatives. More consulting as to the amount of extra heavy traffic on the proposed landfill will cause on SH1

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 believe this 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 cleanup.

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.

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.

IMPACT ON IMPORTANT NATIVE SPECIES

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

Terrestrial

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

Freshwater species found in nearby river Waiwhiu, other Hoteo tributaries and the Hoteo River itself include the shortfin eel and longfin eel (declining), inanga, common bully, red fin bully, banded kokopu, freshwater crayfish, freshwater tuna, whitebait.

Marine species

- Seafood stocks - snapper, tarakihi, mullet, multiple shellfish species
- 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 WATER QUALITY

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 could cause 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;

- 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.

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

Leachates from landfills change overtime as well, so the future of the area, particularly the Hoteo 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.

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.

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.

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.

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.

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 or who consume affected seafood or any part of the food chain.

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.

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

Agriculture – Many of the families in the area are farmers, and the addition of this landfill to the area could morally degrade their ambition to care and harvest the land and/or 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)

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.

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.

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.

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.

IMPACT ON LOCAL IWI AND HAPU

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.

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.

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 Hotoe 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 Hotoe River and Kaipara Harbour for their food and recreation.

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

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 15th 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.

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 10:45:11 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9918] Submission received on notified resource consent
Attachments: LANDFILL SUBMISSION_20200526104413.541.pdf (63.81 KB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Christopher Hunter

Organisation name:

Contact phone number: 094250378

Email address: sydney.hunters@gmail.com

Postal address:

1217 Whangaripo Valley Road
RD2 Wellsford
RD2 Wellsford 0972

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Resource Consent and Plan Change.

What are the reasons for your submission?

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 and is contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan.

What decisions and amendments would you like the council to make?

To decline both aspects of the plan completely.

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:

LANDFILL SUBMISSION_20200526104413.541.pdf

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 11:00:10 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9919] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Alex Schenz

Organisation name:

Contact phone number: 09 422 7833

Email address: schenz@xtra.co.nz

Postal address:

180 Monarch Downs
Warkworth
Warkworth 0982

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

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

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

The application states, that Auckland is running out of landfill space; same time the ARC is tasked to find a solution, ie approve the present application. This constitutes a conflict of interest. No alternatives for an ARL are being proposed nor did ARC invite competing providers to submit alternatives. Reject the present application.

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:



Submission on The Auckland Regional Landfill, 1232 State Highway 1, Wayby Valley, Resource Consent and Private Plan Change 42 application

26 May 2020

To: Auckland Council
Private Bag 92300
Auckland 1142

From: Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)
PO Box 108 055
Auckland 1150
Attention: Nicholas Beveridge

Email: n.beveridge@forestandbird.org.nz
Telephone: 09 302 3901

Introduction

The Royal Forest and Bird Protection Society of New Zealand Incorporated (Forest & Bird) is New Zealand's largest independent nature conservation organisation, with many members and supporters. Our mission is to be a voice for nature on land, in fresh water and at sea.

We have 47 branches throughout the country, seven of which, including the Warkworth Area Branch within which this application lies, are in the Auckland region and involved in a wide range of conservation and advocacy activities.

Forest & Bird has for many years had a strong interest and involvement in the greater Auckland area. This includes instigating and working with others to implement the North-West Wildlink, a wildlife linkage connecting the Hauraki Gulf Islands with the Waitakere Ranges.

This work has involved advocating for greater protection of indigenous biodiversity on land, in freshwater and in the coastal environment, and in protecting and enhancing the healthy functioning and integrity of indigenous ecosystems across the region.

Forest & Bird could not gain an advantage in trade competition through this submission.

Forest & Bird wishes to be heard in support of this submission, and we would consider presenting this submission jointly with others making a similar submission at a hearing.

Forest & Bird welcomes the opportunity to submit on the consent application.

1. Submission

- 1.1. There is a wide range of environmental and sustainability (including Climate Change implications) issues associated with the proposed landfill. Of particular concern are the significant adverse effects on the freshwater ecosystems within the footprint of the landfill itself and the potential for ongoing effects from contamination.
- 1.2. Forest & Bird has set out the reasons for opposing the application in relation to the following key issues:
 - (a) The permanent and irreversible loss of streams
 - (b) The impact on threatened migratory fish
 - (c) Impact on threatened Hochstetter's
 - (d) Impact on the Hoteo River catchment
 - (e) Terrestrial indigenous biodiversity impacts
 - (f) Inadequacy of proposed mitigation and offset and compensation package
 - (g) Inadequate conditions of consent

2. Permanent and irreversible loss of streams

- 2.1. The preservation of the natural character of the wetlands, and lakes and rivers and their margins, and the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna are Matters of National Importance¹ and must be provided for in achieving the purpose of the Act. The National Policy Statement for Freshwater sets out further direction for the management of freshwater. In particular, to consider and recognise Te Mana o te Wai in the management of fresh water and to safeguard the life-supporting capacity, ecosystem processes and indigenous species.
- 2.2. The project will result does not protect these values, nor does the application set out an adequate assessment of effects upon which measures to avoid, remedy and mitigate can be applied and any residual effects determined for further consideration of offsetting or compensation measures.
- 2.3. As stated in the Ecology report, the overall effect of the project in relation to stream habitat loss across the project footprint is considered to be 'Very High'. This is because of the high ecological values of the streams, the length of stream impacted and the impact being irreversible. The most substantial effects on freshwater ecosystems will occur from the permanent loss of streams though the reclamation of 15.4k of stream length as part of this project.
- 2.4. The proposal will not avoid, remedy or mitigate adverse effects in those areas which will be lost. Rather, the applicant has proposed an offset and compensation package for the loss. The applicant's assessment of the species and ecological values of the freshwater environment is inadequate to calculate the appropriate offsets or compensation where and offset cannot be achieved. For example, it does not provide:
 - a. An adequate analysis of freshwater macroinvertebrates at the impact sites: there is no list of species present and no determination of their threat status against DOC's 'Conservation status of New Zealand freshwater invertebrates, 2018'. We note that "more than 25 percent of native freshwater invertebrates assessed (177 of 670 species) had a threatened or at risk conservation status in 2018" (Ministry for the Environment & Stats NZ (2020). New Zealand's Environmental Reporting Series: Our freshwater 2020. Available from www.mfe.govt.nz and www.stats.govt.nz);
 - b. An analysis of native freshwater plants at the impact sites and whether they will be affected, and what their threat status is. We note that "almost 33 percent of assessed native freshwater plants (182 of 559 species) were threatened or at risk in 2013. Of these, almost 20 percent were in the highest risk category: nationally critical." (Ministry for the Environment & Stats NZ (2020). New Zealand's Environmental Reporting Series: Our freshwater 2020. Available from www.mfe.govt.nz and www.stats.govt.nz);
 - c. What action will be taken to avoid, mitigate, or remedy adverse effects on those invertebrates or plants (such actions are to be taken ahead of considering an offset or compensation);

¹ Section 6 (a) and (c) of the Resource Management Act 1991

- d. Whether any of those invertebrates or plants are threatened/at-risk of extinction, and the limits to offsetting or compensation needed to recognise and provide for s6(c);
 - e. For eDNA testing in the streams (sampling water and then looking at the DNA in the water) to see if there are species present in the catchments that have been missed through surveys. This could be done relatively cheaply and quickly and would add to our confidence that there aren't species being forgotten/missed;
 - f. Any analysis of the DOC Freshwater Environments of New Zealand (FENZ) predictions for the likely presence/absence of native fish species in the affected catchments (as based on the River Environment Classification 2 database);
 - g. A dedicated survey for the presence/absence of kakahi (freshwater mussels).
- 2.5. The Ecology report includes an assessment of the identified values and the predicted effects on these. It also states that the effects of reclamation cannot be mitigated. There is no certainty that, considering the extent of loss, the significant adverse effects can be adequately addressed by the proposed offset and compensation package (see below).
- 2.6. This approach is not consistent with the Regional Policy Statement. In particular:
- 2.6.1. Policy B7.3.2(1) (d) which directs how integrated management is to be undertaken including by, "avoiding development where it will significantly increase adverse effects on freshwater systems, unless these adverse effects can be adequately mitigated; and
 - 2.6.2. Policy B7.3.2(4) which is to avoid the permanent loss and significant modification or diversion of lakes, rivers, streams (excluding ephemeral streams), and wetlands and their margins unless all of the preceding criteria apply. The criteria include provision for certain uses on the basis that where adverse effects cannot be adequately mitigated, environmental benefits including on-site or off-site works are provided.

3. Impact on threatened migratory fish

- 3.1. The reclamation of streams will result in the loss of habitat for the migratory fish which are found in these streams and upon which they depend for completing their complex life cycles.
- 3.2. These include galaxiids and particularly inanga, which has a threat status of 'At risk – Declining' and which requires not only a suitable aquatic environment but also suitable adjacent terrestrial vegetation to enable spawning.
- 3.3. Long-fin eel is also 'At risk – Declining' and depends on these streams for completing its life cycle.
- 3.4. The proposals to recover and relocate fish depend on the provision of suitable alternative locations. However, it is uncertain how successful this will be in reducing the impact on the ability of migratory fish to complete their life cycles.

- 3.5. We are concerned with the proposal to not provide for fish passage at all locations where it will be impacted, particularly in the 'Southern Block'. While the impact may be 'low' now, the habitat upstream could regenerate or be more agreeable to species in the future, and its potential accessibility to fish should not be cut off just because it is somewhat inconvenient for construction or "not considered necessary". Such arbitrary decisions are not consistent with the requirements of the NPS-FM or the RMA. Providing for fish passage would be relatively low cost and much easier to implement across the board at the construction phase, rather than having to retrofit it in future. Passage should be provided for at all sites where it is affected by the project.

4. Impact on Hochstetter's frog

- 4.1. These are semiaquatic and are found within hard-bottom stream cascade complexes across most of the project footprint and the wider WMNZ holdings. Frog surveys found 22 frogs within or immediately adjacent to the landfill footprint. Also, a number of juveniles were detected, indicating the presence of a breeding population.
- 4.2. Threat status of 'At risk - Declining' would suggest that any disturbance, including the proposed relocation, would add further risk to the survival of these frogs.
- 4.3. The Ecology report states that relocation would be subject to identifying an appropriate habitat for the relocation of fauna, particularly Hochstetter's frog. However, there is no certainty that suitable habitat will be found and that the relocation would be successful.

5. Impact on the Hoteo River catchment

- 5.1. The AEE identifies avoidance of sensitive receivers as one of the reasons for the choice of site. It also recognises that the Hoteo River is a Natural Stream Management Area and as both an Outstanding Natural Feature and a Significant Ecological Area (SEA) in the AUP. The main channel is adjacent to the western boundary of the WMNZ holdings with the river flowing in a southerly direction towards the Kaipara Harbour and the mouth of the Hoteo River is a marine SEA. All watercourses within the WMNZ landholdings, including the Waiwhiu Stream and the Waiteraire Stream, are tributaries of the Hoteo River.
- 5.2. The proximity of the proposed activity to the Hoteo River is a concern because of the potential to receive discharges of sediment, especially during the initial earthworks, and stormwater run-off during the operation of the landfill. Also, any river sedimentation poses a threat to the snapper breeding grounds in the Kaipara Harbour.
- 5.3. Flooding is an issue within the Hoteo River catchment and the landfill development and the ongoing operation will only add to the problem.
- 5.4. There is uncertainty as to whether the significant adverse effects on the Hoteo River catchment will be addressed by the proposal.

6. Terrestrial indigenous biodiversity impacts

- 6.1. There are a number of threatened and at risk bird species identified within the project footprint and in adjacent areas which will be adversely impacted by the proposal. For example, fernbirds have been recorded in indigenous and exotic wetlands within the footprint. Considering the numbers of birds that have been detected in these areas the wetland habitat is likely to be significant. However, the applicant has not sought to protect these areas in the same way they have for identified SEAs.
- 6.2. The avoidance of identified SEAs is supported however this focus alone does not achieve objective B7.2.1 Objective (2) which sets out to maintain indigenous biodiversity through protection, restoration and enhancement in areas where ecological values are degraded, or where development is occurring. Nor does it fulfil RPS B7.2.2 Policy (1) which sets out direction for the identification and evaluation of areas of indigenous biodiversity and habitats of indigenous fauna.
- 6.3. Nor does avoiding SEAs necessarily achieve Objective D9.2, to protect significant ecological areas, as those areas can be indirectly affected by the proposed activities.
- 6.4. While the proposal includes enhancement activities, these are provided as mitigation, offset and compensation to adverse effects of the proposal. It is therefore not appropriate to consider that plan provisions for enhancement are met without also considering the adverse effects and loss which will result from the proposal. Similarly, objectives and policy direction to “maintain” ecological values, water quality etc cannot necessarily be considered in an overall broad judgment way.
- 6.5. The future proposed land uses on the site, but outside the project footprint, do little to enhance indigenous biodiversity. For example, future forestry in the western block:
 - 6.5.1. would supplant the current habitat where NZ pipit have been identified; and
 - 6.5.2. does not promote ecological enhancement or provide for environmental compensation benefits that could be achieved through planting of indigenous vegetation, such as by increasing connectivity between the SEAs and mature native vegetation within that block and the regenerating indigenous vegetation in the southern block.
 - 6.5.3. would have significant impacts on the waterbodies in that block, particularly at harvest.

7. Offset and compensation package

- 7.1. The Ecology report states that the proposed offset and compensation package will only go ‘some way’ to address effects. This creates uncertainty as to the adequacy of the offset and compensation package.

- 7.2. The principle of biodiversity offsetting, as stated in the Auckland Unitary Plan, requires a no net loss and, preferably, a net gain in biodiversity. The AUP also provides for an Environmental Compensation Ratio (ECR) to quantify the amount of streambed area required to be restored so that there is a 'no net loss in environmental function'. However, the Ecology report states that, given the scale of the impact, WMNZ are not seeking to achieve a no net loss of ecological function due to the difficulty of finding suitable sites with sufficient stream length for enhancement. It states further that in considering the offset and compensation package, it is acknowledged that the principle of no net loss of ecological function is not being achieved.
- 7.3. The report also states that while not meeting the principle of no net loss for all impact areas, there are other biodiversity offsetting principles that should be considered when determining the value of this package of works. The other biodiversity offsetting principles included proximity and additionality. However, the proposal has failed to identify appropriate offsetting within the same catchment. There does not appear to be a sound basis for that given the large catchment and extensive opportunities for enhancement.
- 7.4. Forest & Bird considers that the offset and compensation package does not go far enough to address the significant adverse effects of the landfill activity. As set out at issue 2 above the application is inconsistent with the RPS, does not appropriately have regard to the NPSFM or achieve the purpose of the Act.
- 7.5. We are also concerned that the Department of Conservation has not had adequate involvement in the development of the offsetting and compensation package and the development of suitable ECRs, where indigenous biodiversity will be impacted.

8. Proposed conditions

- 8.1. The draft conditions place considerable reliance on detailed plans being submitted post any consent approval which means there is a lack of transparency during the public consultation stage of the consent process.
- 8.2. The emphasis on identification of the presence of indigenous species as part of baseline surveys prior to development is concerning as it makes the setting of mitigation measures in consent conditions, and the consideration of actual and potential effects of allowing the activity, difficult.
- 8.3. Forest & Bird considers that the management plan approach taken is particularly fraught. The objective statement included in the proposed conditions for management plans are not measurable or enforceable to management adverse effects. Specific conditions need to be included which management plans can implement and be measures against for compliance purposes. Conditions are needed to set out limits and specific measures to give confidence that mitigation measures will be implemented by the applicant. Incorporating such matters into management plans which can be amended after the grant of consent is inappropriate. For example, conditions should include:
 - 8.3.1. The timing of activities to avoid bird breeding periods.
 - 8.3.2. The covenant commitments.

- 8.3.3. The areas identified for offsetting and the calculation used for any additional offsetting of compensation as a result of any future baseline studies and monitoring.
 - 8.3.4. Measures for pest control, including during construction.
 - 8.3.5. Confirmed mitigation measures.
 - 8.3.6. The avoidance of SEAs, wetlands and kauri trees.
- 8.4. Where management plans cannot be finalised before or as part of the grant of consent, the draft management plans should be incorporated into the general condition 1. There is a number of management plans which have not yet been drafted which has made consideration of the application difficult with respect to the measures the applicant plans to address adverse effects.
- 8.5. When adequate information is provided as part of this consenting process specific conditions can be set out for these matters which may reduce the number of and/or complexity of the management plans currently propped.
- 8.6. Forest & bird has the following comments on specific draft conditions
- 8.6.1. The conditions for amendment and certification of management plans need greater certainty including:
 - A process for independent certification
 - the position title of the person whom at Auckland Council to whom certification requests or receipt of certified amended plans will be sent to.
 - the request is submitted at least 20 working day before works, allowing flexibility to provide additional notice to council.
 - that the council response is received before works commence.
 - 8.6.2. The draft CEMP should set out the stages of work which will be addressed in detail at those later stages.
 - 8.6.3. The draft conditions 44 and 45 for stream works do not set out any limits or measurable outcomes and are unenforceable. It is not appropriate to seek approval after consent is granted. If a streamworks methodology is retained in the conditions this needs be consistent with the Native Freshwater Fish and Fauna Management Plan, the VMP and the FMP.
 - 8.6.4. Draft conditions 49 and 50 leave the identification of measures to mitigate adverse effects on the area of habitat/vegetation impacted by the project construction of the project and the measures to address effects on fauna and their habitat during construction of the project until after the grant of consent. Likewise condition 181 leaves the ecological enhancement and restoration plan until after the grant of consent. This does not allow the decision maker to have regard to the actual and potential effects of the proposal with respect to the relevant provisions of the NPSFM, RPS and regional plan or other matters.

- 8.6.5. A condition is needed to address pest control during construction.
- 8.6.6. While the conditions address the spread of kauri dieback disease they should also state that kauri trees will not be removed as part of the proposal activities.
- 8.6.7. The conditions appear to lack any direction for indigenous biodiversity enhancement to be included in the rehabilitation and closures of the site.
- 8.7. The ongoing ecological monitoring proposed by the applicant are not adequate to ensure that the benefits of the offset and compensation package will be achieved and sustained.
- 8.8. Overall, the conditions are uncertain and leave decision making on key environmental effects until after the grant of consent.

9. Relief sought

- 9.1. Forest & Bird seeks that the application be declined.
- 9.2. However, should the Council decide to grant this consent, we seek that the conditions of consent are amended so that Forest & Bird's concerns are resolved.

Thank you for the opportunity to make this submission.

Nick Beveridge

Regional Manager, Auckland & Northland

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 11:00:15 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9920] Submission received on notified resource consent
Attachments: Auckland Regional Landfill submission.pdf (423.7 KB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Nick Beveridge

Organisation name: Royal Forest and Bird Protection Society of New Zealand Incorporated

Contact phone number: 09 302 3901

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Postal address:

PO Box 108 055
Symonds Street
Auckland 1150

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Please see attached submission

What are the reasons for your submission?

See attached submission

What decisions and amendments would you like the council to make?

See attached submission

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 11:15:12 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9921] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Alison Michelle Enticott

Organisation name:

Contact phone number: 027 629 0702

Email address: portalbert747@gmail.com

Postal address:

747 Port Albert Rd
Wellsford
Auckland 0973

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

A rubbish dump/landfill activity should not be permitted to operate in the Dome Valley at all.

What are the reasons for your submission?

I strongly believe we need to protect the earth and the waterways in that location and further down to the Kaipara from the future catastrophe this activity will cause.

Also this road has been a killing field all my life, I travel it daily to work and I am scared of the impact of the increased concentration of large vehicles .

What decisions and amendments would you like the council to make?

Do not permit this activity at all. Time for some better solutions.

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. No

Supporting information:



**SUBMISSION ON A RESOURCE CONSENT APPLICATION BUN60339589:
AUCKLAND REGIONAL LANDFILL, 1232 STATE HIGHWAY 1, WAYBY VALLEY**

TO: Auckland Council
Resource Consents
Private Bag 92300
Auckland 1142

NAME OF SUBMITTER: Watercare Services Limited

INTRODUCTION

1. This is a submission from Watercare Services Limited (**Watercare** or the **Submitter**) on a resource consent application from Waste Management NZ Ltd (**WMNZ** or the **Applicant**) for land use consent and discharge and water permits to enable the construction and operation of a new regional landfill facility within the Wayby Valley area (the **Application**).
2. The Application was publicly notified on 26 March 2020.
3. Watercare is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (**RMA**).
4. Watercare is interested in the entire Application as it relates to potential adverse effects on the quality and quantity of water in the Waitemata regional aquifer (the **Regional Aquifer**). Watercare's key concern is to ensure that its northern water supply sources are protected and its ability to provide a reliable, safe and efficient municipal water supply to Warkworth, Wellsford and other northern towns now and in the future is not compromised.
5. Watercare neither supports nor opposes the Application, but seeks that any decision avoids where practicable, and otherwise minimises, potential adverse effects on the Regional Aquifer.
6. As an initial observation, Watercare does not consider that it has been meaningfully consulted on the Application prior to, or following, its lodgement. As a major stakeholder in the Application area, Watercare considers prior consultation would have been helpful to resolve some of the issues raised in this submission.
7. Concurrent to this submission, Watercare has filed a submission on WMNZ's private plan change request for a new precinct in the Unitary Plan to specifically recognise the Auckland Regional Landfill and to better facilitate further growth (PPC42).

STATUTORY CONSIDERATIONS

8. The relief sought in this submission aims to ensure that the Council's decision on the Application is consistent with, and gives appropriate regard to:
- (a) The RMA, in particular the purpose and principles in Part 2;
 - (b) Part 2A of the Health Act 1956, Drinking Water (**Health Act**). In particular, section 69U which requires every drinking-water supplier to take reasonable steps to contribute to the protection from contamination of each source of raw water from which it takes raw water.
 - (c) The National Policy Statement for Freshwater Management 2014 (updated in 2017) in particular parts A and B and the National Value in Appendix 1 that water quality and quantity enable domestic water supply to be safe for drinking with, or in some areas without, treatment;
 - (d) The Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007 which require the Council to ensure that the effects of activities on drinking water sources are considered in decisions on resource consents;
 - (e) Relevant provisions of Chapter B of the Auckland Unitary Plan (Regional Policy Statement) in particular B3 Infrastructure, transport and energy, B7 Natural Resources and B10 Environmental risk; and
 - (f) Relevant provisions of Chapter E of the Auckland Unitary Plan (Auckland-wide) including E1 Water quality and integrated management, E2 Water quantity, allocation and use, E4 Other discharges and contaminants, E7 taking, using, damming and diversion of water and drilling and E13 Cleanfills managed fills and landfills.
9. The National Environment Standard on Human Drinking Water requires regional councils to ensure that the effects of activities on drinking water sources are considered in decisions on resource consents. Regional councils are required to:¹
- (a) decline discharge or water permits that are likely to result in community drinking water becoming unsafe for human consumption following existing treatment; and
 - (b) place conditions on relevant resource consents that require notification of drinking water suppliers if significant unintended events occur (e.g., spills) that may adversely affect sources of human drinking water.
10. The RPS requires that discharges of contaminants into water from subdivision, use and development avoid where practicable, and otherwise minimise,

¹ Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007.

adverse effects on the water quality of catchments and aquifers that provide water for domestic and municipal supply (B7(7)(e)).

WATERCARE'S ROLE AND MISSION

11. Watercare is a council-controlled organisation under the Local Government Act 2002, and is wholly owned by Auckland Council (**Council**). Watercare's mission is to provide reliable, safe and efficient water and wastewater services.
12. Watercare provides integrated water and wastewater services to approximately 1.6 million people in Auckland, making it New Zealand's largest provider of water and wastewater services. Watercare collects, treats and distributes drinking water from 11 dams, 26 bores and springs, and four river sources. A total of 437 million litres of water is treated each day at 15 water treatment plants and distributed via 89 reservoirs and 90 pump stations to 450,000 households, hospitals, schools and commercial and industrial properties. Watercare's water distribution network includes more than 9,000 km of pipes. The wastewater network collects, treats and disposes of wastewater at 18 treatment plants and includes 7,900 km of sewers.
13. Watercare is required to manage its operations efficiently, with a view to keeping overall costs of water supply and wastewater services to its customers (collectively) at minimum levels, consistent with effective conduct of the undertakings and maintenance of long-term integrity of the assets.
14. Watercare must also give effect to relevant aspects of the Council's Long-Term Plan, and act consistently with other plans and strategies of the Council, including the Auckland Unitary Plan and the Auckland Future Urban Land Supply Strategy.²
15. As part of its growth strategy for Auckland, the Council has identified Warkworth as a Satellite Town, earmarked to support significant future business and residential development. Around 1,000 hectares of land immediately surrounding Warkworth have been zoned Future Urban in the Auckland Unitary Plan. Watercare is working to ensure that it can continue to service Warkworth with potable water throughout its rapid growth, and this is reflected in its Asset Management Plan 2016 to 2036.
16. To meet its legislative requirements under the Health Act and to demonstrate a high level of commitment to drinking-water quality, Watercare is required to have approved and implemented a Water Safety Plan (WSP) Watercare adheres to the six principles of drinking-water safety, which are embedded into all systems, processes and behaviours. These principles are:
 - (a) Embrace a high standard of care;
 - (b) Protection of source water is of paramount importance;
 - (c) Maintain multiple barriers against contamination;
 - (d) Change precedes contamination;

²

Local Government (Auckland Council) Act 2009, s58.

- (e) Suppliers must own the safety of drinking-water; and
- (f) Apply a preventive risk management approach.

SUBMISSION

17. Watercare recognises the importance of municipal landfills as a vital piece of regional infrastructure and an important component of the overall waste management system for Auckland. The functioning and growth of Auckland requires infrastructure to accommodate Auckland's waste.
18. This notwithstanding, Watercare makes this submission in order to ensure that the operation of WMNZ's Regional Landfill does not result in adverse effects on the quality or quantity of the Regional Aquifer and on Watercare's ability to provide a safe, reliable and efficient municipal water supply to the communities of Warkworth, Wellsford and other northern towns now and in the future.
19. Watercare currently draws on the Regional Aquifer to service Warkworth's municipal water needs. Wellsford's municipal water is currently drawn from the Hōteu River; however, this is not a suitable long-term option given Wellsford's high projected population growth. Watercare has investigated alternative options that will allow it to continue to supply Wellsford, and has decided to develop a new bore to extract water from the Regional Aquifer. Investigation of bore locations is currently underway and this is outlined in Watercare's Asset Management Plan 2016 to 2036.
20. WMNZ is proposing to utilise this same Regional Aquifer to supply water to the Regional Landfill. The Application states that WMNZ propose to extract up to 20,000 m³/year (or 50 m³/day) at a maximum rate of 0.55 l/s.
21. Against this background, Watercare is concerned that:
 - (a) The Application documents contain important information gaps that prevent Watercare from being able to comprehensively assess and determine the potential for contamination of the Regional Aquifer arising from the Application;
 - (b) One particular area where information is missing is with respect to the parameters and details of the proposed monitoring. The lack of detail provided in the Application documents prevent Watercare from assessing the robustness of the proposed monitoring and from having certainty that the presence of leachate in the shallow groundwater will be immediately detected;
 - (c) In addition, the Application documents do not provide sufficient detail on the proposed contingency planning in the event of contamination; nor procedures for notifying Watercare of any such incidents that pose a risk of source of d-w contamination;
 - (d) Monitoring and contingency planning is especially important given the difficulty in providing full assurance that total avoidance of any leachate entering the Regional Aquifer can be achieved;
 - (e) As a result of these information gaps, Watercare cannot be certain that the Application does not give rise to a risk of adverse effects on the Regional Aquifer;

- (f) In addition, due to the importance of the Regional Aquifer for municipal water supply, Watercare seeks to be notified of any contamination breaches as soon as reasonably practicable, and to be involved and consulted on the contingency planning in the event of a breach.
22. Based on the information provided in the Application, it appears there will be no adverse effect on the recharge of the Regional Aquifer arising from the Application. However, should this information change, Watercare would need to re-evaluate its position on this aspect of the Application.

DECISION SOUGHT

23. Watercare seeks a decision that ensures that its Northern water supply sources supplying Warkworth, Wellsford and other northern towns are protected from adverse effects of the proposed new landfill, in terms of potential adverse effects on both the water quality and quantity of the Regional Aquifer now and in the future.
24. To enable that decision to be made, Watercare seeks that the Applicant provide further information on the detail of the proposed monitoring and contingency planning for the Regional Aquifer, including (but not limited to) the following information:
- (a) The location and detail of any proposed bores (both extraction and observation);
 - (b) Details of the parameters for proposed monitoring;
 - (c) The risk of bores failing and proposed mitigations in the case of failure;
 - (d) Baseline monitoring information using dissolved and total metal and metalloid concentrations (not only total concentrations);
 - (e) Assurance that quarterly monitoring of landfill observation bores is proposed to be undertaken at different depths and is in addition to leachate monitoring in Table 5.1 of the Application;
 - (f) Detail of total concentrations values (**TCVs**) including long-term monitoring data that has been used to set TCVs. To avoid commercial sensitivity concerns, this could be provided to an independent statistician appointed by Council to review the validity and level of confidence in their setting;
 - (g) A minimum sampling density for waste sources, as well as an explanation of which value(s) are to be compared to the TCV or TCLP;
 - (h) Further detail in relation to the Draft Landfill Management Plan including:
 - (i) Information on proposed trigger levels and the methodology used to set trigger levels with consideration of the New Zealand Drinking Water Standards and Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG);
 - (ii) Expansion of the leachate monitoring in Table 5.1 to ensure all parameters of concern for drinking water supply are detected early enough; and

- (iii) Detail on leaching contingency actions and how they will be determined;
 - (iv) Confirmation that Watercare will have input into the review of any contingency actions related to groundwater;
 - (i) Details of a peer review panel for the Annual Monitoring Report and any contingency actions.
25. Watercare seeks such conditions, in any land use consents, discharge and water permits required for the construction and operation of the landfill, as are necessary or appropriate to give effect to its concerns outlined in this submission and to meet the Council's responsibilities to protect water supply catchments. In particular, Watercare seeks additional conditions regarding:
- (a) Monitoring of the potential for contamination of the Regional Aquifer as result of the Application;
 - (b) Monitoring of the recharge of the Regional Aquifer;
 - (c) Management responses, in the event that trigger values relating to groundwater quality or adverse recharge effects are exceeded as a result of the Application;
 - (d) Steps to avoid or minimise so far as possible any adverse effects on the water quality and quantity of the Regional Aquifer as result of the Application;
 - (e) Notification to Watercare immediately of any contamination of groundwater including the Regional Aquifer, and timely reporting on the mitigation or minimisation of the effects arising from the breach as per the approved contingency plans.
26. Watercare wishes to be heard in support of its submission.

25 May 2020



Shane Morgan
Chief Operations Officer
Watercare Services Limited

Address for service:
Lindsay Wilson
Policy Planner
Watercare Services Limited
Private Bag 92 521
Wellesley Street
AUCKLAND 1141
Phone: 022 011 6507
Email: Lindsay.Wilson@water.co.nz

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 11:30:15 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9922] Submission received on notified resource consent
Attachments: Watercare Services Submission - Resource Consent BUN60339589 Auckland Regional Landfill.pdf (284.2 KB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Shane Morgan

Organisation name: Watercare Services Limited

Contact phone number: 022 011 6507

Email address: lindsay.wilson@water.co.nz

Postal address:

Private Bag 925521
Wellesley Street
Auckland 1141

Submission details

This submission: is neutral regarding the application in whole or in part

Specify the aspects of the application you are submitting on:

Refer submission

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Those set out in Watercare's submission

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:

Watercare Services Submission - Resource Consent BUN60339589 Auckland Regional Landfill.pdf

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 11:45:10 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9923] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Lorraine Brien

Organisation name:

Contact phone number: 0212691189

Email address: briencrew@gmail.com

Postal address:

307 School Road, RD4,
Wellsford
Auckland 0974

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

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

What are the reasons for your submission?

Council need to listen to the people in our community and protect our diminishing natural environment as our population continues to grow, to pass it on to our future generations in a state that is to be proud of. This proposed landfill will introduce so many high impact risks if it were to go ahead, on both our natural environment and our local and national communities.

The Dome Valley and 'Spring Hill Farm' is the most unsuitable location to even consider. The effect will be so detrimental to the extensive native and threatened species that exist in this area.

All flora and fauna, fragile ecosystems and local springs and tributaries that lead down into nearby catchments, the Hoteo River and ultimately the Kaipara Harbour will be negatively impacted.

There will be inevitable destruction of habitats and increased sedimentation during the construction phase of the Dome

Valley experiences high rainfall, and the surrounding areas are prone to significant flooding and land slips. Both during operation and after closure of this proposed rubbish dump, leachates and toxic gases will be generated. No one has the ability to guarantee that the liners will never be damaged and breach, nor can they guarantee that emission control is 100% effective.

The Dome Valley is one of the most notorious stretches of roads in our area. Why consider introducing an extra 300-500 trucks and 150 service vehicles per day, when the infrastructure is not adequate for our already increasing traffic load generated from Auckland City? More lives will be put at risk, and an already congested piece of State Highway One will be so much worse with traffic delays and congestion.

We do not want our pristine environment littered with rubbish that has been lifted by wind or fallen from one of the many trucks transporting it. We do not want noise pollution from hundreds of rumbling trucks and heavy machinery working hour after hour. We do not want light pollution in our stunning dark night skies, it is bad enough the amount of light that spoils our skies from the Auckland Metropolitan area. We don't want dust pollution nor do we want increased rodents and mustelids, that will inevitably be attracted by this dump, destroying the sanctuary of the Dome Valley for our native wildlife.

Council must consider the Treaty of Waitangi, and respect the traditional rights of the local iwi to protect their taonga. To date, the rahui put in place has been ignored which speaks volumes.

The rubbish dump proposal for the site in the Dome Valley is so unsustainable for the above reasons and many more. I certainly hope that those employed by the Auckland Council have opened their eyes to this, are forward thinking and opt for a much more sustainable rubbish solution for our generation, our children, our children's children and so on.

What decisions and amendments would you like the council to make?

To object to the whole proposal by Waste Management.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 11:45:10 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9924] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Anne Smith

Organisation name:

Contact phone number: 09 425 9463

Email address: anneofsandspit@gmail.com

Postal address:

1082, Sandspit Road

RD2

Warkworth 0982

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I oppose this application because landfills are contrary to sound resource management principles and are contrary to the purpose and principles of the Resource Management Act of 1991. In addition, they conflict with national policy statements on freshwater management and are contrary to the Waste Minimisation Act of 2008 and even more because they do not abide by the Auckland Council Waste Management and Minimisation Plan.

What are the reasons for your submission?

If the Auckland Council cannot abide by its own Plans, which no doubt have taken a long time and much funding to produce, what hope is there for our world in the future? Are we ratepayers ever to believe a word that Local government and our elected Councillors say, or the Plans that they produce? What rights do we who live in this area have?

It is time for Council to speak the truth and act properly and abide by its own published Plans.

What decisions and amendments would you like the council to make?

The Auckland Council need to go back to their own Plans regarding Waste Management and to government national policy statements on freshwater management, and even as far back as 1991 and reread and digest the Resource Management Act. They then need to throw out this application, deny any change to the land zoning in this area and

think about the much advertised future of 'Zero Waste' in Auckland, that they profess to hold.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Monday, May 25, 2020 11:45:10 PM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9925] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Sharna Sutherland

Organisation name:

Contact phone number: 0272085802

Email address: sutherlandsharna@gmail.com

Postal address:

364 Oneriri Rd
RD 2
Kaiwaka 5073

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole proposal is contrary to sound resource management principals: Is contrary to the purpose and principals 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 Mininisation Plan.

What are the reasons for your submission?

As I am living beside the Kaipara, my community and myself will be directly impacted by the expected adverse effects of this planned land fill.

The danger of leachate running into the Kaipara Harbour by a polluted Hoteo River.

Compromised ground water quality in Wellsford and surrounding areas .

Endangering fish plants and bird life in the Hoteo and Kaipara Harbour.

The expected high volume of rubbish trucks going North through the Dome Valley and South from Highway One destined to the planned landfill, adding to the already dangerous traffic conditions.

This section of Highway One is anyway a very accident prone road and therefor not suitable for this added volume of traffic.

The Dome Valley with its extreme levels of rainfall and geological instability is totally unsuitable for this project .

In various public presentatians that I have attended, the Wste Management Company admitted that the lining technique under the land fill to prevent leachate is not tested forthe life time of the landfill, nor guarateed and there is a risk of it tearing .

New Zealand should not give an important and longterm infrastructure project to a foreign . owned company.

Landfills are old waste management technoloy, waste to energy is the way to go.

What decisions and amendments would you like the council to make?

I would like the council to decline the Resoource Conccent completely.

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:



Submission on The Auckland Regional Landfill, 1232 State Highway 1, Wayby Valley, Resource Consent and Private Plan Change 42 application

26 May 2020

To: Auckland Council
Private Bag 92300
Auckland 1142

From: Forest and Bird Warkworth Area
PO Box 552
Warkworth 0941

Submission by
Roger Williams
Email ropeworth@gmail.com Telephone: 09 4259127

Introduction

The Royal Forest and Bird Protection Society of New Zealand Incorporated (Forest & Bird) is New Zealand's largest independent nature conservation organisation, with many members and supporters. Our mission is to be a voice for nature on land, in fresh water and at sea.

Forest & Bird has for many years had a strong interest and involvement in the greater Auckland area. This includes instigating and working with others to implement the North-West Wildlink, a wildlife linkage connecting the Hauraki Gulf Islands with the Waitakere Ranges.

This work has involved advocating for greater protection of indigenous biodiversity on land, in freshwater and in the coastal environment, and in protecting and enhancing the healthy functioning and integrity of indigenous ecosystems across the region.

Forest & Bird could not gain an advantage in trade competition through this submission.

Forest & Bird Warkworth Area wishes to be heard in support of this submission, and we would consider presenting this submission jointly with others making a similar submission at a hearing.

Forest & Bird Warkworth Area welcomes the opportunity to submit on the consent application.

1. Submission

1.1. This submission is complementary to the detailed submission by our Auckland Regional Office and seeks to amplify Local Issues and Climate Change Issues.

1.2. Forest & Bird Warkworth Area specific issues are:-

- a) The carbon footprint of the transportation of the waste to the site by road is huge. The transport by road also has significant impacts on other road users in congestion and safety. The Rail option is only very briefly covered (see Appendix). We consider it is essential that the majority of the waste is transferred to the site by rail
- b) The reports do not satisfy us that weeds are adequately addressed. The cap of the landfill, both temporary and final is topsoil and grass. There is a huge potential for weeds such as pampas to develop. Pampas seeds are blown for many tens of kilometres.
- c) The fire risk of the grass cap is not addressed. Gas is vented and flared off from the landfill. Lithium ion batteries are also a well known source of ignition as evidenced in recent recycling plant fires at Kopu and elsewhere. The location of the proposed landfill is in the centre of extensive forests and any fire would be very hard to control and extinguish.
- d) Monitoring of Conditions. We consider that monitoring of the proposed conditions lack transparency. The monitoring of the conditions are heavily weighted in the applicants favour.
 - d.1. The selection of a Peer Review Panel member(s) appears to be nominated by the applicant.
 - d.2. The records of the data should be more widely available to interested parties eg EPA, NIWA etc, not just to Auckland Council.
 - d.3. Clauses such as 117, 130, 156, 160 and 181c lack independency. We consider that all conditions should be checked and rewritten as necessary to ensure that, not only is the right monitoring is carried out, but that it is seen to be carried out.
- e) Transportation of waste to the site by road leads to a massive increase in Carbon Emissions. The alternative of Waste by Rail is dismissed without any due consideration. The Fundamental Flaw in the whole Landfill proposal is the lengthy road transport to the site.
 - e.1. The scale of the problem and the consequences on the environment are huge and this has been seriously underplayed. To emphasis this point the Marginal Increase in effects for locating the landfill at Wayby must be compared with the existing Redvale site. The Wayby site is 51km north of

the current site of the landfill at Redvale with a predicted 580 truck movements per day at the site.

- e.2. The proposals see an increase of 44% in the heavy vehicle traffic in the Dome Valley section of SH1 which already has serious safety implications. Refer the current NZTA safety improvements. Safety savings from these improvements is likely to be totally overwhelmed by the increase in heavy traffic.
- e.3. The alternative of the proposed Warkworth to Wellsford motorway and using the Wayby offramp is unlikely to be available for 15 to 30 years because of anticipated delays through the designation process and resource consents, government roading policy, funding delays and construction delays.
- e.4. The basic operating costs of the truck operations for the marginal difference (based on NZTA truck operating rates) is of the order of \$44m per annum. This itself justifies a much more detailed investigation of alternatives.
- e.5. The use of road transport to get to the landfill site generates of the order of an additional 20,000 tons of carbon emissions per year to the atmosphere. This increase in the carbon footprint is in defiance of the intent of -
 - Climate Change Response Act 2002 and the
 - Sustainability requirements within the Resource Management Act and the
 - Auckland Council Low Carbon Strategic Action Plan.
- f) The reported discussions with KiwiRail, refer AEE Appendix 12.7, are not a serious discussion of the rail freight alternative. A meaningful discussion must now be held.
- g) **The solution** to the above is to divert as much as possible of the waste transport to rail where, over the same marginal distance, emissions would be only 725 tonnes per annum c/f 20,000 tonnes per annum. The main trunk line north is only 2 km from the site. This solution is to require Waste Management NZ, the Auckland Council, KiwiRail and the Government to come together and work constructively to agree how Waste by Rail can be achieved and what % of the waste can be carried.

Relief sought

- 1.3. Forest & Bird Warkworth Area seeks that the application be declined.
- 1.4. However, should the Council decide to grant this consent, we seek that the Carbon Emissions be significantly reduced by carrying of as much of the waste as possible by Rail.

1.5. The conditions of consent are amended so that Forest & Bird's concerns over transparency are resolved.

Thank you for the opportunity to make this submission.

Roger Williams

Committee Member, Forest and Bird Warkworth Area.

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 12:00:11 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9926] Submission received on notified resource consent
Attachments: Final Wayby Landfill submission 24-5-20.docx (86.26 KB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Roger Lewis Williams

Organisation name: Forest and Bird Warkworth Area

Contact phone number: 094259127

Email address: ropeworth@gmail.com

Postal address:
65 Alnwick Street
Warkworth
Auckland 0910

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Waste by Rail
Weeds
Fire Risk
Monitoring Conditions

What are the reasons for your submission?

Protection of the Environment

What decisions and amendments would you like the council to make?

See Attached file

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:

Final Wayby Landfill submission 24-5-20.docx

Submission by Marie Alpe to the application by Waste Management NZ Limited (WMNZ) to construct and operate a new regional landfill at 1232 State Highway 1 Wayby Valley

I oppose the application in its entirety for the following reasons:

1. I am concerned about the siting of this large scale landfill proposal in the Wayby Valley area as the landfill poses multiple high impact risks to the environment, particularly the Hoteo River and Kaipara Harbour, and to the community.
2. I have been associated with Tomarata my whole life (I am aged 71 years), growing up there and living there permanently since 2003. Accordingly I am very familiar with the Wayby Valley area, its significance as part of the catchment to the Hoteo River and Kaipara Harbour, its propensity for flooding, torrential rain, landslips as well as having seen first hand road traffic on Wayby Valley Rd and on SH 1 increase exponentially over the last 20 years.
3. This submission is being made because of the risks to surrounding environments, people and businesses by this proposed landfill and a lack of certainty that adverse effects from the landfill activity such as leachate and sedimentation as well as from fundamental change to the ecology of the area, eg permanent loss of streams can be avoided, minimised or mitigated. And further that proposed off setting measure will adequately recompense impacts on the environment and the community.
4. Due to nearby extensive waterways, native and threatened species and ecosystems in the landfill area, priority needs to be given to the protection of these natural values as required by sections 6 and 7 of the Resource Management Act 1991 (RMA). Pursuant to s7 of the RMA Council is required to maintain and enhance amenity values, the quality of the environment and intrinsic values of ecosystems. From my experience of 16 years working for the Department of Conservation and many years advocating in planning processes for the protection of the special natural character, landscape and conservation values of the Te Arai/Tomarata area I submit that Council must take a highly precautionary approach. If proposed mitigation, avoidance and offsetting measures cannot be determined as being infallible and there remains an element of risk from the landfill then the application is not sustainable, in an unsuitable location and should be declined.
5. The location of the proposed landfill in the catchment of the Kaipara Harbour poses a very real risk to the harbour if containment and protective measures proposed for the landfill were to fail and the harbour be contaminated by sediment and leachate. 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. The Kaipara Harbour is documented as the single most significant wetland for NZ West Coast fisheries. The mouth of the Hoteo River contains a very significant seagrass habitat for juvenile fish. Recognising the importance of the Kaipara Harbour for fisheries management, as a source of food and of significance to Maori must be paramount in a consideration of this application and adverse effects avoided by declining the application as there cannot be surety that a

high impact event that would impact the harbour may not occur. The RMA requires adverse effects of low probability but high potential impact to be considered and this is crucial here. The Rotorua landfill court case and allegations of leaked discharges due to major weather events and the recent Fox Glacier landfill disaster are examples of landfill failures. The Kaipara Harbour is also habitat for endangered species such as Maui dolphin and the NZ fairy tern and potential adverse effects on the habitat of these species must be avoided.

6. The geology of the area makes it an unsuitable location for a major landfill and increases the risks as does the propensity of the area for heavy rainfall events. 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. Those of us who live in the area are well aware of the propensity for slips and other disturbances.
7. I understand that the Hotoe River and the underlying aquifer have potential if not already use for water supply for the community in particular Wellsford. Adverse effects on the aquifer must be avoided.
8. I am also particularly concerned at the overall ecological and hydrological impact of major changes to the stream environment of the area not just because it is the catchment of the Hotoe River. The application acknowledges (9.11.3.3) that there will be permanent loss of stream habitat as well as actual loss of instream wildlife if this cannot be relocated. It is not just the loss of the intrinsic values of something like 9.5 kms of streams but the potential impact that changes to the overall environment and stream hydrology could have downstream generally and on the Hotoe River specifically. The question is whether proposed mitigation and offsetting measures are adequate and is in fact the application sustainable.
9. Under S8 of the RMA consent authorities are required to have regard to the Treaty of Waitangi. I understand that there has been extensive consultation but I am also aware that Iwi runanga groups continue to have concerns. I support Iwi concerns at the potential impact on the Kaipara Harbour. I agree that 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. It is being proposed in an unsuitable location.
10. The proposal conflicts with Unitary Plan objectives and policies for protection of biodiversity, habitats and natural values of the Wayby Value, Hotoe and Kaipara Harbour areas. Higher level policies in the Regional Policy Statement objectives and policies in the Auckland Unitary Plan seek to avoid impact of adverse effects on freshwater systems (B7.3) and seek the protection of natural resources and indigenous biodiversity. There is no guarantee that this can be achieved by proposed measures in the application and accordingly it should be declined.
11. I am also concerned about the impact on the community's ability to enjoy the environment with a significant increase in heavy traffic. I know only too well that the Wellsford and greater area already experiences large volumes of trucks such as quarry, logging and cattle trucks, and milk tankers every day causing major damage and congestion, impacting on the travelling experience of local users. We have to use these roads to carry out our lives and businesses. The addition of 300-500 rubbish trucks a

day in the Dome Valley will amplify what is already dangerous and stressful travel experience for the local community.

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Sent on: Tuesday, May 26, 2020 12:00:12 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9927] Submission received on notified resource consent
Attachments: Submission by M Alpe A new regional landfill Wayby Valley.docx (16.96 KB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Marie Alpe

Organisation name:

Contact phone number: 021 02777256

Email address: mariealpe60@gmail.com

Postal address:

21 Ocean View Rd
R D 4
Wellsford 0974

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

My submission is on the whole proposal. I oppose the application in its entirety

What are the reasons for your submission?

The application is contrary to the purpose and principles of the Resource Management Act 1991 and will not result in sustainable management of the environment. Further it conflicts with the Auckland Unitary Plan and National Policy Statements on Freshwater Management. See attached file for explanation of reasons for submission.

What decisions and amendments would you like the council to make?

Decline the application in its entirety

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. No

Supporting information:

Submission by M Alpe A new regional landfill Wayby Valley.docx

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 12:00:14 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9928] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Mallcom Smith

Organisation name:

Contact phone number: 021929287

Email address: taporasandman@gmail.com

Postal address:

914 Burma Road Tabora RD7
Wellsford
Auckland 0977

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:
Unsuitable site for a landfill. Suitable for freshwater catchment only.

What are the reasons for your submission?

My concerns for the Kaipara harbour around leachate and traffic congestion on a dangerous part of State Highway 1.

What decisions and amendments would you like the council to make?

Stop the tip!

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 12:45:09 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9929] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Tracy Belinda Wood

Organisation name: Trustee, T B Ross-Wood Family Trust

Contact phone number: 021462658

Email address: tracy@pelage.co.nz

Postal address:

84 Spindler Road
Wellsford
Auckland 0972

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I oppose the proposal in full for a number of reasons, including that it is contrary to sound resource management principles.

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Deny the proposed resource consent.

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:

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Sent on: Tuesday, May 26, 2020 12:45:09 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9930] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Helena Cullen

Organisation name:

Contact phone number: 021 606 732

Email address: helenamaule@hotmail.com

Postal address:

960 Whangaripo Valley Road
RD2 Wellsford
Auckland 0972

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Opposal to a new landfill being created in the Dome Valley - the lack of progressive thinking, suitability, environmental impact, increased road usage and danger to the road.

What are the reasons for your submission?

It's madness that in 2020 this is how we still dispose of our rubbish. There are many examples around the world of better and more environmental and economically beneficial methodologies. Just because this is what we have done to date, does not mean we should continue to do so. Most of the waste will be commercial. There needs to be pushback and tax rewards for companies to dispose of their rubbish in a more sustainable way. We need to be looking 5 generations out, not just 5 minutes based on who's in power to make the money, especially as it's an overseas contractor. Never mind the lack of progressive thinking, the environmental effect will be disastrous. Also more big trucks driving through the Dome Valley is crazy. It's such a dangerous strip of road.

What decisions and amendments would you like the council to make?

To stop it from happening to and to look for a new, sustainable approach to waste management that will protect our land and future generations.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 12:45:12 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9932] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Wendy Joy Crow-Jones

Organisation name: Northfork Farms Ltd

Contact phone number: 094238194

Email address: wendycjones@yahoo.co.nz

Postal address:

221 Boshier Rd, R D 4,
Wellsford
Auckland 0974

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

All aspects this location is not suitable for a landfill operation.

What are the reasons for your submission?

1. This activity goes against the Auckland Council's own key theme in response to climate change statement in 2019 where it declared a climate emergency. A new landfill operation is not consistent with that objective in any shape or form.
2. Development of a landfill at Wayby directly contravenes the purpose and principles of the RMA 1991 and general common sense as it can cause serious future damage to the environment (ie. Fisheries in the Kaipara Harbour and the Hoteo River which is a water source for Wellsford)
3. Conflicts with the national policy statement on fresh water management as this a high rainfall area. The runoff from a landfill site in this location has too many chances of polluting the local environment. Making it into a reservoir would be a much better use considering the water shortages we are now experiencing and to keep ahead of future urban growth. Considering research on this is already in the hands of council this type of development should not be ignored.
4. There is a conflict with the Waste Minimalisation Act 2008 and the Auckland Councils own Waste Management and Minimalisation Plan. A more sustainable waste solution is needed of which examples can be found in Germany why not here?

4.
4.

What decisions and amendments would you like the council to make?

The landfill development on 100ha of land south of Wayby Valley should be scrapped and the land purchased for a future water source.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 12:45:13 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9933] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Joanne Mqry O'Sullivan

Organisation name:

Contact phone number: 0226389536

Email address: joannemahu@gmail.com

Postal address:

12 Millstream Place
Warworth
Warkworth 0910

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

This application contravenes the Resource management Act 1991.

What are the reasons for your submission?

This application has not considered Ngati Whatua, Iwi, hapu, marae, tribal partners and local community
This application has not considered health risks for those living within 5 kilometres of the proposed site. Studies show that Landfills are proven overseas to cause lung disease and other health problems in both adults and children
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 Hotoe 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

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.

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 Hotoe 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 Hotoe River and Kaipara Harbour for their food and recreation.

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.

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 15th 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

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

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.

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.

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

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:

discharge of a contaminants or water into water

discharge of a contaminant onto or into land

the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials.

conspicuous change in the colour or visual clarity.

emission of objectionable odour.

rendering of fresh water unsuitable for consumption by farm animals or people.

significant adverse effects on aquatic life.

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.

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.

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.

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.

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.

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.

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.

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.

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

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)

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.

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.

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.

Watercare – Watercare sources some water from the Hotoe 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.

What decisions and amendments would you like the council to make?

Decline this application

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 12:45:13 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9934] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Dr Joshua Salter

Organisation name:

Contact phone number: 094190220

Email address: gondwana_josh@yahoo.com

Postal address:

23 Onewa Road
Northcote
Auckland 0627

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

1. The entire landfill site (incorporating Fill Site 1 and Future Fill Site 2) proposed by Waste Management Ltd. in the location north of Warkworth.
2. The network of roads required to service the landfill sites.

What are the reasons for your submission?

The entire project will adversely affect this locality in many different ways, some of which are listed below:

1. The destruction of two entire valleys in this quiet backwater for landfill is environmentally unacceptable.
2. The increasing flow of trucks transporting waste into the site will add to an already hazardous situation for travelling along the highway. This is not mitigated by the construction of the massive new highway nearby which has only added to the destruction of the environment in this area.
3. The noise and smells during the long period of the filling up of first one valley then the next, will be a blight on the whole surrounding area for years to come.
4. The attraction of pest animals to the landfill site will also be a threat to other natural environments close by.
5. The design seeks to mitigate downstream risks to the Hoteo River and ultimately to the Kaipara Harbour, but no one in their right mind believes there will never be mistakes or other unintended breaches of the protective measures against leachates leaching out and contaminating downstream waterways. The Kaipara Harbour is a relatively

unspoiled tidal estuary and anything toxic leaching into it will cause irreparable harm.

6. It is unacceptable that this landfill site is privately owned let alone foreign owned. The citizens of Auckland must retain democratic control of all water and waste disposal requirements. There is no motivation for reducing volumes of public waste while it is a profit-making enterprise.

What decisions and amendments would you like the council to make?

1. Decline the application for this landfill site.
2. Amend the zoning to prevent any future plans for inappropriate uses such as landfills in this area.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 12:45:14 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9935] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Yvonne Reid

Organisation name:

Contact phone number: 0226585676

Email address: ynreid@gmail.com

Postal address:

21B Rishworth Avenue
Arkles Bay
Whangaparaoa 0932

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I oppose the rezoning that would enable a Landfill and I oppose the Landfill.

What are the reasons for your submission?

Proposals are contrary to sound resource management principles; contrary to the purpose and principles of the Resource Management Act 1991; they conflict with national policy statements on freshwater management; or they are contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan.

What decisions and amendments would you like the council to make?

Deny this landfill application in its entirety and any future applications of the same type in order to protect our food source, waterways and the natural beauty of the environment.

This is 2020. We should not be burying our waste instead we should be researching and implementing sustainable waste management options following in the footsteps of the multiple countries that have successfully done so already.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 1:00:10 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9937] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Jennifer Roth Bartlett

Organisation name:

Contact phone number: 094254983

Email address: crazysewinglady47@gmail.com

Postal address:

33Kauri Cres
Snells Beach
Auckland 0920

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Environmental and traffic effects on the region

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Abandon the idea of using the Dome Valley site. Choose a safer environmentally friendly option

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 1:00:11 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9938] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Myles Williams

Organisation name:

Contact phone number: 0212985268

Email address: dapaua02@gmail.com

Postal address:

1 Rahuikiri Road
Wellsford
Wellsford 0972

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:
Increased traffic. Pollution

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

The whole thing. Just don't do it

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 1:00:11 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9939] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: William Patrick Kirby

Organisation name:

Contact phone number: 094190220

Email address: foxtrott22@yahoo.com

Postal address:

23 Onewa Road
Northcote
Auckland 0627

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

1. The entire landfill site (incorporating Fill Site 1 and Future Fill Site 2) proposed by Waste Management Ltd. in the location north of Warkworth.
2. The network of roads required to service the landfill sites.

What are the reasons for your submission?

The entire project will adversely affect this locality in many different ways, some of which are listed below:

1. The destruction of two entire valleys in this quiet backwater for landfill is environmentally unacceptable.
2. The increasing flow of trucks transporting waste into the site will add to an already hazardous situation for travelling along the highway. This is not mitigated by the construction of the massive new highway nearby which has only added to the destruction of the environment in this area.
3. The noise and smells during the long period of the filling up of first one valley then the next, will be a blight on the whole surrounding area for years to come.
4. The attraction of pest animals to the landfill site will also be a threat to other natural environments close by.
5. The design seeks to mitigate downstream risks to the Hoteo River and ultimately to the Kaipara Harbour, but no one in their right mind believes there will never be mistakes or other unintended breaches of the protective measures against leachates leaching out and contaminating downstream waterways. The Kaipara Harbour is a relatively

unspoiled tidal estuary and anything toxic leaching into it will cause irreparable harm.

6. It is unacceptable that this landfill site is privately owned let alone foreign owned. The citizens of Auckland must retain democratic control of all water and waste disposal requirements. There is no motivation for reducing volumes of public waste while it is a profit-making enterprise.

What decisions and amendments would you like the council to make?

1. Decline the application for this landfill site.
2. Amend the zoning to prevent any future plans for inappropriate uses such as landfills in this area.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 1:00:12 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9941] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Rodney Macdonald

Organisation name: n/a

Contact phone number: 021701652

Email address: rodneymac006@gmail.com

Postal address:

95 Sandspit Road
Warkworth
Warkworth 0982

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Oppose the application until other alternative technologies to landfill can be considered

What are the reasons for your submission?

The landfill location is not suitable for landfill, and consideration needs to be given to non-landfill technologies that can eliminate waste on the day, including waste to energy. VERY concerned that Waste Management and Auckland Council are trying to fast track the process under the pretext of a "Spade Ready" project in the middle of a national crisis with COVID19.

What decisions and amendments would you like the council to make?

The Council should reject the application and undertake a thorough investigation of landfill alternatives.

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:

Linda Butler

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent: Tuesday, 26 May 2020 1:15 PM
To: Central RC Submissions
Cc: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9942] Submission received on notified resource consent
Categories: Online Submissions

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Jemima Briggs

Organisation name:

Contact phone number: 0212420894

Email address: jemima.briggs@gmail.com

Postal address:

128 Monarch-Downs Way
Warkworth RD2
Warkworth RD2 0982

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

We should be recycling not creating more landfill and poisoning the area of natural beauty

What are the reasons for your submission?

I am sad that this is even being considered and want my opposition noted

What decisions and amendments would you like the council to make?

No resource consent

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:

Warwick Pascoe

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent: Tuesday, 26 May 2020 1:15 pm
To: Central RC Submissions
Cc: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9943] Submission received on notified resource consent

Categories: Online Submissions

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Dean Gerrard

Organisation name:

Contact phone number: 0275393007

Email address: deangerrard@gmail.com

Postal address:

12 Millstream Place
Warkworth
Warkworth 0910

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Opposing resource consent.

What are the reasons for your submission?

Devaluation of surrounding properties. Noise and toxic pollution.

What decisions and amendments would you like the council to make?

To decline the proposed activity

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:

Warwick Pascoe

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent: Tuesday, 26 May 2020 1:15 pm
To: Central RC Submissions
Cc: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9944] Submission received on notified resource consent

Categories: Online Submissions

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Keren Hurt

Organisation name:

Contact phone number: 021471277

Email address: keren.hurt@gmail.com

Postal address:

1 Sandpiper Avenue
Pt Wells
Warkworth 0986

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Do not agree with a Landfill in the Dome Valley

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Find another site

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 1:30:10 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9945] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Linda Gilbert

Organisation name:

Contact phone number: 021774100

Email address: linda@drawntogether.net

Postal address:

14 Puawai Street
Kaiwaka
Northland 0573

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The Dome Valley is not an appropriate place to build a landfill.

What are the reasons for your submission?

This landfill will leach into the waterways which will spread toxins in an area of natural beauty. I understand tangata whenua are also opposed and their concerns need to be taken seriously.

What decisions and amendments would you like the council to make?

To refuse the application in whole.

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: No

Supporting information:

A Waste-to-Energy Plant for Auckland City?

June 2018

Prepared by Chris Newman of Oceania Marketing Services Ltd, based on communication with the Sydney Regional Office of Hitachi Zosen Inova Australia Pty Ltd, EfW technology providers. The information provided herein does not in any way represent Hitachi Zosen Inova Australia Pty Ltd.

INTRODUCTION AND OVERVIEW TO AUCKLAND'S SOLID WASTE ISSUES

The Local Government Act 2002 identifies solid waste collection and disposal as one of Auckland City Council's five core services to the community

Management of the waste stream at the City level is a major concern because it involves per year about a million and a half tons of refuse and hundreds of millions of dollars.

What is the long-term plan for Auckland's waste stream? The goal of strategic planning for Auckland City must define achievable objectives, both short and long term which will improve the residents' quality of life.

The Waste Minimisation Act (WMA) 2008 is purposed to, "encourage waste minimisation and a decrease in waste disposal". This White Paper addresses key concerns with achieving WMA objectives. It introduces the next-generation technology for New Zealand's waste management strategy, to provide 'environmental, social, economic and cultural benefits' under the WMA.

The key to good waste management is source separation into three categories:

- 1) Recyclables for recycling
- 2) Organic waste into food and green waste for composting and anaerobic digestion
- 3) Residual waste to landfill OR for Energy from Waste (EfW)

Landfills remain NZ's predominant solution to waste management but they represent the disposal methods of the past. Landfills are now associated with Third World countries. Modern economies upgrade their management systems and employ advanced technologies to recycle resources and recover energy from their waste stream.

The conversion of waste to energy by thermal treatment yields valuable electricity. It also provides a 90% reduction in the waste volume, so there is less reliance on landfills. Most of the solid residue produced has uses. A small component, about 10% will require landfill.

Is Auckland ready to recover valuable energy from its waste?

WASTE GENERATION, LANDFILLS AND ENERGY FROM WASTE

New Zealanders generate a significant amount of waste. The landfill statistics from 2016 disclose 1.05 tonnes of domestic, commercial and industrial waste annually generated per person in Auckland. The consequences of landfill disposal include ecological impacts on land, waters and air. Other issues involve neighbourhood safety, public health, potential for disease and of course exposure to toxins and pollutants.

Current NZ best practice for the municipal waste stream is landfill yet the Waste Management and Minimisation Plan advocates reducing Auckland's reliance on landfills. A small portion of the waste is recovered, reused and recycled. Nevertheless the amount going to landfill represents a lost resource for it could be converted to energy, to supply resident's homes and businesses with electricity.

Composition by weight (2010 figures) of an average Auckland refuse bin contents which mostly goes to landfill is:

- 15% recyclables
- 35% refuse
- 40% food waste
- 10% green waste

Domestic kerbside refuse per person in Auckland is 146Kg/annum. Landfills are the final resting place for this waste. They become lasting monuments to the stored garbage and other materials. Buried organic wastes generate methane, the most worrisome of the greenhouse gases, and landfills also produce an ongoing liquid leachate of toxins and pollutants. Should a landfill containment membrane suffer a breach, the dump will leak pollution into the surrounding environment and trigger significant regulatory clean-up costs for all concerned.

In contrast with landfills, the waste to energy plant consumes waste to produce power and a small amount of dry solids. Power generated by a municipal waste to energy plant saves on consumption of equivalent amounts of other fuels e.g. coal and natural gas. The energy recovered represents a reduction in the total greenhouse gas emissions from organic components of the waste stream, because untreated waste releases significant quantities of methane. In contrast, when waste is converted to energy, the main gas released is carbon dioxide (a gas of lesser greenhouse concern than methane) and according to Emissions Trading Scheme criteria, much of this CO₂ is acceptable, for it comes from organics classified as renewables.

AUCKLAND CITY'S STRATEGIC OPPORTUNITY FOR MANAGING ITS WASTE

Auckland City is facing the burden of an increasing population which generates significantly more waste than days past, when landfill seemed the best option. The Government's policy

framework on waste management provides territorial authorities with the powers to charge for the services, to implement a city-wide waste minimisation plan.

The waste to energy solution is recognised by EfW engineers as the next step for NZ's cities. The good news is that the proven technology, the moving grate process, has decades of history in hundreds of plants across Asia, Europe and the USA. Countless millions of tons of municipal waste have been safely and efficiently converted to energy for city use, and dry solids produced are used in the road making and construction industries.

The technology for waste to energy plants has reduced flue emissions of dioxin (the principal class of combustion-generated toxins) by over a thousand times, to a safety level way below all recommended limits. Such plants are operating now in the midst of Japanese cities such as Tokyo, with no health and safety issues: and the Japanese are among the most health and safety conscious of people.

Note: Some twenty years ago an international company called Olivine had plans for a waste to energy plant at Meremere. Opponents feared the plant would emit toxins and greenhouse gases into the atmosphere, so they successfully opposed Olivine's proposal. However the current generation of energy from waste plants can pass every challenge in terms of emissions and environmental safety.

In fact landfills with their significant releases of the 'greenhouse gas' methane are the worst way to manage waste disposal. They are repositories of toxins and pollutants, and represent a significant problem we are passing on to future generations.

What is the 'Energy from Waste' project proposal?

Energy Resource Situation

The Coalition Government's energy policy calls for a termination of off-shore oil and gas exploration. The anticipated ten-year production decline from the Taranaki gas fields means alternative sources of power will be required to fill the energy gap before 2028. Auckland City's most accessible and feasible energy resource is the presently untapped potential of thermal Energy from Waste (EfW).

Auckland City Waste Situation

The Strategic Arguments around implementing EfW:

- 1) Auckland's Waste Minimisation Management Plan states (P. 111), 'Opportunities to maximise reduction, reuse or recycling still need to be prioritised before EfW'. These

other activities are already well underway. However the proposed EfW plant would be sized to use that portion of the waste resource presently landfilled, which cannot otherwise be accessed by reduction, reuse or recycling strategies.

- 2) From Auckland's 2018 waste stream volume of some 1.5 + million tonnes, the EfW plant will be sized to recover energy from a baseline of residual waste of 300,000 tonnes.
- 3) The feared situation of locking the City into an expensive long-term contract to supply waste feedstocks to the detriment of reduce, reuse, recycle **cannot occur**, as the magnitude of the waste stream available for those other strategies far exceeds the proposed EfW feedstock requirement.
- 4) In fact the EfW plant will use the residual resources which are rejected by the City's reduction, reuse and recycling programs, keep them from landfill and produce much needed energy.
- 5) The EfW plant will be designed with the potential for expansion should the waste stream management demand additional production of energy from waste to meet the city's electricity demand.
- 6) Behaviour change is a major issue for city residents implementing the reduce, reuse, recycle strategies for waste. The EfW plant does not require behaviour change, so it can readily absorb the significant portion of resident's waste which escapes waste reduction strategies.



Figure 2: Waste Hierarchy showing the order of preference and where EfW is placed (Environment Protection Act 1970, p.4)

(above chart courtesy of Hitachi Zosen Inova Australia Pty. Ltd)

The Proposed EfW Plant Size, Feedstocks and Productive Advantage

Auckland City Council has the opportunity to turn waste into useful resources by developing a thermal Energy from Waste (EfW) plant at a strategically located 6 – 10 hectare site in the region. The aim of the proposed \$400M over 20 years EfW plant is to allow the Council to attain a sustainable, long-term and stable alternative base load energy source, to support the city's power supply. This plant would consume a significant portion of the municipal residual solid waste which otherwise would go to landfill.

The estimated 104 Megawatts of thermal energy (MWth) to be generated by the EfW plant would provide base load power sufficient to support some 35,000 homes. Currently the city is experiencing unprecedented population growth, which increases requirements for electricity supply, and correspondingly contributes more refuse to the waste stream.

Ongoing rises in electricity charges reflect substantial cost increases in the market price of natural gas and electricity. This situation provides for the long term suitability of the EfW strategy to support the City's power demand as an alternate baseload energy source. Local energy generation projects which replace demand for natural gas will conserve the nation's natural gas assets and contribute to the New Zealand's long-term energy sustainability.

Most importantly, EfW facilities would generate power on a continuous basis. This benefit of EfW technology overshadows the intermittent performance of renewable energy sources such as solar and wind technologies,

For Auckland's proposed EfW plant the operating waste feed requirement is calculated at a minimum 300,000 tonnes per annum (tpa) of non-hazardous municipal residual waste which would otherwise be sent to landfill. The proposed use of the city's Municipal Solid Waste (MSW) will supply approximately 80% of the fuel input to the EfW plant. MSW is residual waste from household rubbish collections (not from recyclable collections). Some Commercial and Industrial (C&I) waste (approx. 20% of fuel input) would also be used. The non-hazardous C&I waste is similar to MSW, but sourced mostly from manufacturing facilities, shopping centres and office buildings.

Introducing the EfW Technology and Plant

Diagram of a typical EfW plant layout

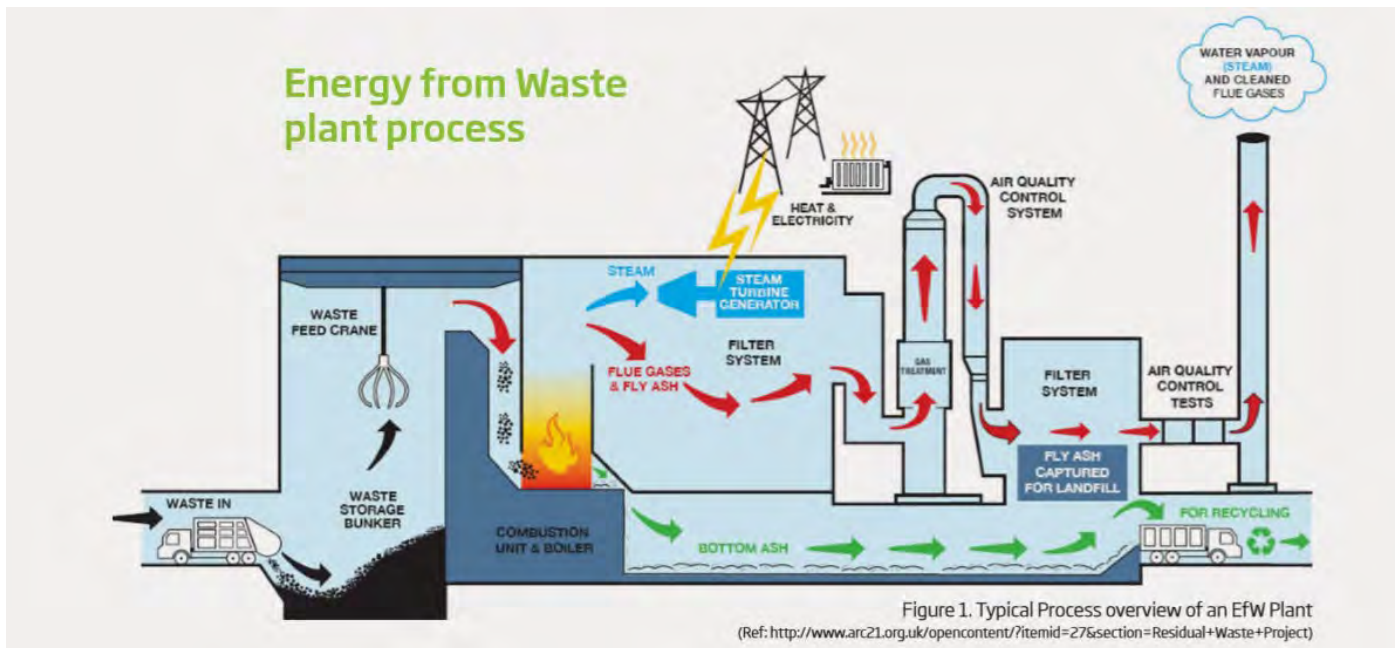


Image of a typical EfW plant

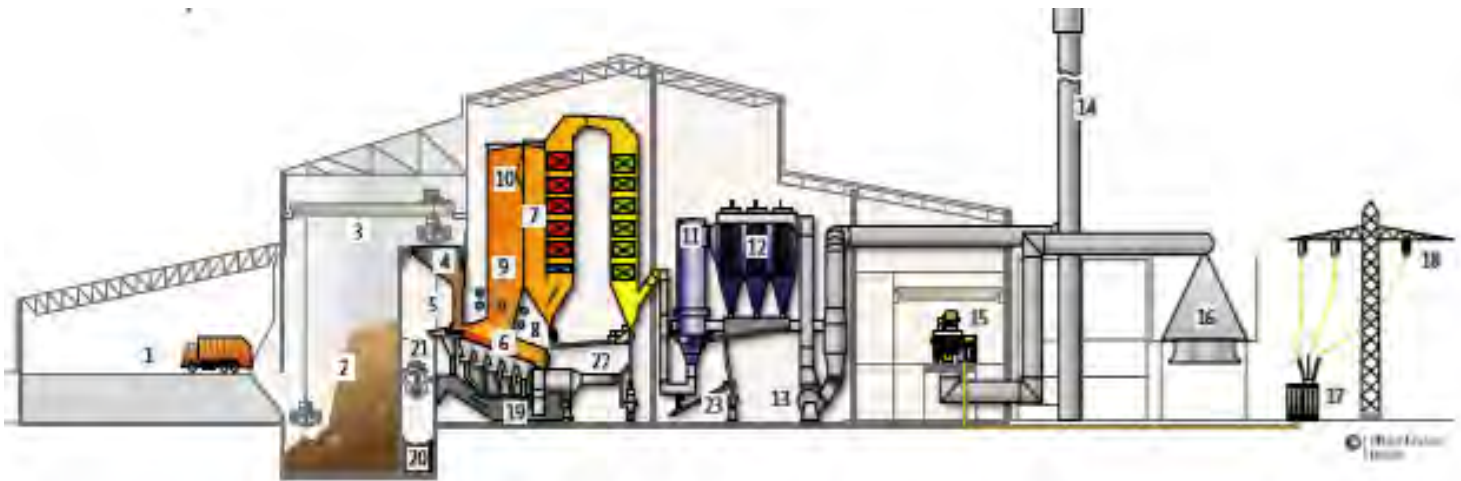


Outline of the EfW process

The key steps in the EfW process are as follows:

- Waste is transported to the EfW plant via truck (and possibly train)
- Waste is combusted in a boiler (or boilers)
- The boiler(s) produce heat generated by the combustion of waste which produces steam
- Steam is used in generators to produce electricity to feed into Auckland's power grid
- Air from the combustion process is treated to very high cleaning specifications, through gas treatment and filter bags
- Cleaned combustion air is discharged through the stack, while being continuously monitored
- Ash residues from the boiler and filter bags are collected and disposed to approved landfill or commercial uses

Schematic of the EfW Plant Operations



Waste Delivery and Storage

- 1 Tipping hall
- 2 Waste pit
- 3 Waste crane

Combustion and Boiler

- 4 Feed hopper
- 5 Ram feeder
- 6 Hitachi Zosen Inova grate
- 7 Four pass boiler
- 8 Secondary air injection
- 9 Start-up burner

Flue Gas Treatment

- 10 SNCR injection levels
- 11 Semi-dry reactor
- 12 Fabric filter
- 13 Induced draft fan
- 14 Stack

Energy Recovery

- 15 Extraction-condensation turbine
- 16 Air cooled condenser
- 17 Trafo
- 18 Electricity export

Residue Handling and Treatment

- 19 Bottom ash extractor
- 20 Bottom ash bunker
- 21 Bottom ash crane
- 22 Boiler ash conveying system
- 23 Residue conveying system

Waste is transported to the site via truck (and train) and placed within the waste bunker, which is enclosed in a large building. To minimise the escape of odour to the outside environment air is drawn into the building and fed through the boiler.

The thermal process occurs on a moving grate floor, to allow for mixing and more complete combustion by providing air flow directly through the grates. As the combustion occurs, temperatures will reach over 850°C for at least two seconds. The combustion gases then cool slightly before entering the boiler tubes section to generate steam.

After steam generation, the cooled gases pass through the flue gas treatment system where lime and activated carbon absorb any trace heavy metals, acid compounds and trace dioxins and furans. Captured pollutants are then removed through a process of filtration as solid residues. The cleaned air is then checked by emissions monitoring equipment before being released to atmosphere from the stack.

Should there be a nearby demand for steam, the EfW plant could supply both steam and electricity to its neighbours.

The best use for the bottom ash from the combustion process is recycling into road base and construction materials such as concrete.

A Proven Technology - Why Energy from Waste (EfW)?

EfW is recognised by managers of modern cities as a proven and reliable technology which has been used in Europe, North America and Japan for decades. There are over 500 operational EfW plants in Europe alone, many of which are in and around major cities such as Paris, Zurich, Vienna and London. Germany, Austria and Sweden support EfW as a key component in their waste management hierarchy, thereby reducing their landfill requirements almost to zero.

The technology generates energy from the controlled combustion of non-hazardous residual waste materials otherwise consigned to landfill. EfW plants consume wastes and convert the released heat into steam and electricity. Sophisticated filtering technology ensures the systems comply with stringent EPA stack emissions standards. EfW plants have the flexibility to provide energy as steam or electricity and can switch between the two during the plant's operation, to provide for market needs. Onsite waste bunkering of five days volume ensures an EfW plant can operate continuously as a reliable baseload energy supply.

The proposed Auckland City plant would process MSW as well as C&I waste sourced from the greater Auckland metropolitan area. This would significantly reduce pressure on existing landfill sites which in 2016 received some 1.646 million tonnes. Sites at Redvale, Hampton Downs, Puwera, Whitford and Claris at current rates of use will reach capacity within ten years and will have to close.

EfW Plants Extend Landfill Life and Management Options

The EfW plant would divert an estimated 300,000 tonnes of waste from landfill each year. The plant is designed to maintain a steady energy output despite the variable nature of the residual waste stream.

Air quality modelling will be evaluated based on the maximum continuous rated thermal capacity of the plant.

According to the Environment Protection Act (1970) Waste Hierarchy, the recovery of energy from waste is the next preferred method after recycling. Disposal to landfill is the least preferred method of waste management, yet it is the most widely used in Third World countries, and is current best practice in New Zealand.

Leading countries such as the UK have identified EfW technology as their key waste solution in conjunction with recycling, to significantly reduce MSW volumes sent to landfill. Germany's use of EfW technology has almost completely eliminated its dependence on landfill. Countries with EfW have developed significant secondary industries to process the bottom ash and capture the value of that resource.

(Note that the Auckland City proposed EfW project will be of the same description and specification type as has recently been approved in Victoria, Australia for the Maryvale Mill EfW plant. The Australian Works Approval Application has been considered by the Metropolitan Waste and Resource Recovery Group (MWRRG) and the Gippsland Waste and Resource Recovery Group (GWRRG). The proposal broadly meets the intent of their respective Implementation Plans.)

Why Auckland City and Why Now?

Our city faces rising power prices, increasing energy demand and the eventual closing down of the natural gas supply which provides baseload power. Also the MSW burden increases with every new resident.

In 2017 Auckland's Vector power company had 551,700 customers who use up to 1722MW and in 2010-2011 consumed 8679 GWh.

Auckland City's strategic planning needs to evaluate EfW for its suitability to provide a baseload energy source from the presently untapped resource of the residual waste stream. Key points to consider for the EfW plant are:

- Total potential cost (capital and operating)
- Best fit technology for generating significant and variable volumes of steam to generate electric power
- Minimising environmental impacts
- Maximising social benefits

- Employment effects
- Plant performance and reliability, as compared with alternative energy sources
- Yield of superior energy efficiency (approximately 58%) due to the supply of Combined Heat and Power (CHP) over a standalone electricity generator (~27%)
- Selection of the EfW combustion technology suitable to use non-hazardous residual waste, which is successfully operating in cities with similar requirements to Auckland.

The project is expected to conserve NZ's natural energy resources equivalent to supply of the 29 MWe per annum it will feed into the grid.

The Required Site

The site selected should be between 6 and ten hectares. The following practical considerations should inform the final decision:

- Best use of the steam and/or electricity generated by the EfW plant, to maximise the plant's efficiency
- The possibility of using existing or additional rail infrastructure to enable waste transport to the plant by train
- The road infrastructure to the EfW plant should be well organised for truck traffic with no residential areas along major arterials to the plant
- Grid electricity connections available on site with sufficient spare capacity
- Preferred location in an existing Industrial Zone (for planning) suited for this type of industrial development
- Extra land available for potential expansion of the plant's capacity
- Provision for a suitable buffer around the plant
- Access to a skilled local workforce



What are the benefits of an Energy from Waste plant?

If successfully implemented, the project would provide a range of important benefits for the local community, region and nation including:

- Providing 29MWe of electrical energy directly to the grid
- Supporting an estimated 400 fulltime jobs for three years during the construction phase and 40-50 fulltime jobs for the operational phase.
- Diverting some 300,000 tonnes of residual waste from landfill each year, to a higher order use as per the Waste Hierarchy
- A net reduction in greenhouse gas emissions of approximately 254,000 tonnes per year, the equivalent of taking more than 46,000 cars off the road
- Improving energy security by significantly reducing natural gas usage to generate power by approximately 102 MW thermal.

How would the plant be constructed?

Construction (as well as commissioning and operation) would adhere to the Auckland City Unitary Plan integrated Operations Management System (OMS) – a structured framework for effective environmental, health and safety practices and performance across all of Auckland City’s activities and operations, including developing management plans and procedures for implementation during the development of the project.

Site or phase specific management plans will be developed to describe how significant impacts will be addressed during specific project development phases (i.e. construction, commissioning and operation), including development of a Construction Environmental Management Plan (CEMP) and Operations Environmental Management Plan (OEMP).

Additionally, detailed risk assessments will have to be conducted to identify the key environmental risks for the construction and operational phases. These risks and associated controls and mitigation measures will be incorporated into the CEMP and OEMP as appropriate.

Environmental best practice

The proposed EfW plant will be designed with modern technology and best practice environmental techniques. These include:

- The adoption of environmental and sustainability principles and the use of multi-criteria assessments during the selection phase of the best options for the key processes
- The opportunity to review EfW industry best practice to examine boiler technology studies, which evaluate moving grate technology. Then to assess this as the proven technology with the greatest environmental and commercial benefit for treating Auckland’s MSW and C&I waste.
- Comparative analysis of industry-accepted EfW technologies to establish which technology offers the lowest technical and environmental risk for Auckland City’s EfW potential requirements.
- Design for an adequate buffer zone around the plant site
- Higher order use of wastes according to the Waste Hierarchy moving from “Disposal” to “Recovery of energy” and “Recycling” for metals and ash generated from the process
- Compliance with stringent European Union Industrial Emissions Directive (IED 2010/75/ EU) .

Flue Gas Treatment residues

The main source of Prescribed Industrial Waste PIW would be from the flue gas treatment residues (FGTr), which are the fly ash residues from the air treatment system. Typically these residues comprise 3-4% of the input fuel by weight.

This material would contain minor amounts of hazardous components such as heavy metals (e.g. cadmium, chromium, copper, magnesium) mixed with mostly unprocessed cleaning reagents such as lime and activated carbon.

FGTr would be contained and disposed of offsite to an appropriately engineered and licensed landfill by a licensed waste contractor, either directly after recovery or following treatment.

Noise

With reference to the Australian EfW plant, their applicable EPA guideline is Noise for Industry in Regional Victoria (NIRV). A noise assessment was conducted in accordance with NIRV, which included the calculation of noise limits and design targets.

The assessment found that the noise contribution from the proposed EfW plant would meet EPA limits at recording stations, particularly the nearest residential recording points to the north, south, east & west of the site.

During the detailed design phase, there will be opportunities to consider additional mitigation measures to reduce potential noise impacts. This would include identifying dominant noise sources, including:

- Noise from the boiler house
- Water Cooled Condensers (WCCs)
- Truck and/or train noise

Greenhouse gas emissions

The EfW plant would result in a net reduction of approximately 254,000 tonnes of CO₂ emissions each year in comparison to the waste going to landfill. This is equivalent to removing over 46,000 cars from our roads each year.

Conclusion

The proposed 102 MWth EfW plant for Auckland is a significant \$400 million project over 20 years that would provide a welcome contribution of baseload energy supply to the Auckland City grid of 29MWe, equivalent to powering some 35,000 homes.

The energy security established from the project would support the City's waste management operations in an economically viable manner. It would generate energy-related employment opportunities through the construction and the ongoing operational phases, and bring significant social and economic benefits to Auckland City and region.

A comprehensive set of environmental assessments would be conducted to ensure compliance with all regulatory constraints. It is anticipated that the Auckland EfW case will correspond to the Australian EfW case. The Australian assessments all concluded that potential environmental impacts from the project would be low. The Australian assessments also support claims for the numerous benefits that the project would provide at a local, regional and state level.

This White Paper has been prepared by Oceania Marketing Services Ltd for discussion purposes only and cannot formally represent the interests of Hitachi Zosen Inova Australia Pty Ltd or any of its affiliates.

The purpose of these discussions is to engage with the Auckland City Council and consider the case for an EfW plant for the city.

The next step would involve an educational workshop with Council representatives conducted by the Hitachi Zosen Inova Australia Pty Ltd regional manager from Sydney. At that time, should the Council representatives consider advancing the City's interest in the EfW plant, those qualified authorities would join the City into a non-binding Memorandum of Understanding with Oceania Marketing Services Ltd to that effect.

(All illustrations courtesy of Hitachi Zosen Inova Australia Pty Ltd,. Australia)

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Incineration in Asia - a viable solution?

By Dr. Alexander Skaria, Friday 25 May 2018

Asia's growing economies will generate increasing amounts of waste which require a proper and environmentally safe disposal.



Dr. Alexander Skaria.

According to the World Bank, municipal solid waste (MSW) generation is going to double by 2025, keeping in mind that OECD

Related Articles

countries are still producing the majority of that waste. In Asia, the current average waste generation is approximately 0.9kg/capita/day and is set to increase to 1.5kg/capita/day as the economy develops. The current waste production in Asia stands approximately at 738,000 tons/day and will increase to 1,865,000 tons/day in 2025. The waste disposal in this region will be one of the major challenges in the years to come.

Waste incineration is not a low-cost technology and investment in this technology should be targeted carefully. MSW incineration should only be applied to waste which cannot be recycled in a way that creates usable products and at the same time eliminate pollution. In other words, you don't want to spend money to burn products which could be used or sold elsewhere.


That said, if a recycling process generates in itself harmful waste or products which have no market value (e.g. polluted compost, mixed waste as residue of the RDF separation) and as a result these residues need to be landfilled, it is preferable to directly incinerate MSW since incineration maximises the reduction of waste and destroys pollutants and plastics before they get distributed in the environment.

Country	Per Capita Urban MSW Generation (kg/day)	
	1999	2025
Low Income Countries	0.45-0.9	0.6-1.0
Middle Income Countries	0.52-1.1	0.8-1.5
High Income Countries	1.1-5.07	1.1-4.5

TYPICAL WASTE GENERATION PER CAPITA SOURCE: WORLD BANK

Redistribution of waste is a major concern. In particular, plastic pollution and micro-plastics are recognised as a major problem worldwide. Several scientists have argued that we are now living in an anthropocene or an "Age of Plastic," as our plastic waste leaves noticeable traces on rock layers of mountain tops to deep ocean floors and can be fossilised into the far future. Not to mention the yet unknown risks of plastic entering our food chain.



Waste a safer space today 



KMH Environmental and pitt&sherry merge



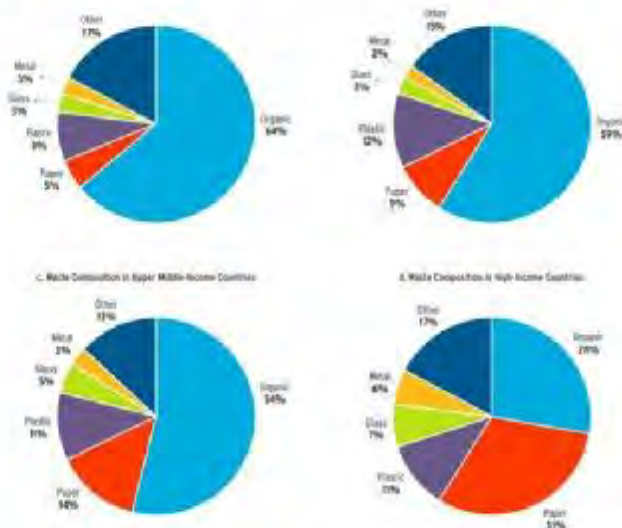
The state of the waste data



Research to stop pipes bursting



Premier's Sustainability Awards finalists announced



TYPICAL MSW COMPOSITION BY COUNTRY INCOME SOURCE: WORLD BANK, 2012

Methane emissions from biomass in landfills contribute to the greenhouse gas effect to a larger extent than potential carbon dioxide emissions resulting from incineration. Furthermore, uncontrolled burning of waste on landfills, which happens more often than not, emit uncontrolled dioxins and furans in high concentrations, those exact components which are often raised as main argument against MSW incineration.

In summary, waste disposal in landfills, scavenging for waste separation and partial waste incineration without proper segregation cannot be the solutions for the growing waste generation worldwide and in particular in Asia.

Component	Proximate Analysis, % of weight				Calorific value, kJ/kg		
	Moisture content	Volatilities	Fixed Carbon	Ash	As collected	Dry	Moisture/ash free
Paper	10.2	76.0	8.4	5.4	15,750	17,530	18,650
Newsprint	6.0	81.1	11.5	1.4	18,550	19,720	20,000
Food Waste	78.3	17.1	3.6	1.0	4,170	19,230	20,230
Meat Waste	37.7	56.3	1.8	4.2	17,730	28,940	30,490
Grass	75.2	18.6	4.5	1.7	4,760	19,250	20,610
Green Logs	50.0	42.2	7.3	0.5	4,870	9,740	9,840
Plants	54.0	35.6	8.1	2.3	8,560	18,580	19,590
Rubber	1.2	84.0	5.0	9.8	25,590	26,230	29,180
Leather	7.5	57.1	14.3	21.1	16,770	18,120	23,500
PVC	0.2	86.9	10.9	2.0	22,590	22,640	23,160

TYPICAL WASTE COMPOSITION: PROXIMATE ANALYSIS AND CALORIFIC VALUE OF MSW SOURCE: WORLD BANK 2012

Waste reduction through separation at landfill

Many proponents argue that waste reduction through separation and recycling of waste is an effective method to reduce waste. While it does allow for some plastics, metal and paper to be recycled, the majority of waste still remains in the landfill.

Waste separation processes after collection of waste, such as they are currently applied in Asia, leave a final residue which still needs to be landfilled and in my point of view are therefore not a sustainable solution. The plastic residues are not fully removed from the final residue and this final product is still a potential polluter through uncontrolled burning, methane fermentation and leaching of chemicals. Therefore, alternative ways of waste management should be considered and many European countries have good examples how this can be managed.

Waste reduction at the source - a strong case for separate waste collection

As mentioned in the introduction, waste incineration is not a low-cost technology and it is important to only treat waste which has no further usage. Furthermore, a waste incinerator has technical limitations what it can burn, in particular with regard to the calorific value of waste. The higher (also with certain limitations) the calorific value of waste, the more efficient the combustion process and the more cost efficient the investment. In order to get reasonably high calorific value for MSW it is important to reduce moisture and organic material.

Organic material is in most cases introduced as vegetable and food waste. Vegetable and garden waste are large contributors to moisture, and moreover are much more efficiently treated in a composting plant instead of a waste incineration, hence it would be prudent to collect this type of waste separately which at the same time makes it a more valuable resource.

While it is true that it is very difficult to force households to start separate bio-waste collection, it can be a relatively easy start to collect this waste separately in fresh markets and shopping malls. These facilities could supply sufficient amount of organic waste to justify the development of a composting plant. Organic waste which is correctly collected and not mixed with other hazardous waste like plastic, batteries, glass, etc. will have a market value. Once people notice the benefit of such a system the government or municipalities should promote this kind of separate collection through education and/or economic incentives combined with expansion of separate collection centers in certain cities or districts.

Other waste streams could be collected similarly in larger shopping malls, e.g. PET bottles, aluminum cans, glass bottles etc. through dedicated collection points as is done in many European cities.

Currently, the waste in most Asian countries is separated at the landfill site, after it has been collected. That results in polluted fractions for all waste streams, e.g. organic waste is polluted with plastics and batteries, plastic is polluted with food, etc. and as a result none of the fractions really have a proper market value. As an example, one single battery in one ton of organic waste makes it unsuitable as soil enhancer or compost because it exceeds the limitations for heavy metals and so most likely unsold compost will end up back in the landfill.

After having collected organic waste and other recyclable waste, the remaining waste cannot be utilised or recycled and should be incinerated. The advantage of this system is that:

- a) The recyclable products are collected separately in relative clean fractions.
- b) The amount of waste to be incinerated gets reduced.
- c) The calorific value of the MSW to be incinerated improves significantly.

All good reasons to introduce such a system. But it requires governments to take up the initiative and introduce suitable policies. This system does not develop by itself and no private developer can introduce it on a large scale on its own.

Waste incineration - MSW vs. RDF

Several developers and suppliers promote RDF as opposed to MSW incineration because the fuel has a better quality, less moisture and thus higher calorific value. Nonetheless, from the reasons I mentioned above, RDF is not a final solution for the waste treatment as long as there is no separate waste collection system, simply because it treats only one part, the best part, of the waste stream and a large portion of the residue, containing plastics and other pollutants is left to be landfilled.

Most Asian countries allocate their budgets mainly for waste collection and only a minor portion for waste treatment. Some Asian countries try to circumvent this budgetary problem by inviting private developers to build waste to energy (WtE) plants and giving an incentive for the electricity sold. That forces the developers to optimise the power plant and most importantly fuel efficiency because payment is made for generating electricity as opposed to getting rid of the waste e.g. through a tipping fee. This approach defeats the purpose of eliminating the waste and as a result many

private developers in these schemes resort back to using RDF or pure industrial waste instead of MSW which then brings us back to the initial problem that not all waste is properly disposed. MSW incineration should be a solution that makes landfilling obsolete. Hence in absence of a systematic and separate waste collection for biodegradable waste, direct MSW incineration is in my view the preferred method of waste treatment. It ensures that no plastic residues and other polluting residues are spread in the environment.

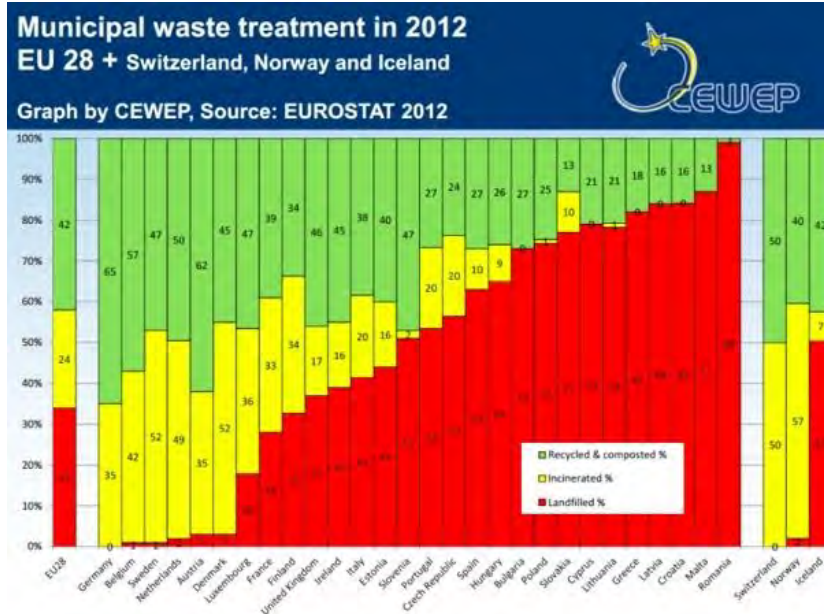
The other argument against MSW incineration is the formation of dioxins and furans. The technologies to limit emissions of these toxins have been developed and applied successfully over the past decades. The majority of MSW incineration plants in Europe demonstrate that both dioxins and furans can be removed from the flue gas to levels below 0.1 ngTEQ /Nm³, well in line with World Bank and EU standards.

RDF works well in countries which have a well-developed separate waste collection or in cases where remote areas send their waste to a central MSW incineration plant and are forced to reduce the volume by producing RDF. In absence of such a separate waste treatment or remote plant, direct MSW incineration should be the preferred solution.

Waste incineration vs. gasification

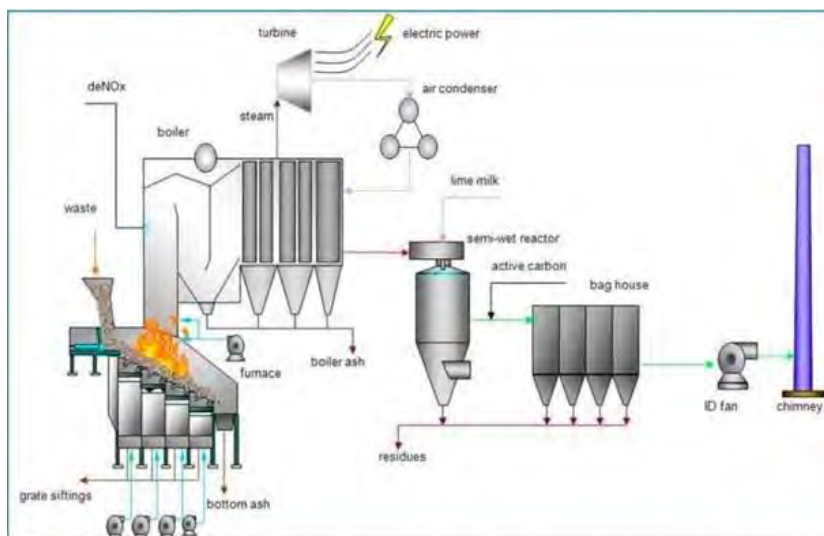
Back at the end of last century, gasification of waste was introduced into the markets in Europe as being the magic bullet for MSW treatment. The main difference between incineration and gasification is the formation of a syngas under sub-stoichiometric conditions, i.e. under very low oxygen content. The syngas is then burnt in a separate chamber at high temperatures. Some other, more exotic processes use this syngas to produce oil. The main argument was lower amount of flue gas due to lower excess oxygen and the fly ash being molten at high temperatures and crystallised to glass, thus keeping all heavy metals and pollutants locked in this glass. Examples of such technologies were the much praised Thermoselect process, the JFE Process and a Siemens KWU Schwarze Pump Process. Only a very limited number of projects primarily using a very selective RDF have been operated in Europe with mixed success and many plants closed down operation. Some of the technologies were bought by Japanese companies and built in Japan. The driving force was the high cost of final landfilling of the fly ash but even so, most of these plants in

Japan have stopped operation. Main problems are plant low reliability, formation of tar which requires regular cleaning, high operation cost, and as far as we are aware, currently only one new plant is being planned (using pre-treated RDF) in UK. No new plants are planned or built neither in Japan nor in Europe.



WASTE TREATMENT STATUS IN EUROPE

As for the future in Asia, MSW gasification is not a viable solution. It has not really proven to be economically viable on a large scale. Furthermore, the main argument in favor of gasification, landfill cost for ash is not really applicable, because landfilling cost for fly ash is still cheap. Environmentally, none of these technologies have proven to be superior to direct MSW incineration.



MSW INCINERATION PROCESS: MSW INCINERATION PROCESS

MSW stoker incinerator vs. circulatory fluidised boiler (CFB)

CFB technology is praised by some suppliers as the preferred technical solution for MSW treatment. In cases where the developer has chosen RDF as fuel, this technology is indeed suitable. However, it needs to be pointed out that for the reasons I have mentioned above, RDF production from waste is not a sustainable solution for waste disposal. CFB technology has a much more limited fuel flexibility compared to stoker incinerators. Not only is fuel calorific value limited but also fuel size, since all fuel needs to be shredded before it enters the incinerator.

As a general guideline, the most flexible technology which allows MSW to be treated directly without any further pretreatment is the stoker or step grate MSW incinerator. It is for this very reason why over 90% of all plants in Europe and Japan are based on this technology.

Conclusion

Efficient and effective waste disposal requires a government level policy which takes a holistic approach into account. The goal should be the reduction of waste through separate waste collection, efficient recycling of waste, biological treatment of organic waste and incineration of residual waste.

RDF preparation from waste and RDF incineration is a measure applied to improve the economics of incineration mainly due to lack of proper waste policies. It does not provide a solution to get rid of MSW landfills.

Waste gasification is a technology with some limited applications in Japan, but it has not been successfully operated in any European country where the vast majority of MSW treatment is based on stoker incineration.

Modern MSW incineration technologies, if properly designed and operated are safe and emissions of pollutants are controlled. Dioxin and furan emissions are kept within the limits set by the EU and World Bank.

Dr. Alexander Skaria is director of engineering and marketing of Pöyry Energy Ltd., Thailand. In the last 25 years, he was involved in various thermal power plants, flue gas de-sulfurisation plants, waste-to-energy plants, gasification plants and various manufacturing plants and industrial parks in Switzerland and in Southeast Asia. His technical qualifications cover the conceptual design, preparation of tender documents and cost estimates, bid

evaluation and contract negotiations, detailed design and site supervision.

LISTED UNDER TAG : [INCINERATION](#), [MSW](#), [WASTE TO ENERGY](#), [ENERGY FROM WASTE](#), [ADVANCED TECHNOLOGY](#)

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From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 1:30:12 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9946] Submission received on notified resource consent
Attachments: White Paper on Waste to Energy for Auckland .docx (1.19 MB), 20180529 Incineration in Asia - a viable solution_ -Inside Waste-1.pdf (301.03 KB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Chris Newman

Organisation name: First Nation Association of New Zealand

Contact phone number: 0221933980

Email address: chrisn@surfer.co.nz

Postal address:

2/394 Mount Eden Rd.
Mount Eden, Auckland
Mount Eden, Auckland 1024

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Auckland Council must never surrender good land for use as landfill. The Council must support the next level of waste management practice as I outline below:

- There are concerns of run-off and leakage from the proposed landfill which could damage the Kaipara harbour ecology.
- The residual waste stream should go to a waste-to Energy plant located in the urban region.
- The landfill does not fit the definition of Sustainability so the recycling and reuse and reduce approach must be implemented city-wide.
- Source separation of organics for composting an anaerobic digestion is a needed step in the waste stream to reduce overall volume.

What are the reasons for your submission?

Auckland Council's declared goal of Sustainability should preclude the use of landfills in the way this one is proposed.

- Exposing Auckland ratepayers to a Chinese Communist Party (CCP) owned operation like Waste Management is a

most unwise step - when the Communist Chinese masters decide to abandon the landfill Auckland residents will be left with the mess and will have to carry all the long-term liabilities.

- Covid-19 demonstrates that the CCP has no other interests than its own, so Auckland Council would most likely have no support for this proposal should it go to a resident's referendum.

- The landfill emissions from the residual and organic wastes will make a mockery of Council's policies on reducing greenhouse gases - the CO₂, methane and other gases caused by the landfill PLUS the vehicular movements of the waste will create a huge carbon footprint for this landfill.

- The increased volumes of medical waste in a COVID environment should be burned in a waste to energy plant - not landfilled where they pose a health risk to landfill workers.

The emmbrane to seal the landfill remains a risky proposition as it will be exposed to the chemical soup of many noxious substances in the landfill - these chemicals should be destroyed in a Waste to energy plant instead.

- The ongoing costs of monitoring the toxic leachate, the outgassing, risks of soil and groundwater pollution are too high to impose on our bioregion, especially when the waste to energy option is a proven solution to the problems.

What decisions and amendments would you like the council to make?

Council should implement a short and long term strategy to manage municipal waste. The residual wastes after recyclables are extracted from the stream should go to a waste to energy facility and the non-combustibles to various reclaiming processes e.g. concrete building waste can be recycled. The reduction of the waste stream volume should be implemented through the available and proven technologies and only a very small remnant landfilled. This approach will prevent the large-scale type of landfill proposed by the CCP operation waste Management.

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:

White Paper on Waste to Energy for Auckland .docx

20180529 Incineration in Asia - a viable solution_ -Inside Waste-1.pdf

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 1:30:13 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9947] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: SHIRLEYANNE EVANS

Organisation name:

Contact phone number: 021300903

Email address: SHIRLEYANNEEVANS@XTRA.CO.NZ

Postal address:

PO BOX 341
MANGAWHAI
KAIPARA 0540

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

BELIEVE IT IS CONTRARY TO THE RESOURCE MANAGEMENT ACT. ALSO BELIEVE IT IS CONTRARY TO THE PRINCIPLES OF THE ELECTED MEMBERS OF THE AUCKLAND COUNCIL WHO SHOULD BE SUPPORTING THEIR CONSTITUENCIES.

What are the reasons for your submission?

SIGNIFICANT DANGER TO OUR LOCAL RIVERS AND HARBOUR. OUR AQUATIC LIFE, LIKE EELS AND SEAGRASS MAY BE IN SIGNIFICANT DANGER FROM LEACHATE. EXPERIENCE AROUND NZ HAS SHOWN THESE MODERN LANDFILLS DO LEAK AND DO CAUSE ENVIRONMENTAL DAMAGE - DO WE REALLY WANT THAT FOR OUR BEAUTIFUL DOME VALLEY, HOTEQ RIVER AND KAIPARA HARBOUR? SH1 IS ALSO VERY CONGESTED NOW, APPRECIATE THERE IS A NEW BYPASS BUT THE NUMBERS OF TRUCKS PROPOSED WILL TAKE AWAY ANY BENEFIT OF USING THAT NEW ROAD.

What decisions and amendments would you like the council to make?

REJECT IT AND FIND AN ALTERNATIVE LOCATION WITH LESS POTENTIAL ENVIRONMENTAL DAMAGE

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:

Chief Executive
Auckland Council
unitaryplan@aucklandcouncil.govt.nz

26 May 2020

Leane Makey
859 Kaipara Flats Rd
Warkworth 0941
lmakey@slingshot.co.nz

re. Submission to Resource Consent Application BUN60339589, Waste Management NZ Ltd, 1232 SH1, Wayby Valley.

Summary

I wish **to be heard** on my opposition to this proposal.

I do not wish to be joined with other submitters.

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

Submission

1. My name is Leane Makey. I live in Kaipara Flats alongside the Hoteo river and Kaipara harbour. I live and work on the health of the Kaipara harbour and its many land-sea ecosystems across the harbour-catchment area. I am a marine ecologist with a PhD in social-indigenous geography. My doctoral research was a critical analysis of the ecosystem-management of the Kaipara harbour and generally, in settler-colonial contexts.
2. I write about the Kaipara harbour and ecosystems because the proposed landfill is to be positioned in one of the Kaipara's largest catchments, the Hoteo river catchment. In fact, the Hoteo and some of its many tributaries flow through the proposed landfill site in Wayby Valley. The Kaipara estuarine ecosystem is not separate from its land (terrestrial and freshwater) ecosystems. They are one and the same. Any adverse and violent impact to one part of the system, affects other parts of the system and this includes societies within these systems. Unfortunately, since colonisation this violence to nature continues today, unchecked and unseen, except by those whom experience and live with that settler-colonial violence. Cumulative effects have attempted to be quantified through an ecological viewpoint without a consideration of the integrating aspects of societal linkages; and specifically, social difference (e.g., gender, ethnicity, race, class etc).
3. All of Kaipara ecosystems have been altered and dominated through settler-led governance and management policy and actions. Ecologically, the Kaipara is now one of the most degraded ecosystems in Aotearoa New Zealand as a result of ongoing sedimentation pollution through unsustainable landuse and management. For the Indigenous people of Kaipara, Ngāti Whātua, the violence demonstrated and applied to their most beloved family member, Kaipara, continues to conjure ongoing feelings of maemae and trauma. My point is, Kaipara nature is already degraded ecosystem with Indigenous peoples already experiencing the far-reaching effects of the violence of settler colonialism, this proposed landfill upholds and continues to achieve this degradation and violence. The proposal is positioned on the notion that nature will freely provide the service of holding, breaking down, recirculating waste (generated by humans) of all types - industrial, plastic, vegetation, nonorganic and so on. I oppose such capitalist notions of nature.
4. The whole waste management proposal does not align with the vision set forth by the iwi, hapū and community in partnership with local and central government for Kaipara harbour, catchment and ecosystems. That being 'a healthy and productive Kaipara harbour'. Since the late 1990s, hapū, as kaitiaki, have been at the forefront of restoring and protecting their family member. This has cumulated in grass-roots action to stem the flow of pollution violence
5. The proposal is in conflict with the restorative efforts being led by the hapū and whanau of Ngāti Whātua, Te Uri o Hau and Kaipara Uri. Recent central government budget for 2020 announcement see's over \$5 million towards restoration and conservation of the Kaipara. Furthermore, there is also an Aukai Rahui (declared in June 2019) in the Wayby

Valley which was placed by the local hapū and kaumatua. Mauri stones were placed in waterways and tributaries of the Hoteo river.

6. The proposal does not meet the purpose and principles of the RMA, Auckland Unitary Plan, Waste Minimisation Act 2008, and Auckland Waste Management and Minimisation Plan. Furthermore, NPS for Freshwater, NPS for Biodiversity and the Fisheries Act.
7. I recognise that waste is an issue for our current generation and communities, but it is no longer up to nature to deal with it and for humanity to expect nature to play such a role. Landfills are prehistoric technology and a band-aid approach to a significant societal problem. I would hope in the future Auckland Council can signal to potential waste management entrepreneurs that nature is no-longer an option as it is unethical and unjust.

Kind Regards,



Leane Makey
BSc (Hons), PhD (Env Sci)

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 1:45:10 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9948] Submission received on notified resource consent
Attachments: LeaneMakey_SubmissionLetter_Supporting Document.pdf (108.66 KB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Leane Makey

Organisation name:

Contact phone number: 094225215

Email address: lmakey@slingshot.co.nz

Postal address:

859 Kaipara Flats Road, RD1,
Warkworth
Warkworth 0941

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

All of the proposal

What are the reasons for your submission?

See supporting document

What decisions and amendments would you like the council to make?

I would like the council to decline the resource consent completely.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 1:45:12 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9949] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Carol Dawn Weaver

Organisation name: 1958

Contact phone number: 0212589817

Email address: carolweaver78@hotmail.com

Postal address:

205 Wayby Station Rd
Auckland
Auckland 0972

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:
environmental

What are the reasons for your submission?

The Dome is a beautiful natural environment used by trampers and fitness enthusiasts from NZ and overseas. There are regularly many cars parked at the bottom belonging to users. It would destroy a natural resource that helps bring in much needed tourist dollars.

The Dome is a micro-climate that does not follow Wellsford rainfall patterns. It floods or partially floods every winter. This could not only cause leachate but also being a pit, could overflow into the beautiful Hoteo and eventually Kaipara

What decisions and amendments would you like the council to make?

Do not grant consent for this landfill

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 1:45:12 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9950] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Jane Pashley

Organisation name:

Contact phone number: 0211540456

Email address: jpash21@gmail.com

Postal address:

6c Clifton Lane
Snells Beach
Snells Beach 0920

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:
the construction of a landfill in the dome valley

What are the reasons for your submission?

i object to the landfill on the grounds of the increased traffic on state highway one. This is a dangerous road already and the thought of 500 trucks a day going to the landfill will only add to the danger. The landfill should not go ahead until the motorway has been extended from Warkworth to Wellsford and as this doesn't seem to be happening anytime soon the landfill should not be allowed.

What decisions and amendments would you like the council to make?

decline the application

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. No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 1:45:12 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9951] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Michelle Worth

Organisation name:

Contact phone number: 0225307309

Email address: michie.suzanne@gmail.com

Postal address:

462 wright road
Matakana
Auckland 0985

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Location of site. Requirement for site.

What are the reasons for your submission?

1. We should be focusing on reduction of waste going to landfill.
2. The location of this site is in a high rainfall area, in native bush and waterways leading to beautiful harbours. A landfill at this site has the potential to cause devastating damage to an area which has a regenerating native bird population.

What decisions and amendments would you like the council to make?

Decide against providing resource consent. Invest in alternative waste management options, reduction, reuse and recycle.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 1:45:14 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9952] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Arlette Farland

Organisation name:

Contact phone number: +64275512131

Email address: arlette.farland@clgroup.co.nz

Postal address:

142 Anderson Road
Matakana
Matakana 0985

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

All of it

What are the reasons for your submission?

Why in the 21st century are we hiding rubbish out in the bush? This is my bush, I live near here. I dont want the environmental damage this landfill will make on flora, fauna and waterways. It is absolute rubbish (pardon the pun) that this can be minimised.

What decisions and amendments would you like the council to make?

I want this landfill stopped and for Auckland council to come up with more sustainable methods of controlling Aucklands waste.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 1:45:15 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9953] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: justin sands

Organisation name:

Contact phone number: 0274198271

Email address: justin23sands@gmail.com

Postal address:

10 Hindle Road
Auckland
Auckland 0975

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Environmental impacts and extra truck traffic on the road

What are the reasons for your submission?

I think the risks to the environment and peoples lives is to large for the landfill to be in the dome

What decisions and amendments would you like the council to make?

Find a more suitable place for the landfill with less environmental and traffic problems

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 2:00:14 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9954] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Diana Russek

Organisation name: Russek Family

Contact phone number: 0272739769

Email address: russekdi@gmail.com

Postal address:

198D Devich Road
Wellsford
Wellsford 0975

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

All aspects

What are the reasons for your submission?

I do not think that the site proposed as a landfill by Waste Management, is a suitable site for a landfill with all the inherent potential for hazardous substances to leach into the upper reaches of the Kaipara Harbour via the Hotoe River and the multiple tributaries that run off the proposed land on which the landfill will be based. Waste Management are no longer a NZ owned firm so have no real sense of a duty of care for our country and the land and our Kaipara Harbour. Auckland council are derelict in their duty in that this is even being considered. This may be Auckland City included by statute that created the super city but all the land that boundaries on the Kaipara Harbour should be in the hands of the one council that borders the northern part of the Kaipara so that decisions are made for the benefit of the whole of the Kaipara Harbour. The Auckland Council need to investigate new technologies/strategies to reduce waste in the city and not just farm it out into the northern reaches of the district where the town dwellers can't see it.

What decisions and amendments would you like the council to make?

I would like to see the council refuse both the parts of the process - both the Resource Consent and the Private Plan Change.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 2:00:14 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9955] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Jaime-Lyn

Organisation name:

Contact phone number: 0273016008

Email address: jacaty@outlook.com

Postal address:

6 Charles street
Upper hutt
Wellington 5018

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Oppose a landfill in dome valley

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

No to creating a lanfill in dome valley

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:

Dome Valley Landfill Proposal (1232 State Highway 1, Wayby Valley)

BUN60339589

Submission of Ngāti Whātua Ōrākei

26 June 2020

1 Summary of Submission

1. This is a submission on a resource consent applications by Waste Management NZ Ltd for a private plan change to establish a new class 1 landfill facility, as set out in the application dated 31 May 2019 and supporting information (the proposal).
2. The full legal description for the property is identified in the Assessment of Environmental Effects (AEE).
3. Ngāti Whātua Ōrākei **fully opposes** the entire application. Reasons are set out below.

The interests of Ngāti Whātua Ōrākei

4. The application site is not within the rohe of Ngāti Whātua Ōrākei. However, the bulk of the waste to be deposited in the proposed landfill facility will come from the Auckland urban area, where Ngāti Whātua Ōrākei hold ahi kaa and mana whenua. The imposition of waste from our rohe on another iwi is culturally offensive – it degrades the mana of both ourselves and the recipient iwi.
5. Therefore, although the application site is not within the rohe of Ngāti Whātua Ōrākei, we are submitting in support of related hapū who are the ahi kā at Dome Valley namely Ngāti Rango and Te Uri O Hau. Ngāti Whātua Ōrākei also recognises the mana whenua interests of Ngāti Manuhiri. Ngāti Whātua Ōrākei does not claim mana whenua interests at Dome Valley and is submitting in opposition as an expression of its whanaungatanga to those hapū and iwi who hold the mana at that place.
6. Ngāti Whātua Ōrākei Ōrākei also notes that Te Rūnanga o Ngāti Whātua is assisting those hapū with the submission process. The Rūnanga was established to create a unified body representative of the whole of Ngāti Whātua. The Rūnanga Board of Trustees comprise hapū representatives from five takiwā including Ngāti Whātua Ōrākei. Ngāti Whātua Ōrākei fully supports the position of Te Rūnanga in this matter.
7. Ngāti Whātua Ōrākei is therefore 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.
8. Ngāti Whātua Ōrākei is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (the Act).
9. This submission relates the application in its entirety.

Reasons for this submission:

10. The proposal does not promote sustainable management and is inconsistent with the purpose of the Act.
11. The proposal is inconsistent Part 2 RMA. It results in adverse effects to:
 - (a) the s6(e) RMA relationship between Māori and their culture and traditions, whanaungatanga and tikanga over their ancestral lands, waters, sites, wāhi tapu and taonga;
 - (b) the exercise of kaitiakitanga (s7(a));
 - (c) implementation of the principles of Te Tiriti o Waitangi (including rangatiratanga and the active duty to protect taonga);
 - (d) the preservation of the natural character of ... wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate use and development s6(a);
 - (e) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna s6(c);
 - (f) the ethic of stewardship s7(aa)
 - (g) the efficient use and development of natural and physical resources s7(b)
 - (h) the efficiency of the end use of energy s7(ba)
 - (i) the maintenance and enhancement of amenity values s7(c)
 - (j) intrinsic values of ecosystems s7(d)
 - (k) maintenance and enhancement of the quality of the environment s7(f)
 - (l) any finite characteristics of natural and physical resources s7(g)
12. The proposal results in more than minor, and significant and actual and potential adverse effects on the environment. These include:
 - Adverse cultural effects to Māori and the related cultural landscape where the proposal is located;
 - Adversely affects Ngāti Whātua while providing for the practical expression of kaitiakitanga including their tikanga of:
 - Hau (a strategy that relates to air quality and airwaves)
 - Hua (a strategy related to land-based activities)
 - Tai (a strategy to improve marine-based activities);
 - Rāhui instituted by Te Rūnanga o Ngāti Whātua and their hapū and Marae in opposition to the proposal;
 - Intergenerational impacts including future generations impacted by the long term landfill legacy
 - Adverse terrestrial, aquatic and estuarine biodiversity effects;
 - Impacts on freshwater, including Te Awa Hōteu and its catchments, and risk of discharge of contaminants to Te Awa Hōteu and Kaipara Moana affecting te mana o te wai;

- Discharge (and unacceptable risk of discharge) of contaminants to water, land and air;
- Adverse impacts to Papatūānuku and mauri;
- Significant stream diversions & reclamations (exceeding 15.4 km)
- Leachate (water and landfill gas)
- Climate change and greenhouse gas emissions
- Intrinsic values, amenity, and quality of environment
- Landscape and natural character
- Traffic generated by the proposal

13. The proposal fails both gateway tests contained in s104D of the RMA.

14. The proposal is contrary to the relevant objectives and policies of the Auckland Unitary Plan.

15. The proposal is inconsistent with other relevant provisions of the Auckland Unitary Plan including the Regional Policy Statement.

16. The proposal has not assessed the relevant cultural effects from all impacted mana whenua and tangata whenua. Waste Management NZ Ltd and Council have failed to undertake best practice consultation and engagement; resulting in inadequate information on cultural and other effects of the proposal. The proposal does not achieve the requirements of the RPS for engagement with those holding mana whenua. This includes opportunities for active participation, partnership and meaningful engagement.

17. The evaluation and analysis fails to consider section AA of the NPS Freshwater Management 2017 and New Zealand Coastal Policy Statement 2010, including policy 2 and 11.

18. The proposal fails to address:

- (a) Alternative methods and sites that result in more appropriate and sustainable long term outcomes for the region.
- (b) Relevant benefits and costs;
- (c) Uncertainties and risks;
- (d) Alternative locations, reduced intensity and scale;
- (e) Other reasonably practicable options for achieving the objectives;
- (f) A summary of consultation with tangata whenua, advice received and response to that advice.

19. Regarding (a) above, the proposal does not reflect a sustainable approach to waste management for the Auckland region in light of best practice, nor the *Zero Waste 2040* strategy of the Auckland Waste Management and Minimisation Plan. The proposed landfill is stated to have an operational life in excess of 35 years with a waste input of approximately 500,000 tonnes per annum. If the landfill were to be consented, engineered and become operational by say, 2025, then it would be in operation until 2060. This is simply a continuation of “business as usual” waste management. A landfill of this scale acts as a long term disincentive to achieving the required shift to sustainable waste management practice. The landfill capacity sought in the proposal is out of proportion to any reasonably predictable need in the long term, even if a “predict and provide” philosophy were considered appropriate.

The information available on site selection is scant. Nonetheless it is apparent that achieving a large landfill capacity ranked highly in the assessment (site size was afforded a weighting of 4 out of 5 – above the geotechnical and environmental constraints).

20. Regarding (c), there are a number of risks associated with establishment of the landfill in this location which have not been adequately addressed. For example, much faith is placed on site engineering to achieve groundwater protection over a very long time (in practice well beyond that modelled). Risk of failure over the long term is not adequately addressed: for example, in the Geotechnical Interpretation Report accompanying the parallel resource consent application it is stated (p.14):

Feedback received during community consultation by WMNZ in October and November 2018 was that the land is prone to forming sub-surface voids, which are likely caused from piping effects in the residual soil. No sub-surface voids were encountered in these geotechnical investigations, however the ecology team identified a couple of these features at shallow depths in the Western Block.

And in terms of the risk management response simply:

These features are isolated and can be easily removed during construction, and filtered drainage installed where required.

There is no consideration of the possibility that such features may recur during the lifetime of the landfill, nor of the potential consequences.

21. Regarding site selection, the report accompanying the application (BUN60339589 Appendix D Site Selection) states that *“This report does not identify the other sites considered. This is due to commercial sensitivity and the potential impact on current landowners of the other sites...”* (para 1.1). This is simply unacceptable given the acknowledged scale and significant adverse effects of the proposal. The process of consideration of alternatives must be transparent.

Relief sought:

22. Ngāti Whātua Ōrākei requests that the proposal should be declined in full.
23. In the event it is not declined, then substantial amendments are required, as set out above. For clarity, this includes avoiding adverse effects on:
- the whenua and awa of the Kaipara Harbour
 - the exercise of kaitiakitanga by mana whenua iwi, hapu and whanau
 - future generations
 - the exercise of rāhui by mana whenua iwi, hapu and whanau
 - terrestrial, aquatic and estuarine environments
 - climatic destruction
 - natural character and landscape
 - communities in close proximity to the landfill, in relation to traffic, amenity, odour and noise.
24. If the application is approved, then substantial amendments are required to the provisions to address the relevant adverse effects identified above. This includes amendments to the description, objectives, policies, methods and rules, to ensure adverse effects on the matters identified are avoided.
25. I wish to be heard in support of my submission and will take part in mediation, expert caucusing, or further engagement, where directed by the Hearing Panel, or consistent with the outcome identified above.
26. If others make a similar submission, I will consider presenting a joint case with them at the hearing.

Signature of submitter
[or person authorised to sign on behalf of submitter]



Andrew Brown 26 May 2020
On behalf of Ngāti Whātua Ōrākei

Electronic address for service of submitter:

Telephone: 207 5300566

Postal address *[or alternative method of service under [section 352](#) of the Act]:*

By email to: andrewb@nwo.iwi.nz

Contact person: Andrew Brown, Strategic RMA Advisor

With copy email to Counsel: Rob Enright, Barrister, rob@publiclaw9.com

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 2:15:12 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9956] Submission received on notified resource consent
Attachments: NWO RC submission.pdf (277.79 KB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Andrew Brown

Organisation name: Ngati Whatua Orakei

Contact phone number: 0275300566

Email address: andrewb@nwo.iwi.nz

Postal address:

59b Kitemoana Street, Orākei, Auckland 1071 PO Box 42 045
Orakei
Auckland 1071

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Application in its entirety

What are the reasons for your submission?

Please see attached submission

What decisions and amendments would you like the council to make?

Decline the application in full

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 2:15:13 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9957] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Vicki Lowther

Organisation name:

Contact phone number: 021753138

Email address: vicki@lowtherfamily.co.nz

Postal address:

PO Box 125180
St Heliers
Auckland 1740

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The location of a dump within the dome calley

What are the reasons for your submission?

The dump is to be located in an area of native bush with potential for leaching to waterways, and close an expanding Residential area. As a resident of Warkworth, I would like to see the regions areas of natural beauty and importance protected.

What decisions and amendments would you like the council to make?

I would like council to refuse the application on the basis of its location. It should be relocated to an area of marginal land further from waterways.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 2:30:10 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9958] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Thomas Wallace

Organisation name:

Contact phone number: 0274922975

Email address: pipeywallace41@gmail.com

Postal address:

P O Box 233 Kaiwaka
Northland - Kaiwaka
Northland - Kaiwaka 0542

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Leachate issues; traffic issues and safety.

What are the reasons for your submission?

The area is very flood prone, which could impact on the ability to retain all hazardous or toxic waste leachate. It is of much concern that we note the proposal to include in the matter to be dumped "contaminated soil". Any of these noisome substances, entering the waterways, will have a deleterious effect on the harbour and the kai moana.

The traffic count of over 13,000 vehicles per day tells only part of the story. SH1 is obviously the pathway to the north and as such is used by all manner of commercial vehicles taking freight from south to north and north to south. This means many of those traffic movements include an unspecified number of heavy vehicles. The average motorist already has to travel on very congested roads when going about their legal business. Any increase in heavy traffic will only add to this problem.

What decisions and amendments would you like the council to make?

We would like the council to refuse to allow this resource consent applied for. There are alternative waste management methods available, which are far less risky. More use of waste disposal including recycling and incineration, as used in

Japan, where energy is produced from incineration and powers a city. This also occurs in some Scandinavian countries.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 2:30:11 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9959] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Jacqueline Stevens

Organisation name:

Contact phone number: 0212299772

Email address: jacq.s@xtra.co.nz

Postal address:

47 Grand View Road
Leigh
Leigh 0985

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:
all

What are the reasons for your submission?

Because I oppose the application wholeheartedly and entirely

What decisions and amendments would you like the council to make?

To reject the application

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 2:30:11 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9960] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Tracy William Davis

Organisation name: Ngati Whatua o Kaipara

Contact phone number: 0273182606

Email address: tdavishlv@gmail.com

Postal address:

16 Kervil Ave
Te Atatu Peninsula
Auckland 0610

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I oppose all aspects of this application.

What are the reasons for your submission?

I claim descent from Haumoewhaarangi and Waihekeao often attributed as the progenitors of the 'Ngati Whatua' iwi. Through Ngamaia I descend from Ngā Rīriki, down to his great grandchild Tarapakihi who wed Pāwhero with links to both Kaipara and Waikato. Their son was the renowned Te Taoū commander and chief Hukatere. Hukatere betrothed Toukararae of the Ngā Iwi & Ngā Oho people in Kaipara and begat Tuperiri from whom all uri of 'Ngati Whatua Orakei' descend today. Tuperiri's son Tarahawaiiki married the Waiohua-Ngati Te Ata ancestress Mokorua. I am a direct descendant of this union. I pay homage to my tūpuna Hua Kaiwaka and the the mana he possessed in Tāmaki in his time that continued down to his grand-daughter Te Ata i Rehia ancestress and progenitor of our Ngati Te Ata bloodlines. I also pay homage to my Tūpuna Te Reweti, son of Tarahawaiiki and Mokorua and the origin of my family name. His great grandson Piriniha Reweti, my Great Grandfather, was the principle Ngati Whatua elder during the 1960s-80s a period of much turmoil and pain. Tuperiri also begat Paewhenua who's principle partner was Paretaua and their offspring and great grandchild was the noted Ngati Whatua tohunga and leader Pāora Kāwharu. Today I sit as an elected Trustee on Nga Maunga Whakahii o Kaipara, a member of the Kaipara Moana Treaty Negotiation Team, a negotiator of the Te Runanga o Ngati Whatua 303 Treaty Claim, a representative on the Mana

Whenua Kaitiaki Forum and Climate Change working group.

Having been brought up on the Kaipara Harbour by my elders and taught the traditional methods of gathering kaimoana in the 1970s and 1980s, I have seen the impacts of Western civilization on this once pristine treasure. The deforestation and change of land use to farming and other industries along with untreated sewage from council owned waste treatment plants and the leaching from private septic tanks and also the mining of sand from its seabed has created thousands of cuts to what we see as a the life force of our Taonga and foodbowl. This application will allow one of the largest most damaging and long term wound's the kaipara harbour. The numerous studies that'd be done on this Harbour have identified that it is at a tipping point of no return and this application could be the weight that takes it over the edge. The decision made by this hearing will have ramifications for generations to come of my people and the local community. This has been shown in recent events of landfills breaching thier bunds during climatic storm events which scientists say is going to increase. The Auckland Council is also budgeting now to mitigate the effects of all of the existing old landfill sites that are under threat from climate change around the entire City. Again this is an impact of Western civilization and their methodologies of burying waste and rubbish in papatuanuku (the ground) and covering over so that we do not see what is actually there. Waste management have not fully engaged with Ngati Whatua on the application. As the impacts of the application will not only affect the land that it is being built on but the environment reveiving environment.

Waste Management have also advised that alternative methods or dealing with waste are too expensive such as Waste to Energy plants. This is factually incorrect as there is one being proposed in Manawatu for the cost of around \$27m. These alternative systems also mitigate the emissions to the environment and convert the waste to usable products, such as energy, bio diesel, and bio char.

The impact of 300 truck movements per day with with round trips of approx 200km per trip is another major impact on climate change and our environment and the risk that this presents to other road users.

Once again I fully object to this application for a plan change and and ability for a landfill site.

What decisions and amendments would you like the council to make?

Totally opposed

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 2:45:10 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9961] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Vera Lin

Organisation name:

Contact phone number: 021888307

Email address: veralin1111@gmail.com

Postal address:

158 Rangiora Rd, RD2

Kaiwaka

Kaiwaka 0573

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Establish a landfill in Dome Valley is detrimental to the natural environment that Dome Valley is famous for. It is an area valued for its natural beauty, its well-loved tracks and its preservation of bush lands. A landfill will take away from all that

What are the reasons for your submission?

Establish a landfill in Dome Valley is detrimental to the natural environment that Dome Valley is famous for. It is an area valued for its natural beauty, its well-loved tracks and its preservation of bush lands. A landfill will take away from all that The reasons for this submission is to object and to prevent the go-ahead of the landfill application and to urge the council to seek better options.

What decisions and amendments would you like the council to make?

Stop the application and seek for better, greener solutions.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 2:45:11 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9962] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Varga Gyuri

Organisation name:

Contact phone number: 0226394109

Email address: vargamg@gmail.com

Postal address:

103 Tongue farm road
Rd 5
Matakana 0985

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Too many risks of polluting surrounding nature reserves. Outflow into harbour/river etc.

What are the reasons for your submission?

The proposed site is just wrong.

What decisions and amendments would you like the council to make?

Relocate the operation.

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:



26th May 2020

Auckland Council
Resource Consents
Private Bag 92300
Auckland 1142

Dear Sir or Madam

SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA TO RESOURCE CONSENT APPLICATIONS

To: Auckland Council

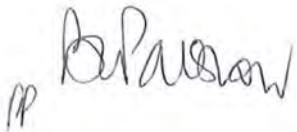
Name of submitter: Heritage New Zealand Pouhere Taonga

1. **This is a submission on an application BUN60339589 from Waste Management NZ Limited ('WMNZ') for:**
 - Resource consent to construct and operate a new regional landfill at 1232 State Highway 1, Wayby Valley.
2. **The specific parts of the application that this Heritage New Zealand submission relates to are:**
 - Incomplete assessment of historic heritage values associated with two standing structures of historic heritage interest (a cottage and woolshed) located within the 'Springhill Estate' and their settings (landscape features, plantings, fencing, paths, ancillary structures, etc.).
3. **Heritage New Zealand's submission is:**
 - Heritage New Zealand Pouhere Taonga 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 historic heritage agency.
 - Two structures of historic heritage interest are located on the 'Springhill Estate' with potential to represent early settlement locales (a cottage and farm building (possibly a shearing shed/woolshed))¹, with the cottage in particular also having features that could indicate a pre-1900 (archaeological) construction date.
 - Heritage New Zealand opposes the proposal in part and seeks that:
 - an appropriate assessment by a built heritage/buildings archaeologist is completed to establish the age of the two built structures, (to determine the presence of any archaeological 19th century structural elements including any distinctive elements that may be relevant for this region); and

¹ As referred at pages 1, 2, 30 - 36 of 'Archaeological Assessment: Proposed Works, Dome Valley – Area of Interest', prepared for Tonkin & Taylor Ltd, by Matthew Felgate, Maatai Taonga Ltd, September 2018.

- confirmation is further provided that these extant buildings and structures have been assessed in relation to broader historic heritage values including their wider settings in addition to archaeological potential.
4. **The reasons for Heritage New Zealand's position are as follows:**
 - Completion of these assessments will ensure historic heritage and archaeological values attributable to these buildings and their settings are fully understood and therefore can be appropriately provided for with regard to long term outcomes and management, should future activities associated with or supplementary to landfill operations, or as provided for under the Rural – Rural Production Zone, be proposed within this locale.
 5. **Heritage New Zealand seeks the following decision:**
 - That prior to consent being granted for the proposal an appropriate assessment by a built heritage/buildings archaeologist is completed to establish the age of the two built structures, (to determine the presence of any archaeological 19th century structural elements including any distinctive elements that may be relevant for this region); and further that these extant buildings, structures and settings are assessed in relation to broader historic heritage values.
 - That the consent be appropriately conditioned dependant on and recognising the findings of these assessments to ensure the protection of any historic heritage values identified.
 6. **Heritage New Zealand wishes to be heard in support of our submission.**
 7. If others make a similar submission, Heritage New Zealand will consider presenting a joint case with them at the hearing.

Yours sincerely



Sherry Reynolds
Director Northern Region

Contact Details:

Susan Andrews

Planner Mid-Northern Area

Northern Region HNZPT

Email: PlannerMN@heritage.org.nz

SAndrews@heritage.org.nz

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 2:45:12 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9963] Submission received on notified resource consent
Attachments: HNZPT Submission WMNZ Consent 26 05 20 FINAL.pdf (242.37 KB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Susan Andrews

Organisation name: Heritage New Zealand Pouhere Taonga

Contact phone number: 09 307 9920

Email address: sandrews@heritage.org.nz

Postal address:

PO Box 105-291
Auckland Central
Auckland 1010

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Please see attached submission.

What are the reasons for your submission?

Please see attached submission.

What decisions and amendments would you like the council to make?

Please see attached submission.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 2:45:13 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9964] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Hamish Stewart

Organisation name:

Contact phone number: 021472283

Email address: hamish@hscatering.co.nz

Postal address:

202 Govan Wilson Road
Warkworth
Auckland 0985

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I object to the use of this site for industrial, commercial and demolition waste, also the fact the application states some industrial wastes and contaminated soils.

I see a major problem trying to contain all these in an area which has small streams leading to agricultural land. Wellsford area and Wayby valley are growth areas, placing a mega landfill in an area in fairly close proximity to potential residential development areas. With Auckland massive urban spread I don't think this site is far enough away from future urban development.

I also object regarding the massive increase in large trucks on an already poorly designed state highway.

What are the reasons for your submission?

Auckland Council should be investing in reducing waste not helping create a large landfill site.

What decisions and amendments would you like the council to make?

Auckland Council should oppose this application.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 2:45:15 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9965] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Rhys Davies

Organisation name: Global Olivine NZ Ltd.

Contact phone number: 021630426

Email address: globalolivine@gmail.com

Postal address:

45 Waiau Street
Torbay
Auckland 0630

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Object to development of landfill in the region

What are the reasons for your submission?

Better use of waste resource are available than disposal to landfill.

What decisions and amendments would you like the council to make?

Move away from landfill as primary waste disposal option. Signal end for landfilling in NZ and start move to alternative disposal methods.

Council promote waste hierarchy as an official objective. Why are they considering another landfill in NZ when they are acknowledged as being at the absolute bottom of the hierarchy pyramid.

Are you a trade competitor of the applicant? I am a trade competitor of the applicant.

I am directly affected by an effect of the proposed activity that adversely affects the environment, and that effect does not relate to trade competition or the effects of trade competition

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 3:00:13 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9966] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Mark Nicholas Donaldson

Organisation name: Private

Contact phone number: 0211374601

Email address: jetskiwi1974@yahoo.com

Postal address:

244 Rodney street Wellsford
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:

Everything about this proposal

What are the reasons for your submission?

I have spent my whole life on the hoteo river and Kaipara harbour playing and now working, I catch flounder, eels and a variety of fish for human consumption out of the river and I'm seriously concerned about the implications of this proposal and what effect it will have on the massive ecosystem that makes up the hoteo river and Kaipara harbour. Mostly the poison getting into that ecosystem and what effect that will have for my livelihood and more so on the environment.

What decisions and amendments would you like the council to make?

I would like such a devastating thing like a land fill to be situated in a part of the country that doesn't drain into an enclosed ecosystem and so poisoning such a huge amount of this country. I am confident the council will ensure mitigation systems are in place to prevent this but it's my experience that these systems are only as good as the person installing them and have a tendency to fail over time. Environmentally this is not the right place for a huge landfill.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 3:00:13 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9967] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Sophie Tweddle

Organisation name:

Contact phone number: 0211807348

Email address: sophie_tweddle@hotmail.com

Postal address:

20 McCallum Drive, RD2
Warkworth
Auckland 0982

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Proposed landfill in Dome Valley - effect on natural environment.

What are the reasons for your submission?

I believe the landfill poses multiple high impact risks to the environment, particularly the Hotoe 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 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 freshwater aquifer.

It seems unimaginable that the Council would grant resource consent for this site and activity given the sensitive nature of the receiving environment, and the amount of money both Council and central government are spending to try and restore the Kaipara Harbour.

What decisions and amendments would you like the council to make?

I would like the Council to refuse this application for resource consent and find an alternative site for this activity. I would also like the Council to look into more sustainable and advanced options for waste disposal for the Auckland Region.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 3:15:11 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9968] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Helen Jamieson

Organisation name:

Contact phone number: 021344777

Email address: nzjamieson@gmail.com

Postal address:

976 Matakana Valley Road, Whangaripo Valley,
Wellsford
Auckland 0972

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The landfill

What are the reasons for your submission?

It's an area of outstanding natural beauty - the wildlife and waterways need to be safeguarded. The roads cannot support the increase in heavy traffic.

What decisions and amendments would you like the council to make?

To not allow the landfill in the Dome.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 3:30:11 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9969] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: JONES Marian

Organisation name:

Contact phone number: 0273895430

Email address: marian@ps.gen.nz

Postal address:

1401 Highway 22

Tuakau

Tuakau 2696

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

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.

What are the reasons for your submission?

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.

What decisions and amendments would you like the council to make?

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.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 3:45:09 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9970] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Huhana Lyndon

Organisation name: Ngati Rango, Ngati Rongo, Ngati Whatua, Te Uri o Hau, Te Kawerau a Maki

Contact phone number: 0210744673

Email address: pikiake@gmail.com

Postal address:

22 Denby Cres
Tikipunga
Whangarei 0112

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I oppose in principle to the application as mana whenua hapu member. I do not consent to a large scale operation of this nature being placed in our tribal territory and have grave concerns about the potential environmental impact. I am concerned about the handling of the process and how hapu and iwi consent were gained to progress this application based on the articles of Te Tiriti o Waitangi 1840.

I believe that a full cultural impact assessment is required by all affiliated hapu and iwi to the proposed site to take into full account the cultural narratives of each tribal grouping and the potential impact this development will have on our hapu - iwi rohe and tribal landscape.

Developments of this nature require full engagement with hapu - iwi at the outset in its design and implementation. I do not believe that this project has had the required rigorous scrutiny by hapu - iwi and the general public to enable it to proceed

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

That the project is moved to another location. That the Council and developers demonstrate to affected mana whenua a true relationship through He Whakaputanga me Te Tiriti o Waitangi

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 3:45:10 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9971] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Devon Taylor

Organisation name:

Contact phone number: 0277339339

Email address: devonlouise@gmail.com

Postal address:

3 Domain Crescent
Waitakere
Waitakere 0881

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

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.

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

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.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 3:45:10 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9973] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Mandy Flood

Organisation name:

Contact phone number: 0212015151

Email address: nandyinnz@hotmail.com

Postal address:

12 Chester Ave
Westmere
Auckland 1022

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Fundamentally not a long term viable solution to waste management

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Waste needs to be managed in a recycled manner not just a dumping and walking away and ignoring consequences for future generations

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 3:45:11 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9974] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name:Carolynn Harris

Organisation name:

Contact phone number: 02102921565

Email address: sunset.croft@outlook.com

Postal address:

500 Mahurangi East Road
Algies Bay
Warkworth 0920

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Contamination of ground water and nearby waterways.
Increased heavy traffic on an already dangerous stretch of road.

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

To deny consent to build a landfill in the Dome Valley

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: No

Supporting information:

26 May 2020

unitaryplan@aucklandcouncil.govt.nz

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

Tēnā koe Sir or Madam

Auckland Council – Notified Application by Waste Management NZ Limited (the Applicant) for Resource Consent (BUN60339589).

Please find enclosed a submission by the Director-General of Conservation (the **Director-General**) on the above application (the **Application**) to construct and operate a new regional landfill (the **Proposal**).

The Director-General opposes the Application. This is on the basis that it does not adequately consider alternatives, avoid, remedy or mitigate, offset or compensate the potential adverse effects identified in the submission.

The Director-General's enclosed submission relates to the whole Application. The submission identifies the Director-General's key concerns with respect to the Application. The Director-General is seeking that the Application be declined. If Auckland Council is minded to grant the consent we seek that suitable conditions and constraints are imposed as outlined in the Director-General's submission.

Please contact Chris Rendall in the first instance if you wish to discuss any of the matters raised in this submission crendall@doc.govt.nz / 027 350 408 3526).

Nāku noa, nā

Andrew Baucke
Operations Director
Kaihautū Matarautaki
Auckland

Form 13: Submission on application concerning resource consent

Resource Management Act 1991

To: Auckland Council

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

This is a submission on an application from Waste Management NZ Limited ('WMNZ') (the **Applicant**) for a resource consent.

Description of activity: To construct and operate a new regional landfill (the **Proposal**)

Location: Lodged as 1232 State Highway 1, Wayby Valley

Application number: BUN60339589 (the **Application**)

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

My submission relates to: The whole Application

My submission is: I oppose the Application

My interest in the Application

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

¹ Refer section 53 Conservation Act 1987

² Conservation Act 1987, section 6.

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

2. DOC is also the authority responsible for processing applications under the Wildlife Act 1953 and the Freshwater Fisheries Regulations 1983. I understand that approvals under both of those Acts will be required for the Proposal prior to construction commencing.

Reasons for my submission

3. The Proposal would have **adverse effects** on the environment with terrestrial and freshwater habitats being permanently lost. Some of the values that will be lost cannot be offset. I note that the applicant does not propose no net loss, so the use of the term offset needs to be interpreted with caution. The New Zealand government’s *Guidance on Good Practice Biodiversity Offsetting in New Zealand* (the Guidance)³ and the and the Local Government’s *Biodiversity offsetting under the Resource Management Act*⁴ are the two key documents that explain the concepts and current good practice around biodiversity offsetting and its explicit no net loss or preferable net gain goal.
4. I am not convinced that **alternatives** have been given sufficient consideration.
5. I consider that the site contains **significant values** and that the Application does not contain enough information on the extent of significant values within the site. This appears to be both due to insufficient baseline data collection and overreliance on the mapped extent of plan overlays.
6. The assessment of ‘downstream’ effects of the Proposal is insufficient. The Proposal outlined in the Application would create **significant risk** to environments and native species downstream of the landfill and associated activities.
7. If granted the proposed **conditions and management plan approach** would not provide certainty of positive environmental outcomes.
8. I note that the Application proposes to replicate requirements of the OIO approval. I consider that the OIO approval conditions were developed for another purpose and in accordance with a separate statutory process and should be set aside while considering this proposal. Some of these measures may provide a starting point for RMA related measures to address the potential or actual adverse effects.
9. I consider that if granted there are opportunities for ecological enhancement within the site and that these could provide improved ecological connectivity, but at present these opportunities are not secured by either the proposed measures to address adverse effects or

³ <https://www.doc.govt.nz/about-us/our-policies-and-plans/guidance-on-biodiversity-offsetting/>

⁴ <https://www.lgnz.co.nz/assets/Uploads/7215efb76d/Biodiversity-offsetting-under-the-resource-management-act-full-document-....pdf>

by the proposed conditions. For example ecological enhancement could include planting of permanent native forest in places that are identified as sites of future forestry, providing connections between remnant areas with indigenous biodiversity values, further stream enhancement and extensions to the wetland habitats (rather than planting forestry up to their edges).

10. I consider that the application is inconsistent with relevant provisions of the Auckland Unitarity 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.
11. I am not convinced that assessment of cultural effects is sufficient and that the Proposal is consistent with related provisions of the AUP, given the Applicants identification that their assessment of cultural effects is incomplete.
12. Without being limited to such matters, the Director-General notes the following with respect to the Application:

Adverse effects

13. The permanent loss of habitat is not easy to replace, and a precautionary approach needs to be applied when estimating the significance of mitigation, restoration, enhancement and any biodiversity offsets or environmental compensation. Many of the measures proposed to address related adverse effects are either unproven (for example, wetland restoration, frog salvage) or of limited benefit (for example, lizard salvage).
14. The effects assessment in the Application only provides an indication of the potential adverse effects on native species as the assessments only explore the effects on a limited number of species, for example, only five of twenty-five native birds likely to use the site were assessed.
15. The effects assessment identifies that both exotic and native habitat contain significant biodiversity values, but the approach to address residual adverse effects then only looks to restore habitat based on the loss of native habitat.
16. Similarly, with freshwater habitat loss the Application identifies that, in addition to permanent and intermittent streams, there will be the loss of ephemeral streams which in themselves are unique freshwater habitat and at certain times of the year extend and add value to intermittent and permanently flowing waterways. While the loss of ephemeral streams may be permitted by the AUP, this loss will have cumulative effects on top of the loss of permanent and intermittent streams and should be considered as part of the decision making about this non-complying Application (and how impact and any off-setting should be calculated).

17. The site provides habitat for many native species including, for example the Nationally Critical long-tailed bat. Not all of this habitat is within areas mapped as SEAs in the AUP, and given their high threat status, areas within the site that provide habitat to long-tailed bats should be considered significant habitats under s6(c) RMA. The policies and rules that apply to SEAs in the AUP are appropriate considerations to apply to these habitats when assessing this consent application. The Application proposes permanent loss of bat habitat. None of the measures proposed will adequately address this loss.
18. Restoration activities do not generally have short term benefits so for many species the Proposal would, in a best-case scenario, result in a significant time lag between adverse effect and positive effect of the proposed mitigation measures. For example, for skinks the benefit of restoration planting will not eventuate for many years, until the canopy closes and leaf litter builds up. In addition, the Application identifies that compensation/restoration will occur slowly for the life of the consent (e.g. at least 1.5 km stream length/year restored off-site which will take up to 20 years to restore the 30 km offered), while the adverse effects are primarily proposed to occur at the outset. This is inappropriate, timelines (or time lag) is acknowledged by the Applicant as a key principle of offsetting but is not addressed effectively. For some projects, for example Transmission Gully, restoration trials were undertaken for many years prior to disturbance commencing, enabling the proposed restoration techniques to be tested and refined prior to the adverse effects occurring.
19. Monitoring would need to be established for a sufficient duration and intensity to detect population level changes, and Consent Conditions added to provide for effective & timely responses to such changes. If for example, monitoring demonstrates that a population is declining, then there should be provision in the Consent Conditions to require the Applicant to take appropriate/additional mitigation within a specified time frame.
20. The Application does not provide any certainty that the adverse effects of the proposal will be appropriately managed. The proposed conditions and management plans do not provide sufficiently specific outcomes for species or habitats, nor sufficient opportunity for Auckland Council to review and influence plans, progress & outcomes. The Application indicates that some planting would occur and would be protected but there is not a clear link to the effects on the species within the proposal area or within the affected catchments, for example infill plantings of wetland areas is offered but this may degrade values for species that require open water within a wetland complex.
21. Due to the size and complexity of the Application I have not gone into detail on each element of the environment that is of interest to DOC. For example, in addition to species and habitats, natural character, water quality and water quantity are likely to be adversely affected. I intend to traverse the details of these effects during the hearing, rather than in this submission.

Alternatives

22. The Applicant identifies that an analysis of alternative sites was undertaken but provides insufficient information to enable any review of this process, assess whether this site was most appropriate or any indication of the types of sites that were considered. For example, was expansion of existing sites such as Redvale an option explored, and if so, how were the relative values of sites evaluated, particularly with respect to ecological impacts?
23. Based on the description provided in the Application no ground-truthing of alternative sites occurred. This is a concern from a conservation perspective. Mapping within planning documents of, for example ecological significance, is generally based on aerial photography and desk-based assessment and can only be considered indicative of the actual values present. For a large-scale non-complying activity, a more robust assessment, likely involving at least some ground-truthing would be a more robust approach.
24. When considering alternatives and other measures to avoid, reduce, and mitigate impact, the Applicant appears to place undue weight on factors such as the size of the landfill, providing for plantation forestry on-site, and farming activities. For example the Applicant proposes to progressively fill Valley 1 from the bottom of the valley so it is unclear why stockpiles cannot be at the top of Valley 1 as it is filled (i.e., within the current footprint of Valley 1 by reducing the size of the landfill). If necessary, it would for example, be preferable to extend the clay borrow pile further west into current farmland away from waterways rather than locate Stockpile 2 on top of headwaters flowing into Waiteraire Stream (and into a NSMA, and a SEA), and known Hochstetter's Frog habitat. The current proposed locations of stockpiles 1 and 2 are in locations that would adversely affect additional tributaries to those that appear to be otherwise unaffected by the main activity of the Proposal in Valley 1. If granted I consider that the extent of the landfill and associated activities should be minimised to the largest extent possible.
25. It is concerning that the ability for the Applicant to manage effects onsite is constrained by existing agreements with other users of the site. This includes potential limitations to onsite mitigation due to existing agreements to plant plantation forestry. The onus should be on the Applicant to ensure that they are providing the best possible proposal, given the degree of adverse effects it would generate.
26. While acknowledging the effort the Applicant has put toward locating project components to attempt to reduce impacts on SEAs and other ecological values, the limitations on this site also bring into question whether this is the best available site.

Significant values

27. Section 6(c) of the RMA requires that all persons exercising functions and powers under it shall recognise and provide for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna this is reflected in the AUP, for example, B7.2 . The Application highlights that ecological surveys and assessments have been undertaken. These could have been used by the Applicant to determine which areas within the site are significant indigenous vegetation and/or significant habitats of indigenous fauna. The Applicant however simply refers to 'SEA' or 'non-SEA'. SEA should be seen as a starting point until more detailed information is available and a non-complying activity is proposed.
28. I note that the National Policy Statement for Freshwater Management 2014 (2017 update: NPSFM) refers to the protection of the significant values of wetlands rather than significant wetlands (as referred to in the assessment against the NPSFM in the AEE). The mapping of wetland locations, extent and values in the affected area is inadequate to assess significance or effects. Given there are few remaining wetlands and there is ongoing wetland loss all remaining wetlands are significant. Small and ephemeral wetlands are likely to be unmapped and even mapped wetlands will be a mosaic of types even if the majority are currently mapped as swamps.
29. I also note that the ecological surveys undertaken by the Applicant are based on a limited amount of baseline data collection which in turn reduces the data available to identify the values present. This has resulted in undervaluing of the biodiversity present and placement of undue weight on the ability of the proposed measures to avoid, remedy, mitigate, offset or compensate the lost values. For some values effort has been put into specific research and proposed mitigation but for others, and biodiversity values generally, there are significant gaps.
30. For example, there is no evidence to support the assertion that "bats are unlikely to be roosting" within the area. Activity around roosts has not been studied/described for NZ Bat species adequately to allow such interpretation of activity patterns.
31. I note that for Hochstetter's frog ("At Risk -Declining") this proposal is at the extreme edge of their range and this proposal (entirely removing habitat in Valley 1, under Stockpile 2, and in Stream S (under the access road infill) would provide an additional pressure on top of likely future impacts by climate change. The local population is part of a distinct Evolutionary Significant Unit that will be significantly affected by this proposal. There is not currently any known way to create habitat for, or successfully translocate/salvage, this species from existing habitat. So unless the Applicant can provide evidence to the contrary any loss of habitat and individuals must be considered permanent. I also note that this population exists

within a different geological context to other populations and therefore, may have specific behavioural/genetic traits adapted to those conditions.

Significant risks

32. The loss of a significant area of freshwater habitat will undermine efforts to engage the community and maintain and improve the Hōteio catchment, and the Kaipara Harbour. Restoration of this catchment is commencing as part of DOC's Nga Awa Programme for Priority Rivers (including 14 Stretch Goal sites), as one of seven priority catchments in Auckland Council's Sustainable Catchment Programme and as part of MfE's first named Exemplar Catchment (Kaipara Harbour) in the Healthy Waters programme.
33. Once loss occurs re-creating, for example, a fully functioning and healthy wetland mosaic, ecosystem and species assemblage is not straight-forward especially if lost wetlands are not assessed adequately to replicate or offset all biodiversity values present.
34. Many of the key effects of the Proposal are not the direct impacts of removing an individual tree or an identified area of habitat. The effects relate to a fundamental change in the environment at a large scale. The Proposal involves a change from a rural setting with nature occasionally being interrupted by human activities for short periods of time (e.g., forestry harvest) to a permanent industrial activity. For example, Sunnybrook reserve (~150 ha) and the nearby Dome Valley Conservation Area (~400 ha) comprises a large proportion of the Public Conservation Land (approximately half) in the inland region north east of Orewa, and they have the potential to be linked ecologically (e.g., by habitat corridors), and for recreational purposes (with further potential to link to nearby QEII covenants and Public Conservation Land). As another example, the incised meanders of the Hōteio River have been identified as an Outstanding Natural Feature (this area extends from the river mouth to SH1 at the Hōteio Gorge – itself identified as an outstanding landform) and the river catchment is part of DOC's Nga Awa River Restoration programme which takes a catchment-scale approach to restoration, as does the Auckland Council's Sustainable Catchment Programme and MfE's Healthy Waterways programme. A landfill located immediately adjacent to the Sunnybrook Reserve, east of two wetland management areas (and SEAs), with NSMAs west and south (and affected by the project footprint), and impacting on "Threatened" and "At Risk" species and would undermine the vision DOC, Auckland Council and MfE (and others) have for the Hōteio catchment.
35. For many species and ecosystems this change will have effects beyond direct losses. The increased levels of noise, light and habitat fragmentation may result in 'functional loss' for example for bats when a feature such as a roost, is present but is no longer used due to changes associated with the development. In the case of this project, roosts in large trees

adjacent to the project footprint may be abandoned due to proposed works, or potential roosts may be abandoned due to reduction in connectivity caused by vegetation clearance.

36. The pre-construction monitoring is insufficient to, for example, identify a change in bird species abundance. If an expectation is that species populations are maintained then the monitoring needs to be sufficient to identify changes and trends and be linked to and trigger investigation and actions. This should be specified in the conditions if granted.
37. If granted the consents and conditions should acknowledge the permanence of the Proposal. Once established the Proposal will pose a permanent risk to downstream environments. For example from leaching (both to surface and groundwater) or structural failure. A second population of Hochstetter's frogs are at risk in this downstream environment.

Conditions and management plan approach

38. The conditions as currently drafted do not provide any certainty of outcome for species and habitats that would be affected by the Proposal. For example, the Applicant states that the effect on the local population of spotless crane through mortality is potentially high, yet there is no detail on how this will be avoided, remedied or mitigated. I consider that the Proposal does not adequately consider avoidance of adverse effects to the terrestrial and aquatic environment (as expected by the hierarchy approach outlined in E15.3(2)) of the AUP).
39. The constraints on the consent, the conditions and the management approach should be commensurate to the adverse effects. The approach should prioritise measures to sequentially avoid, remedy, mitigate adverse effects and then to identify residual effects, any residual effects should be offset to result in a like-for-like net indigenous biological diversity gain. The measures should all be specific, measurable, achievable, relevant, time-bound with opportunities for evaluation and review.
40. I do not consider it appropriate to rely on management plans to address the potential adverse effects from the Proposal throughout the construction, operation and deconstruction phases, particularly given that these will be developed post-consent and outside of a public process. To ensure sustainable management these plans need to be drafted to give effect to conditions that are added to the consent Application.
41. The proposed fauna management plans only consider how to reduce effects of construction and will not require or provide any certainty that effects on species will have been reduced to the extent asserted in the Application, or what will be done if adverse effects are greater than what was predicted or the mitigation measures do not reduce the effects to an appropriate extent. For example, there is no certainty that new frog habitat can be created or that frogs can be successfully salvaged and translocated (and this activity if undertaken should not be considered mitigation as it will not abate an adverse effect but would instead

be creating a new positive effect so should be considered as part of the offsetting or compensation).

42. The proposed post decision, certification approach to management plans, including the Ecological Enhancement and Restoration Plan and the Draft Off-Site Stream Compensation Plan, leave many of the key aspects of the Application that should be mitigated or compensated left at the discretion of the Applicant.
43. Key effects management decisions should not be left to management plans - they should be conditions of consent (if granted). This also applies for basic performance measures for the full range of management actions.
44. The process for the generation of and certification/approval of management plans should provide the ability for the Council to seek amendments to the plan and obtain an assessment by an external reviewer. Requirements could include requirements to audit and review plans on a specified basis, a process to follow if an environmental threshold is exceeded and for example, then require additional mitigation and/or compensation. For some matters the conditions as currently drafted require monitoring of many variables but it is unclear what process will be followed if they are breached, for other matters the management plans are not attached to any performance-based conditions.
45. It is unclear how decisions on the level of effort applied to the compensation activities proposed in the Ecological Enhancement and Restoration Plan will be made. I consider that further work would be required for this to be an effective enhancement tool, including using independent experts to assess and quantify what work should be undertaken when, with frequent monitoring and review. Work is underway on restoration of the Hōteu River and this could be linked to those efforts. The Ecological Enhancement and Restoration Plan could ensure that the efforts are targeted at appropriate environments.

Pest control

46. Given the nature of the Proposal, being a receptacle for refuse, the site will attract pest species. Pest species are also likely to be introduced to the site amongst waste. Having measures in place to monitor and avoid these introductions and for example, barriers to prevent these introduced pests moving into the rest of the site would be important to achieve sustainable management.
47. The pest control that is appropriate for the site needs to be developed based upon the outcomes that are being sought. The effectiveness of pest control needs to be considered in the context of the species/taxa present. Control of some pests could for example simply relieve pressure on mice which could lead to adverse effects on lizards and invertebrates.

48. I note that the only proven pest control tools successful for lizards is eradication (i.e., pest exclusion fences or predator free islands), and for frogs requires a high level of control of rodents to specified thresholds in perpetuity.

49. It is necessary to understand the site's existing pest control (associated with the farming and forestry) to understand the strengths and weaknesses of the current approach and the additionality of what is proposed in the Application.

Decision sought

50. I seek the following:

- a) That the consent authority **declines the Application**, given the shortcomings identified above;
- b) If the consent authority is minded to grant the Application, that it imposes the following requirements:
 - i. further ecological assessments to be undertaken to accurately identify the ecological significance and that this is used as the starting point for affects assessments, and to inform and quantify offsets and compensation; and
 - ii. suitable conditions and compensation to address my concerns.

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

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

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

A copy of this submission has been served on the applicant.

A handwritten signature in black ink, appearing to read 'Andrew Baucke', is enclosed in a thin black rectangular border.

Andrew Baucke
Director Operations

Auckland Region

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

Date: 26 May 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:

Attn: Chris Rendall, Planner

crendall@doc.govt.nz

027 408 3526

Department of Conservation

Whare Kaupapa Atawhai / Conservation House

PO Box 10420, Wellington 6143

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 4:00:10 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9975] Submission received on notified resource consent
Attachments: DOC WMNZ Consent Submission Cover Letter - DOC-6305749.pdf (108.1 KB), DOC WMNZ Auckland Landfill Consent Submission.pdf (145.54 KB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Andrew Baucke

Organisation name: Department of Conservation

Contact phone number: 0274083526

Email address: crendall@doc.govt.nz

Postal address:

PO Box 10420
Wellington CBD
Wellington 6143

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole Application

What are the reasons for your submission?

Are outline in the attached submission document

What decisions and amendments would you like the council to make?

That the consent authority declines the Application, given the shortcomings identified in the attached submission;
b) If the consent authority is minded to grant the Application, that it imposes the following requirements:
i. further ecological assessments to be undertaken to accurately identify the ecological significance and that this is used as the starting point for affects assessments, and to inform and quantify offsets and compensation; and
ii. suitable conditions and compensation to address my concerns.
I also seek such alternative and/or additional relief as may be necessary and appropriate to address my concerns.

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:

DOC WMNZ Consent Submission Cover Letter - DOC-6305749.pdf

DOC WMNZ Auckland Landfill Consent Submission.pdf

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 4:15:11 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9976] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Michelle Roberts

Organisation name:

Contact phone number: 0223548712

Email address: michellerobertsnz@gmail.com

Postal address:

11 Apollo place
Smells Beach
Warkworth 0920

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:
Against landfill in Dome Valley

What are the reasons for your submission?

What decisions and amendments would you like the council to make?
Cancel proposed building of Landfill in Dome valley

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:

Submission to: Waste Management NZ Ltd
c/ Tonkin & Taylor
Attention: Rachel Signal-Ross
By email to rsignal-ross@tonkintaylor.co.nz

Resource

Consent No.: BUN60339589

Submitter: Merata Kawharu

Concerning: **Proposed Auckland Regional Landfill, Wayby Valley**, 1232 State Highway 1, Wayby Valley, between Wellsford and Warkworth, adjoining Dome Valley.

This is a submission on an application by Waste Management NZ Ltd for a resource consent to construct and operate a landfill at the above address in an area covering approximately 1020 hectares of land.

Position: I oppose the resource consent.

- 1.0** My name is Merata Kawharu. I am a Ngāti Whātua descendant through my father Sir Hugh Kawharu and also my mother Freda Kawharu, both of whom actively represented their iwi during their lifetime (including Ngāpuhi hapū and Māori land trusts by my mother). I am a social scientist based at the University of Otago where I am a professor at the Centre for Sustainability. I am also a principal of the Takarangi Research Group Ltd.
- 2.0** I completed my DPhil at Oxford in 1998 whereupon my doctoral research was undertaken on the subject of kaitiakitanga. In that study, I examined the RMA and other statutes, Māori values and Māori community (Ngāti Whātua) case study perspectives on the exercise of kaitiakitanga. I have worked with Māori communities on their research interests and aspirations since then. I have published widely on Māori leadership, innovation, heritage and other Māori topics and have worked on Indigenous issues internationally in United Nations, UNESCO and other forums.
- 3.0** I became aware of the proposal to establish a new landfill recently.
- 4.0** I am aware of consultation held with various members of mana whenua, including my own iwi: Bill Kapea, Matua Haahi Walker, Ngā Maunga Whakahii and others of Ngāti Whātua along with other iwi, during 2018 and 2019.
- 5.0** The reasons I oppose the resource consent are as follows:
 - 5.1** There are statutory requirements that underpin the rationale of my submission.
 - 5.2** In particular, the RMA requires that s6:
“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:

(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga;

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

(g) the protection of protected customary rights.”

5.3 Second, Section 7 specifies very clearly the following: “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.”

5.4 Third, Section 8 sets out, “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).”

5.5 Fourth, Section 58(m) outlines provision relating to Mana Whakahono a Rohe where the purpose is:

(a)

to provide a mechanism for iwi authorities and local authorities to discuss, agree, and record ways in which tangata whenua may, through their iwi authorities, participate in resource management and decision-making processes under this Act; and

(b)

to assist local authorities to comply with their statutory duties under this Act, including through the implementation of [sections 6\(e\), 7\(a\)](#), and [8](#).

5.6 There are other parts of the RMA that apply but in the interest and limitation of time to make this submission I concentrate on the provisions mentioned above.

6 Re Section 6: Māori relationships with their ancestral land (section 6(e)) and the protection of customary rights (section 6 (g)) are not adequately provided for. Ngāti Whātua, as with other iwi, have strong ancestral association with the land. It is part of the iwi rohe. It is ancestral land: whenua tupuna.

Interests of Ngāti Whātua in the Kaipara, and north, south and east of the Kaipara are recognised by the Crown, therefore requiring proper and appropriate engagement with them. I draw attention in particular to the recognised authorities of the South Kaipara and the iwi-wide tribal authority.

Regarding the South Kaipara, The Ngāti Whātua o Kaipara Claims Settlement Act 2013 (preamble, part 3) states that “At 1840, the hapū of what is now termed Ngāti Whātua o Kaipara, namely Te Tao Ū, Ngāti Whātua Tūturu, Ngāti Rango, the people of Puatahi who are

Ngāti Hine, and other related groups, occupied settlements and used resources throughout Kaipara, Mahurangi, and Tāmaki. With the exception of Ngāti Hine, whose presence developed as a result of a tuku (gift) of land following the battle of Te Ika a Ranganui (1825), these groups had gained rights in land through conquest and strategic intermarriage in the early decades of the eighteenth century.” Five south Kaipara marae are represented by the post-settlement governance entity Ngā Maunga Whakahii o Kaipara Development Trust established pursuant to the 2013 Act. Puatahi marae in particular is the marae closest to the Hōteio River (<https://maorimaps.com/marae/puatahi>) and, therefore, is most strongly affected by the proposal, but Puatahi is supported by neighbouring marae through the principles of whanaungatanga (kinship) and kotahitanga (unity). These two principles underpin the Development Trust’s governance and operations. Among its functions, the Development Trust aims to reconnect Ngāti Whātua o Kaipara with their lands and to promote educational, spiritual, economic, social and cultural advancement or well-being of Ngāti Whātua o Kaipara.

Regarding the second recognised iwi authority, Te Rūnanga o Ngāti Whātua, as the statutorily-recognised iwi authority per Te Runanga o Ngati Whatua Act 1988 has the mandated authority to speak on behalf of the wider iwi. The beneficiaries of the act are the descendants of Haumoewarangi, a tupuna o Ngati Whatua (Section 4(2)).

Te Rūnanga o Ngāti Whātua opposes the consent on behalf of Ngāti Whātua iwi. This being the case, in terms of both provisions of the RMA, neither the relationship of Ngāti Whātua iwi, hapū or marae, nor our customary rights are adequately recognised or provided for, pursuant to Section 6. These are significant issues given the weighting to Section 6 of the entire RMA as “matters of national importance”.

A basic expectation for matters of importance to Māori covered by Section 6, as well as Section 7 and Section 8 are that cultural values are properly assessed and formally written (as with geotech, hydro-geology, archaeological and other technical reports). A comprehensive, written cultural values assessment (CVA) from Ngāti Whātua perspectives is essential, but missing. I discuss CVA further at 21 below.

- 7 Re Section 7: Kaitiakitanga. Ngāti Whātua are unable to properly exercise kaitiakitanga when Section 6 provisions are not recognised and provided for. Intrinsic to the exercise of kaitiakitanga is the recognition of the relationship between the iwi (and the marae and hapū) that closely relate to and associate with their ancestral estate, namely the ancestral landscape. Of critical importance to this relationship is the understanding that Ngāti Whātua have duties of care to Papatūānuku including the waterways that weave throughout the rohe in order that Papatūānuku can reciprocate such as through economic and cultural provisions and taonga, i.e., the life-giving essence and resources of lands and waters. It is a close relationship that requires consistent, ongoing custodial and management functions by local kaitiaki, informed by mātauranga (customary knowledge) and supported by western science (for example, ecological scientific methods relating to species identification, habitat assessment and protection, waterway health qualification etc to aid monitoring and management).

- 8** Of particular concern is the threat of the landfill to the waterways. Tonkin and Taylor (May 2019) outlined in their report on environmental effects that, “Species recorded within the WMNZ landholdings include, longfin and shortfin eels, banded kōkapu, inanga, various bullies and kōura.” (p.32).
- 9** Further, “Freshwater systems across the WMNZ landholdings are generally considered to be of high ecological value, particularly those within the Eastern and Southern Blocks.” (p.32).
- 10** Longfin are a particularly special taonga species. They are endemic to Aotearoa. Their official status is “at risk and declining”, with several threats to their sustainability including pollution and habitat loss.
- 11** Other research has identified threat to snapper in the Hōteio River and Kaipara Harbour as a result of increased sedimentation. Tonkin and Taylor (2019, p.31) explain, “The Hōteio River has been identified as a priority due to the threat posed by river sedimentation to the snapper breeding ground in the Kaipara Harbour. This study reported the water quality within the Hōteio River as ‘good’ in 2016, and ‘poor’ in 2015 and 2013. The ‘poor’ result was due to increased turbidity and phosphorus levels measured in the river.” The waterways and living species are already vulnerable; the proposed landfill cannot not affect the existing delicate ecological balance of the waterways. It is expected that sedimentation loads will increase as a result of the landfill (Tonkin and Taylor, 2019, p. 91).
- 12** A critical understanding of kaitiakitanga recognises the integrated nature of ancestral landscapes and the species within it. That a proposed development may not legally obstruct or cross over into neighbouring land / water does not equate to understanding kaitiakitanga which extends over an ancestral landscape irrespective of legal titles. Therefore, even where ecological regions including wai/waterways, wetlands and ngāhere/forests are not within the proposed footprint of the landfill but are part of the ancestral landscape, they will be affected and must be considered in terms of the statutory provisions covered in Sections 6, 7 and 8 of the RMA.
- 13** Wetlands (repo) are identified as being local and near to the landfill site. In their preamble Tonkin and Taylor state (2019, p.xiv), “There are some areas of ecological value on the WMNZ landholdings, including wetlands, streams and pockets of native vegetation.” The consent also confirms that 0.85 ha of native wetlands (non-SEA) will be directly lost (Tonkin and Taylor, 2019, p.97). In addition to habitat loss will be disturbances to species that live in and around the wetlands and associated ecologies. Moreover, “indirect effects on habitats and associated species are also likely to occur including edge effects and potentially noise, light or dust disturbance.” (Tonkin and Taylor, 2019, p.97). This is inevitable given the proposed significant land use of the landfill.
- 14** Species associated with repo/wetlands are noted as being nationally threatened or at risk including the fernbird and spotless crane (Tonkin and Taylor, 2019, p. 33). It is impossible to guarantee the protection of already existing species, even with the proposed revegetation of 4.63 ha of native wetland vegetation (within the WMNZ landholdings) (Tonkin and Taylor,

2019, p.97). Species and wetlands have co-existed over many, many decades. New wetlands do not 'solve' the problem created.

- 15 Other 'threatened' or 'at risk' native fauna within the whenua tupuna include bats, birds, lizards, frogs (including the Hochstetter's frogs which are classed as 'at risk and declining') and invertebrates. Bats/pekapeka are significantly endangered and recognised as nationally threatened at the 'critical' level.
- 16 Kaitiakitanga requires particular attention to at risk and threatened species. A landfill is a major threat to the ecological balance of the diverse aspects of the ancestral landscape.
- 17 A general idea about waste within a landfill is that it breaks down, thereby generating leachate. Leachate may be managed. But there are other kinds of effects as well including the likely increase in rodents (as well as possums, feral cats, mustelids, feral goats and pigs) and their impact on important species that live in the area, plus the effect of the landfill to bat and bird species (and their habitats) who fly throughout the region. It is noted that a 35 year 'pest management' strategy (Tonkin and Taylor, 2019, p.65) is to be implemented, (consistent with the resource consent period). Bats, birds and other species do not live according to linear timeframes. While 35 years indicates a commitment by WMNZ, this is not a joint-agreed or sustainable strategy with fully engaged iwi, long term.
- 18 It is also noted that a Hotoe catchment ecological management strategy is proposed. It is stated that, "WMNZ will also establish a group comprising mana whenua and interested community representatives and land-owners to provide suggestions on enhancement sites and help inform the decision making process on enhancement site selection." (Tonkin and Taylor, 2019, p.66). This process does not accord well with Section 8 relating to the Treaty, or Section 7 a relating to kaitiakitanga or Section 6 e, c and g. The proposal considerably lacks a rigorous process for proper iwi engagement and protection of rangatiratanga. It does not answer questions such as how are the best interests of mana whenua recognised and provided for. The control over such a process is entirely one-sided and mana whenua are relegated to being consulted parties along with others and whose engagement is completely at the whim of WMNZ. That a landfill could go ahead with this kind of engagement strategy poses significant risk to the mana of both people and land. It is hard to accept that the proposed environmental mitigation strategies (for example, noted at pp.96-98) are undertaken and developed in partnership and good faith with iwi (and their ecological advisors).
- 19 Advice from experts within the Department of Conservation and other environmental scientists with specialist knowledge on specific fauna species in partnership with iwi is also essential especially regarding the management of critically endangered and threatened taonga species. A broad brush stroke covering living species within the whenua tupuna that does not specifically centralise each endangered and other species in terms of current health, habitats and future health does not enable a rigorous environmental strategy tailored to these species. Any ecological and environmental specialist advice also sits alongside cultural knowledge/science/mātauranga. The development of these dual knowledge systems in relation to specific species and the wider ancestral landscape management is fundamental to

the exercise of kaitiakitanga. These discussions and proper processes for engagement need to be established as a matter of urgency. The Auckland Council also has a legislative role in this regard such as through Section 58 m of the RMA.

- 20** It is anticipated (Tonkin and Taylor, 2019, pp.98, 101) that the project will result in minor overall effects relating to terrestrial ecological values and native fauna while effects ranging from negligible to low up to moderate are noted relating to fresh water ecology. Until proper engagement with iwi is achieved as reiterated throughout this submission, this cannot be accepted. Environmental effects (including on ecological values, native fauna and water ecology concerning the Hoteo waterways and into the Kaipara Harbour) are considered by Ngāti Whātua representatives to be significant and potentially adverse. This position is, therefore, at odds with, and challenges, the views of the consent applicant. The ecologies and habitats of the proposed site and ancestral landscape are rich like no other existing landfill in Auckland which are urban and largely denuded of biodiversity. The environment of the proposed site and ancestral landscape presents completely new challenges for WMNZ, requiring it to be armed with expertise that it does not yet have from a Ngāti Whātua perspective.
- 21** In summary, despite the very short time to write this submission, I add my views to support Ngāti Whātua nui tonu, its hapū and marae. WMNZ and the Auckland Council must engage meaningfully, properly and urgently with Ngāti Whātua – the largest iwi in the wider rohe – through its Crown-recognised, mandated authorities, kaumātua, kuia and specialist advisors. Cultural values assessments are important (the CVA of Ngāti Manuhiri is noted at pp.104-116 of Tonkin and Taylor (2019)). They are, however, one part of a more comprehensive cultural, environmental and operations strategy (including specialised roles) that needs to be developed with Ngāti Whātua parties to ensure the management and protection of the lands and waterways of the ancestral landscape. Finally, this strategy can only be developed when there is mutual respect, trust, openness, goodwill and resourcing to engage and communicate.

Professor Merata Kawharu
May 26th 2020
Merata.kawharu@otago.ac.nz

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 4:45:10 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9977] Submission received on notified resource consent
Attachments: Submission WMNZ Landfill Dome Valley Kawharu May 25th 2020.docx (32.98 KB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Merata Kawharu

Organisation name:

Contact phone number: 0272742112

Email address: merata.kawharu@otago.ac.nz

Postal address:

36 Norfolk Street
St Clair
Dunedin 9012

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Environmental and cultural interests

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

That proper engagement between WMNZ and the Council with Ngati Whatua and its constituent representative parts commences with urgency before any consents concerning land use, discharge and water permits are granted.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 5:00:10 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9978] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Kate Ellingham

Organisation name:

Contact phone number: 021838466

Email address: kate_ellingham@hotmail.com

Postal address:

3/4b Hart Road
Hauraki
Auckland 0622

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Creating a new rubbish dump is not the way forward especially with concerns over leeching into the Kaipara harbour.

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

No permission to create a new waste landfill site.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 5:00:12 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9979] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Ella Rickit

Organisation name:

Contact phone number: 0221288965

Email address: ella.rickit@gmail.com

Postal address:

13 Leslie St
Mangawhai
Mangawhai 0505

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The construction and operation of a new regional landfill.

What are the reasons for your submission?

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 consent 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.

What decisions and amendments would you like the council to make?

I would like the council to decline the resource consent.

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:

SUPPORTING DOCUMENT

SUBMISSION ON: Auckland Regional Landfill Consent Application. Bundled Consent Reference number BUN60339589

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.

SUBMITTED BY: LISA KNIGHT
knightowlnz@gmail.com

Other waterways

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/springs 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

The proposed landfill development will have an adverse effect on freshwater and marine habitats, ecosystems and species .

.

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

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
knightowlnz@gmail.com

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 5:00:13 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9980] Submission received on notified resource consent
Attachments: BUN60339589- submission-lisaknight.pdf (450.88 KB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Lisa Knight

Organisation name:

Contact phone number: 0210487992

Email address: knightowlnz@gmail.com

Postal address:

46A Palmyra Way
Half Moon Bay
Auckland 2012

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole proposal.

What are the reasons for your submission?

I live in Auckland, 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 from 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.

* 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.

See additional information.

What decisions and amendments would you like the council to make?

I would like council to decline the resource consent completely.

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:

BUN60339589- submission-lisaknight.pdf

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 5:00:13 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9981] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Seonaid Grimmett

Organisation name:

Contact phone number: 094312030

Email address: grimbells@xtra.co.nz

Postal address:

1 Schiska Rd
RD5 Wellsford
Kaipara 0975

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Transportation of waste by road on State Highway One.

What are the reasons for your submission?

I and my family must use this stretch of road daily. Increasing numbers of trucks will impact severely on the road condition, safety and traffic congestion.

What decisions and amendments would you like the council to make?

Decline the application in full.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 5:00:15 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9982] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Julie Blanchard

Organisation name:

Contact phone number: 021702068

Email address: julie@colourline.co.nz

Postal address:

353 Brown Rd
Kaiwaka
Northland 0573

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I am in opposition to this application with regards to the added traffic it will add to an already dangerous and overloaded road. I also have concerns regarding the leachate that could arise from the activity with regards to waterways that flow directly into the Kaipara Harbour.

What are the reasons for your submission?

I care about road safety as I commute regularly using this road. I also care for the environment and believe this is not a suitable site.

What decisions and amendments would you like the council to make?

Deny the application

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:

Warwick Pascoe

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent: Tuesday, 26 May 2020 5:15 pm
To: Central RC Submissions
Cc: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9983] Submission received on notified resource consent

Categories: Online Submissions

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Grace Vujnovich

Organisation name:

Contact phone number: 021737090

Email address: grace.vujnovich@sportwaitakere.nz

Postal address:

57 Tongue Farm Road
Matakana
Auckland 0985

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The development of a landfill in Dome Valley

What are the reasons for your submission?

The immediate risk to surrounding environments, mana whenua, 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.

What decisions and amendments would you like the council to make?

Do not grant the consent for the landfill.

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:

Warwick Pascoe

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent: Tuesday, 26 May 2020 5:15 pm
To: Central RC Submissions
Cc: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9984] Submission received on notified resource consent

Categories: Online Submissions

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Jaden Parkes

Organisation name:

Contact phone number: 021 750 248

Email address: Jaden.daniel.parkes@gmail.com

Postal address:

57 Tongue Farm Road
Matakan
Auckland 0985

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The entire application

What are the reasons for your submission?

The immediate risk to surrounding environments, mana whenua, 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.

What decisions and amendments would you like the council to make?

Do not grant consent to build a new landfill

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
To: [Central RC Submissions](#)
Cc: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9985] Submission received on notified resource consent
Date: Tuesday, 26 May 2020 5:15:26 pm

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Tony Vujnovich

Organisation name:

Contact phone number: 0274 819 608

Email address: tvuj@xtra.co.nz

Postal address:

57 Tongue Farm Road
Matakana
Auckland 0985

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The entire application

What are the reasons for your submission?

The immediate risk to surrounding environments, mana whenua, 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.

What decisions and amendments would you like the council to make?

Do not grant consent for the new landfill

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 5:30:10 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9986] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Heidi Burchett

Organisation name:

Contact phone number: 0212645501

Email address: sistersimmo@gmail.com

Postal address:

114 Burma Road, RD7
Wellsford
Auckland 0977

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole proposal as 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 National Policy Statements on Freshwater Management; contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan.

What are the reasons for your submission?

I am opposing this application due to environmental reasons. I live on the Kaipara harbour and I am concerned that the landfill poses a risk to the harbour and its marine life. Waste Management cannot guarantee that their landfill will never breach or leak.

What decisions and amendments would you like the council to make?

We would like the council to decline the resource consent completely.

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: No

Supporting information:

The notification of the application has taken place at an inappropriate time, early on in the lockdown that took place to address the Covid-19 epidemic. When Federated Farmers first heard of the proposal it resolved to hold a meeting of its local members, to consider the implications of the proposal, gather thoughts and ideas, and to ensure that where there are concerns with the proposal, those concerns could be addressed and an appropriate strategy developed.

However, because there has been no opportunity to hold such a meeting, Federated Farmers has been left with no alternative but to formally oppose the application at this stage, and in doing so to cite a number of generic reasons opposing what is proposed, and in support of the position that it has adopted.

First and foremost, the proposed landfill is incompatible with the purpose of the Auckland Rural Production Zone, as described in both the Auckland Plan 2050¹ and the Auckland Unitary Plan. The Auckland Plan 2050 records that support of rural production is important to how Auckland is to grow and change:²

Auckland's rural areas are valued for their:

- **current and future productive uses**
- **rural landscape and character**
- **ecological areas**
- **recreational opportunities.**

No provision is made in the Auckland Plan 2050 of the use of Auckland's rural areas for waste disposal purposes. The productive and other values referred to in the Auckland Plan go on to be reflected in the relevant provisions in the Auckland Unitary Plan:³

The purpose of the Rural – Rural Production Zone is to provide for the use and development of land for rural production activities and rural industries and services, while maintaining rural character and amenity values.

The zone's physical, climatic and production characteristics vary across the region, including rolling to steep hill country and flat to rolling lowlands with highly productive soils close to the metropolitan area.

In the north, the zone is characterised by:

- **Auckland's highest number of remaining large rural properties;**
- **Low-intensity settlement, significant natural areas and natural resources; and**
- **an environment less modified by humans than other zones in the north.**

...

The Objectives of the Rural Production Zone flow from the description of the relevant values in the Auckland Plan:⁴

- (1) A range of rural production, rural industries, and rural commercial activities take place in the zone.

¹ The Auckland Spatial Plan, prescribed under the Local Government (Auckland Council) Act 2009.

² Auckland Plan page 208.

³ Auckland Unitary Plan, H19.3.1 – Zone Description

⁴ Auckland Unitary Plan, H19.3.2 – Objectives

- (2) The productive capability of the land is maintained and protected from inappropriate subdivision, use and development.

Again, the objectives for the Rural Production Zone in the Auckland Unitary Plan do not appear to provide an opportunity for the development of facilities such as that which is currently proposed for the Wayby Valley. Several of the rurally-related terms that are mentioned are defined in the Unitary Plan, again without reference to waste disposal.

Further, during the Auckland Plan, Auckland Plan refresh and Auckland Unitary Plan development processes, Federated Farmers supported there being strong restrictions on subdivision and consequent residential development in rural Auckland, in order to protect the values and purposes of rural Auckland. The use of rural production land for the purposes the applicant intends is incompatible with the views Federated Farmers has adopted regarding the uses to which rural land should be put in Auckland.

Following along on this same theme, the proposal will have adverse effects on the rural amenity of the immediate area and indeed, given the population density of Auckland as a whole, unacceptable effects on the rural amenity of the wider rural area, and indeed of Auckland as a whole.

Turning from amenity to the broader issue of landscape, the landscape assessment that accompanies the application does not take proper account of the proximity of special areas area in the vicinity of the application site, in particular an ONL that is associated with the Dome Forest and, seemingly, the Hoteo River, including its tributaries.

On the subject of the Hoteo river, the site is in close proximity to Hoteo river and tributaries, and the importance of that in relation to the River has not been properly assessed, particularly as regards the relationship of the River to the to the Kaipara Harbour, and the sedimentation of the harbour that has been highlighted as having become a major issue in recent times. This is an issue many farmers in the broader Kaipara Harbour catchment are grappling with at the moment, along with the Council itself and many others. The risk of contamination of the Hoteo River and the Kaipara Harbour from sediment and other contaminants that might emanate from the site would appear to count heavily against the proposal proceeding.

Along the same lines, the risk of failure of the waste disposal area liner, and the resulting contamination of surrounding area including the Hoteo River, seems unacceptably high. As Federated Farmers understands it, the applicant is proposing to line the bottom of the waste disposal area with a 2-3mm thick plastic liner that is expected to last for hundreds of years and to retain toxic materials along with other waste. This seems overly optimistic.

There is also the possibility of fire in the waste disposal area, and subsequent damage to the liner and contamination of surrounding area, again including the Hoteo River. Federated Farmers members are all too aware of a fire that took place in another landfill that is associated with the Auckland metropolitan area, which resulted in damage to the plastic liner.

Federated Farmers has also been made aware informally that the area proposed for the landfill has a reputation for being prone to flooding in extreme events. A flooding event in a landfill has the potential to be disastrous, as has already been demonstrated in the case of a landfill, albeit acknowledged as being an old landfill, near the Fox River in the South Island in the very recent past.

Further, recent litigation reveals that the site may be in the coastal environment,⁵ and there is no assessment that has been made of the site on that basis, nor of the relevance to the proposal of the site should it in fact be in the coastal environment.⁶

Given the link between the proposal and Proposed Plan Change 42, it is considered that alternatives to the proposed landfill should have been assessed, as is required by s 32 of the Resource Management Act. While there is some consideration of alternatives to landfills **at a "high level"**,⁷ some consideration of the methodology involved in selecting the Wayby Valley site as the site of the present proposal, and some discussions of alternative designs of facilities within the Wayby Valley site, there is no detailed consideration of alternatives to this particular proposed landfill.

Further, the proposal does not properly take into account the Auckland Waste Management and Minimisation Plan. A screenshot of the description of the Plan on the **Auckland Council's website sets out what the issues the Plan seeks to address, and what** it hopes to achieve. Notable are the statements that most of the 1.6m tonnes of waste that is sent to landfill in Auckland could be used in more productive ways, and that Auckland aspires to be zero waste by 2040.

All in all, there are a number of more up to date alternatives than the Wayby Valley proposal to disposing **of Auckland's** waste, "Waste to Energy" being one.

⁵ See *Cabra Rural Developments Limited & Ors v Auckland Council* [2018] NZEnvC 90 at [129]. But see also *Auckland Council v Cabra Rural Developments Limited* [2019] NZHC 1892 at [172] – [200].

⁶ In contrast to claims in the landscape assessment – See Auckland Regional Landfill, Landscape and Visual Assessment prepared for Waste Management (NZ) Limited, 24 May 2019, Boffa Miskell, at 2.12.

⁷ – See Auckland Regional Landfill, Assessment of Environmental Effects prepared for Waste Management (NZ) Limited by Tonkin & Taylor May 2019, at 3.5.

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 5:30:11 AM
To: CentralRCSUBMISSIONS@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9987] Submission received on notified resource consent
Attachments: RC submission form additional pages.pdf (80.92 KB)

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Peter Richard Gardner

Organisation name: Federated Farmers of New Zealand (Auckland Province) Incorporated

Contact phone number: 093790057

Email address: rgardner@fedfarm.org.nz

Postal address:

Private Bag 92-066, Auckland 1142
Grafton
Auckland 1023

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole of the application

What are the reasons for your submission?

(see additional pages)

What decisions and amendments would you like the council to make?

decline consent to the application

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 5:30:11 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9988] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Kim Lewin

Organisation name:

Contact phone number: 0212536317

Email address: kimjlewin@gmail.com

Postal address:

1082 Burma Road, RD7
Wellsford
Auckland 0977

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole proposal as 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 National Policy Statements on Freshwater Management; contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan.

What are the reasons for your submission?

I oppose the application as I want to ensure our local environment is not affected by pollution or contamination anytime in the future from this landfill. As a grandmother, I want my grandchildren to be able to swim, fish or play in our waterways and harbours.

What decisions and amendments would you like the council to make?

We would like the council to decline the resource consent completely.

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 5:45:10 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9989] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Bonnie Ellen Cohen

Organisation name:

Contact phone number: 027-2333-555

Email address: bonnie@sidney.com

Postal address:

P.O. Box 377
Warkworth
Auckland 0941

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Transport of waste

What are the reasons for your submission?

I object to the transport of waste to the Dome Valley location on the following grounds:

1. Degradation of air quality in general, due to exhaust from transport using fossil fuel vehicles
2. Degradation of rural living environment due to noise and exhaust from transport using fossil fuel vehicles
3. Fossil fuel footprint added to our waste system, generally
4. Continued policy of removal of any incentive for the people generating the waste to reduce their waste, as there is no need for them to think about it. It gets whisked away and they can ignore any responsibility.

What decisions and amendments would you like the council to make?

I would like the council to do the following:

1. Require that upon opening, 30% of transits by commercial waste operations made to/from this landfill on ANY roads through the Dome be made in a FULLY ELECTRIC transport

2. Require that within 3 years of opening, 60% of transits by commercial waste operations made to/from this landfill on ANY roads through the Dome be made in a FULLY ELECTRIC transport.

3. Require that within 5 years of opening, 80% of transits by commercial waste operations made to/from this landfill on ANY roads through the Dome be made in a FULLY ELECTRIC transport.

4. Strictly limit the amount of rubbish which can be collected from residential properties, in conjunction with intensification of education on reducing waste. Establish a 'zero food waste in rubbish' policy.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 5:45:11 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9990] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Emma Stretch

Organisation name:

Contact phone number: 0274331931

Email address: e.stretch@icloud.com

Postal address:

276a Smyth Road
Warkworth
Auckland 0981

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

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 to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan.

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

I would like the council to decline the resource consent completely.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 5:45:15 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9991] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Joanne Luijpers

Organisation name:

Contact phone number: 0275445193

Email address: gentlerunner@gmail.com

Postal address:

2 Woody Bay Road
Rakino Island
Auckland 1010

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I oppose a new landfill in Dome Valley

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

Oppose the submission

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: No

Supporting information:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 6:00:09 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9992] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Nicolas Mulder

Organisation name:

Contact phone number: 0211355550

Email address: nick.mulder@gmail.com

Postal address:

2b Frieston Rd
Milford
Auckland 0620

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The road is simply too dangerous for the extra estimated load of the traffic to and from the proposed landfill. The area should instead be looking in to housing solutions that do not perpetuate the use of non-renewable resources - let's get ****clever**** and not blot this beautiful landscape for our children with a throwback to today's lazy society.

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

The resource application by Waste Management NZ should be declined.

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: No

Supporting information:

747

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 6:00:10 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9993] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Andrew Wallace

Organisation name:

Contact phone number: 0212283486

Email address: ac.wallace@xtra.co.nz

Postal address:

33 Bellevue Ave
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:

Section 5.7.1.2 Traffic Volumes in the AEE states that:

"... However, for the purposes of this application, it is conservatively considered that the WW2W project will not be completed..."

What are the reasons for your submission?

It is "no" to the landfill operation until the WW 2 W motorway project is completed –another 740 vehicle movements per day onto the already dangerously narrow State Highway 1 in the Dome Valley in which NZTA is removing the passing lanes is just madness and defies logic.

What decisions and amendments would you like the council to make?

Council needs to withhold consent to the landfill operation resource consent for WMNZ until the WW 2 W motorway infrastructure project is completed.

WMNZ needs to get the government and NZTA to commit to WW 2 W motorway infrastructure project with a definite timeframe before their project is even considered

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 6:00:11 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9994] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: gareth moon

Organisation name:

Contact phone number: 021807906

Email address: gareth_moon@me.com

Postal address:

466 New North Road
Kingsland
Auckland 1021

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

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.

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

I feel that this proposal is totally insensitive to the local community , Manu when and wider iwi , the Council should decline this resource consent completely !

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 6:00:11 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9995] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Paulene Bond

Organisation name:

Contact phone number: 0272402200

Email address: paulenebond@live.com

Postal address:

8 Sandy Lane
Mangawhai
Mangawhai 0505

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

I oppose the whole concept of this project out of deep concern for the environment; if approved, how will council manage the increase in traffic, noise, & chemical pollution to the air and nearby rivers and streams.

What are the reasons for your submission?

What decisions and amendments would you like the council to make?

I would like the Council to consider carefully the impact this business will have on the environment, and the cost of maintaining the beautiful fauna and wildlife' aspect of the Valley, that none of us wants to see disappear, if it should be granted approval.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 6:15:09 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9996] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Peter Schwartz

Organisation name:

Contact phone number: 094312718

Email address: grizzlybearnz@gmail.com

Postal address:

364 Oneriri Road, RD 2

Kaiwaka

Kaiwaka 0573

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole proposal as 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

What are the reasons for your submission?

Because I am living by the Kaipara Harbour I would be directly impacted by the expected adverse effects of this planned landfill.

- a) The danger of leachate going into the Kaipara via a expected polluted Hoteo river.
- b) Compromised ground water quality in Wellsford and surrounding areas.
- c) Endangering fish, plants and birdlife in the Hoteo and Kaipara.
- d) The expected high volume of rubbish trucks going through the Dome Valley north and from the Highway 1 south destined to the planned landfill, adding to the already dangerous traffic conditions. This section of Highway 1 is anyway a very accident prone road and therefore not suitable for this added volume of trucks and service vehicles.
- e) The experts make it clear that the Dome Valley with it's extreme levels of rainfall and geological instability is totally

unsuitable for this project.

f) In various public presentations that I attended, the waste management company admitted that the lining technique under the landfill to prevent leachate is not tested for the lifetime of the landfill, nor guaranteed and there is a risk of tears.

g) NZ should not give an important and longterm infrastructure project to a foreign owned company.

h) Landfills are old waste management technology, waste to energy is the right way to go.

What decisions and amendments would you like the council to make?

I would like the council to decline the resource consent in all parts.

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:

From: NotifiedResourceConsentSubmissionOnlineForm@donotreply.aucklandcouncil.govt.nz
Sent on: Tuesday, May 26, 2020 6:15:10 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9997] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: Kirstin Lawson

Organisation name:

Contact phone number: 021983560

Email address: kirstinllawson@gmail.com

Postal address:

243A Mountain Road
RD2
Maungaturoto 0587

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

The whole proposal. It is contrary to sound resource management principles, it is contrary to the purpose and principles of the Resource Management Act 1991, it conflicts with the Auckland Unitary Plan, it conflicts with National Policy Statements on Freshwater Management, it is contrary to the Waste Minimisation Act 2008, it is contrary to the Auckland Council Waste Management and Minimisation Plan. There is NO need for any more landfill sites in NZ - we should be looking to the future and building a true Waste to Energy Plant like the one built by Ramboll in Copenhagen. NZ prides itself on being clean green NZ but the truth is far from this ideal - Auckland Council needs to set an example and stand up and deny this stone age technology and demand better! The location of the proposal is also unsafe in terms of traffic - adding any further load onto one of the most dangerous stretches of road in the country is madness.

What are the reasons for your submission?

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 Hotoe 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

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.

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 Hotoe 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 Hotoe River and Kaipara Harbour for their food and recreation.

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.

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 15th 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

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

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.

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.

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

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:

discharge of a contaminants or water into water

discharge of a contaminant onto or into land

the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials.

conspicuous change in the colour or visual clarity.

emission of objectionable odour.

rendering of fresh water unsuitable for consumption by farm animals or people.

significant adverse effects on aquatic life.

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.

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.

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.

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.

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.

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.

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.

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.

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

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)

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.

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.

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 Hotoe 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.

Watercare – Watercare sources some water from the Hotoe 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.

What decisions and amendments would you like the council to make?

I would like the council to DENY this application in it's entirety and propose a State of Art Waste to Energy plant in a location where waste can be transferred from all over the country by train. Preferably choose a location away from heavy traffic flows with rail access.

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: No

Supporting information:

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Sent on: Tuesday, May 26, 2020 6:30:10 AM
To: CentralRCSubmissions@aucklandcouncil.govt.nz
CC: rsignal-ross@tonkintaylor.co.nz
Subject: BUN60339589 [ID:9999] Submission received on notified resource consent

We have received a submission on the notified resource consent for 1232 State Highway 1, Wayby Valley.

Details of submission

Notified resource consent application details

Property address: 1232 State Highway 1, Wayby Valley

Application number: BUN60339589

Applicant name: Waste Management NZ Limited ('WMNZ')

Applicant email: rsignal-ross@tonkintaylor.co.nz

Application description: To construct and operate a new regional landfill.

Submitter contact details

Full name: ANNE TAYLOR

Organisation name:

Contact phone number: 021646684

Email address: taichianne@gmail.com

Postal address:

389 J V Grant Road
Wellsford
Wellsford 0973

Submission details

This submission: opposes the application in whole or in part

Specify the aspects of the application you are submitting on:

Land is unsuitable for this type of development.
Waterways will be endangered by this type of development.
Increased traffic will block roads and cause accidents.

What are the reasons for your submission?

Environmental and personal.

What decisions and amendments would you like the council to make?

Reject this application.

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: No

Supporting information: