The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Chelsea Benita Joanne Solomon-Waikawa

Organisation name:

Agent's full name:

Email address: chels_ykawa@hotmail.com

Contact phone number:

Postal address:
9 Addison Drive
Glendene
Auckland 0602

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
The entire proposed creation of a dump at the head of the kaipara harbour

Property address:

Map or maps:

Other provisions:
Pollution of water ways and death of all aquatic ecosystems.

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

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

The reason for my or our views are:
Because allowing any one to put a dumb within this beautiful area has no regards for papatuanuku, the local iwi and its people and the flora, fauna and water ways.

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

59.1

Submission date: 24 May 2020

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Sarah Mcpherson

Organisation name:

Agent's full name:

Email address: sarahmcpherson137@gmail.com

Contact phone number:

Postal address:
910 Port Albert Road
Rd3
Wellsford 0973

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
Landfill precinct

Property address: Wayby Valley

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
This proposal is contrary to sound resource management principles and contrary to national and local resource management documents".

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

60.1

Submission date: 24 May 2020

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Melanie Marnet

Organisation name:

Agent's full name:

Email address: MarnetMelanie@gmail.com

Contact phone number:

Postal address:
PO Box 174
Warkworth
Auckland
Auckland 0941

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:

Property address: 1232 State Highway 1, Dome Valley

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
Object to the likely negative environmental impact.

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

61.1

Submission date: 24 May 2020

Attend a hearing

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Brian Cox

Organisation name: Bioenergy Association

Agent's full name:

Email address: brian.cox@bioenergy.org.nz

Contact phone number: 0274771048

Postal address:
P O Box 6104
Moturoa
New Plymouth 4344

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
All the Plan Change

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
The Plan Change has not been demonstrated as being necessary.

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

62.1

Submission date: 24 May 2020

Supporting documents
WMNZ Landfill 200526.pdf

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

26 May 2020

Auckland Council,
Unitary Plan
Private Bag 92300,
Auckland 1142

premiumsubmissions@aucklandcouncil.govt.nz

Attention: Planning Technician

Subject: Application for Resource Consent and Private Plan Change 42 Auckland Regional Landfill Wayby Valley

The Bioenergy Association of New Zealand Inc (Bioenergy Association) opposes the proposed Plan Change for the following reasons:

1. The need for a new landfill has not been demonstrated.
2. The applicant has not adequately investigated alternative options.
3. The Plan Change is contrary to the waste management objectives of the Unity Plan.

The Bioenergy Association[1] represents members who are active in the processing of organic waste to produce energy and includes, consultants, researchers, equipment suppliers, investors and facility operators.

The Association wishes to be heard.

The need for an additional landfill

The applicant has provided superficial and inadequate information on the need for a new landfill. The Assessment of Effects (AEE) fails to provide any analysis of the future need for landfills in the Auckland area and fails to consider the objectives of the Auckland Waste Management and Minimisation Plan.

The AEE fails to consider the actions of other parties such as the Auckland Council announcement[2] of a 20-year partnership with Ecogas Ltd to process the food scraps that will be collected kerbside across urban Auckland.

The AEE economic assessment does not consider alternative waste-to-energy (WTE) technologies, instead assuming the only economic counterfactual is other out-of-region landfills. Government is proposing to lift the current landfill levy from $10/tonne to $50/tonne (or up to $240m per annum) as providing sufficient economic incentive to invest in globally proven alternatives to landfills. The application does not address this policy signal.

Applicants responsibility to assist achieve zero waste to landfills.

Section 5.5.2 (P44) of the AEE refers to the Auckland Waste Management and Minimisation Plan but inadequately discusses how the proposed landfill will contribute to the goal of zero waste to landfill.

[1] www.bioenergy.org.nz
[2] https://ourauckland.aucklandcouncil.govt.nz/articles/news/2019/12/auckland-council-announces-food-scraps-processing-contract/

Building a new landfill will make it even more difficult for Auckland City to achieve its goal of zero waste to landfill as the investment will require a steady ongoing stream of waste to provide income to make the investment viable.

The section 5.2.2 is written as if this goal of zero waste to landfill is everyone else's problem to deal with other than WMNZ. The policies of the Waste Management and Minimisation Plan make it clear that all parties in the waste chain have to take action to reduce waste going to landfill. The AEE should address how WMNZ is working to reduce the amount of residual waste having to go into a landfill.

WMNZ[3] and its parent company Capital Environment Holdings[4] both pride themselves on the sorting and utilization of waste so as to reduce the residual waste needing to go to landfills so it appears out of character for the AEE not to cover what can be diverted from landfill over the next two decades, and the achievability of the zero waste to landfill objective in the Waste Management and Minimisation Plan.

There are technologies which could treat all waste which would otherwise go to landfill and a number of New Zealand parties are developing some of these and some of them should be operational within a short period of time. Adoption of these technologies would make landfill unnecessary.

Alternatives to landfill

WMNZ is already undertaking removal and processing of some components of the waste stream such as tyres, paper, organics and plastics which would otherwise be going to landfill. There is no analysis in the *S32 Analysis of alternative options,* nor on how successful greater diversion of waste could be as an alternative to disposal in the landfill.

Reference is made to the collection of biogas/methane from the landfill and the generation of electricity but if Auckland Council's contract with Ecogas diverts organic waste from going into the landfill this will reduce the amount of biogas produced. There is no analysis of the potential effects of the alternatives to waste to landfill thus delaying the need for another landfill.

Regards

Brian Cox
Executive Officer
Bioenergy Association

[3] https://www.ffg.nz/assets/c2aa04692c/6960-FFG-Sustainability-Report.pdf
[4] https://www.cehl.com.hk/html/sol_ISWM.php

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Rochelle Rodgers

Organisation name:

Agent's full name:

Email address: roch.elle@hotmail.co.nz

Contact phone number: 02102971358

Postal address:
4849 Kaipara Coast Highway
RD2 Wellsford
Auckland 0972

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
PC 42 - Auckland Regional Landfill Wayby Valley

Property address: 1232 State Highway 1, Wayby Valley

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
The proposal conflicts with existing sound resource management principles; the purpose and principles of the Resource Management Act 1919, the Auckland Unitary Plan, National Policy Statements on Freshwater Management, and Waste Minimisation Act 2008. I object to one off bespoke objectives, policies and rules being applied to this site.

See below for examples of management principles I believe this change conflicts with.

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

Part two. Purpose and Principles
5. Purpose
(1) The purpose of this Act is to promote the sustainable management of natural and physical

resources.
(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—
(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.
http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231905.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

6. Matters of national importance
In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:
(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231907.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

Part three. Duties and restrictions under this Act
Coastal marine area
12. Restrictions on use of coastal marine area
(1) No person may, in the coastal marine area,—
(d) deposit in, on, or under any foreshore or seabed any substance in a manner that has or is likely to have an adverse effect on the foreshore or seabed;
http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231949.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

River and lake beds
13. Restriction on certain uses of beds of lakes and rivers
(1) No person may, in relation to the bed of any lake or river,—
(d) deposit any substance in, on, or under the bed; or unless expressly allowed by a national environmental standard, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.
http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231970.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

Discharges
15. Discharge of contaminants into environment
(1) No person may discharge any—
(a) contaminant or water into water; or
(b) contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or
… unless the discharge is expressly allowed by a national environmental standard or other regulations, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.
http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231978.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

Schedule 3

Water quality classes

The standards listed for each class apply after reasonable mixing of any contaminant or water with the receiving water and disregard the effect of any natural perturbations that may affect the water body.
http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM241596.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

Auckland Regional / Unitary Plan

"The control of the use of land for the purpose of –
(i) Soil conservation;
(ii) The maintenance and enhancement of the quality of water in water bodies;
(iii) The maintenance of the quantity of water in water bodies and coastal water;
(iiia) The maintenance and enhancement of ecosystems in water bodies and coastal water;
(iv) The avoidance or mitigation of natural hazards." (Chapter 1, Page 4, Para 8-13)
Auckland Council, 2012 – Operative from 30.09.2013: Auckland Council Regional Plan: Air, Land and Water
http://www.aucklandcity.govt.nz/council/documents/regionalplans/airlandwater/alwp2012wholeplan.pdf

National Policy Statement for Freshwater Management 2014

Some of the key requirements of the Freshwater NPS are to:
-consider and recognise Te Mana o te Wai in freshwater management
-safeguard fresh water's life-supporting capacity, ecosystem processes, and indigenous species
-safeguard the health of people who come into contact with the water
-maintain or improve the overall quality of fresh water within a freshwater management unit
-improve water quality so that it is suitable for primary contact more often
-protect the significant values of wetlands and outstanding freshwater bodies
- for identifying the values that tāngata whenua and communities have for water, and using a specified set of water quality measures (called attributes) to set objectives
-set limits on resource use (eg, how much water can be taken or how much of a contaminant can be discharged) to meet limits over time and ensure they continue to be met
-determine the appropriate set of methods to meet the objectives and limits
https://www.mfe.govt.nz/fresh-water/national-policy-statement/about-nps

Waste Minimisation Act 2008
Purpose of this Act
The purpose of this Act is to encourage waste minimisation and a decrease in waste disposal in order to—
(a) protect the environment from harm; and
(b) provide environmental, social, economic, and cultural benefits.
http://www.legislation.govt.nz/act/public/2008/0089/latest/DLM1154501.html

I or we seek the following decision by council: Decline the plan modification 63.1

Submission date: 24 May 2020

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Michelle Carmichael

Organisation name:

Agent's full name:

Email address: michelle.mrsc@gmail.com

Contact phone number: 0212945189

Postal address:
80 Spindler Road
RD2
Wellsford
Auckland 0972

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

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

Property address: 1232 State Highway 1, Wayby Valley

Map or maps:

Other provisions:

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

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

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

64.1

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

Submission date: 24 May 2020

Supporting documents
Auckland Regional Landfill Plan Change Submission - Michelle Carmichael 24 May 2020 _20200524211943.998.pdf

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

PLAN CHANGE SUBMISSION AGAINST THE PROPOSED WASTE MANAGEMENT LANDFILL PRECINCT
By Michelle Carmichael
24 May 2020

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

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

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

Part two. Purpose and Principles

5. Purpose

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

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

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

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

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

http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231905.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

6. Matters of national importance

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

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

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

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

(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231907.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

7. Other matters

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

(a) kaitiakitanga:
(aa) the ethic of stewardship:
(b) the efficient use and development of natural and physical resources:
(d) intrinsic values of ecosystems:
(f) maintenance and enhancement of the quality of the environment:
(g) any finite characteristics of natural and physical resources:
(h) the protection of the habitat of trout and salmon:
(i) the effects of climate change:
http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231910.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

8. Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).
http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231915.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

Part three. Duties and restrictions under this Act

Land

9. Restrictions on use of land

(1) No person may use land in a manner that contravenes a national environmental standard.
(2) No person may use land in a manner that contravenes a regional rule.
(3) No person may use land in a manner that contravenes a district rule.
http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231918.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

Coastal marine area

12. Restrictions on use of coastal marine area

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

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

http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231949.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

River and lake beds

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

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

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

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

(2A) The activities are—

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

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

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

http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231970.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

Discharges

15. Discharge of contaminants into environment

(1) No person may discharge any—

(a) contaminant or water into water; or

(b) contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or

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

http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231978.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

Noise

16. Duty to avoid unreasonable noise

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

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

Adverse effects

17. Duty to avoid, remedy, or mitigate adverse effects
(1) Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with—
(a) any of sections 10, 10A, 10B, and 20A; or
(b) a national environmental standard, a rule, a resource consent, or a designation.
http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231999.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

Part five. Standards, policy statements, and plans

Subpart 1—National direction

National environmental standards

43A. Contents of national environmental standards
(3) If an activity has significant adverse effects on the environment, a national environmental standard must not, under subsections (1)(b) and (4),-
(a) allow the activity, unless it states that a resource consent is required for the activity;
Or
(b) state that the activity is a permitted activity.
http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM233303.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

Schedule 3

Water quality classes

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

http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM241596.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

Auckland Regional / Unitary Plan

The following quoted evidence is from (*Auckland Council, 2012 – Operative from 30.09.2013: Auckland Council Regional Plan: Air, Land and Water* *http://www.aucklandcity.govt.nz/council/documents/regionalplans/airlandwater/alwp2012wholeplan.pdf*)

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

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

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

National Policy Statement for Freshwater Management 2014

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

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

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

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

Waste Minimisation Act 2008

Purpose of this Act

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

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

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

Waste Management and Minimisation Plan

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

There are nine key actions in the plan:

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

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

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

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

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

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

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Graham Chan and Sue Perry

Organisation name:

Agent's full name:

Email address: gcha006@gmail.com

Contact phone number: 021976771

Postal address:
216B Goatley Rd
Warkworth
Auckland 0981

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
Submition on Resource Consent

Property address: 1232 State Highway 1, Wayby Valley

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
The 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 the National Policy Statements on Freshwater Management: contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste management and Minimisatrion Plan.

I or we seek the following decision by council: Decline the plan modification 65.1

Submission date: 24 May 2020

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jodi Ellis

Organisation name:

Agent's full name:

Email address: kojodiahau@gmail.com

Contact phone number: 0275287072

Postal address:
32 Lodder Lane,
Riuwaka
Tasman 7198 7198

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

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

The RMA includes the following rules which also include Te Tiriti o Waitangi also known as the Treaty of Waitangi...
In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

Matters of national importance

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.
(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—
(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.
In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:
(a) the preservation of the natural character of the coastal environment (including the coastal marine

area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

Part three. Duties and restrictions under this Act

Land
9. Restrictions on use of land
(1) No person may use land in a manner that contravenes a national environmental standard.
(2) No person may use land in a manner that contravenes a regional rule.
(3) No person may use land in a manner that contravenes a district rule.

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

Discharge of contaminants into environment
(1) No person may discharge any—
(a) contaminant or water into water; or
(b) contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or
… unless the discharge is expressly allowed by a national environmental standard or other regulations, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.

Auckland Regional / Unitary Plan

This plan explains the purpose of the RMA is: “to promote the sustainable management of natural and physical resources” (Chapter 1, Page 1, Para 5) and defines “sustainable management” to mean: “managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety while –
(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
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(i) Soil conservation;
(ii) The maintenance and enhancement of the quality of water in water bodies;
(iii) The maintenance of the quantity of water in water bodies and coastal water;
(iiia) The maintenance and enhancement of ecosystems in water bodies and coastal water;
(iv) The avoidance or mitigation of natural hazards." (Chapter 1, Page 4, Para 8-13)

National Policy Statement for Freshwater Management 2014

In a nutshell, the Freshwater NPS directs regional councils, in consultation with their communities, to set objectives for the state of fresh water bodies in their regions and to set limits on resource use to meet these objectives.
Some of the key requirements of the Freshwater NPS are to:
consider and recognise Te Mana o te Wai in freshwater management
safeguard fresh water's life-supporting capacity, ecosystem processes, and indigenous species
safeguard the health of people who come into contact with the water
maintain or improve the overall quality of fresh water within a freshwater follow a specific process (the national objectives framework) for identifying the values that tāngata whenua and communities have for water, and using a specified set of water quality measures (called attributes) to set objectives
set limits on resource use (eg, how much water can be taken or how much of a contaminant can be discharged) to meet limits over time and ensure they continue to be met
determine the appropriate set of methods to meet the objectives and limits
take an integrated approach to managing land use, fresh water and coastal water
involve iwi and hapū in decision-making and management of fresh water.

management unit
improve water quality so that it is suitable for primary contact more often
protect the significant values of wetlands and outstanding freshwater bodies

-

Property address: 1232 State Highway 1, Wayby Valley 0972

Map or maps:

Other provisions:
The site is much more suited to being a water catchment area for Watercare Services instead of WasteManagement NZ.
Riparian planting needs to be increased to 500metres along the Hoteo River regardless of who owns the land 66.2

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

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

The reason for my or our views are:
-Failure to recognise the mana of Ngati whatua o kaipara as partners in te Tiriti o Waitangi with their role as kaitiaki for the whenua (land), awa(river tributaries flowing into the Kaipara Harbour and the Kaipara Harbour itself.
-The Kaipara Harbour is the second largest harbour on Earth and is the Taonga of the Ngati Whatua iwi.
-Kaipara District Council is opposed to the landfill and is also opposed to the plan change for allowing a landfill of this size to even occur in the headwaters of the Kaipara Harbour.
-700,000 tonnes of silt every year is washed into the Kaipara Harbour through bad land management practices.
-This month's budget has allocated money to the Kaipara Harbour as the only place in Aotearoa to receive money to protect waterways with plantings and sedimentation control

-The proposal being in direct opposition to National Policy Statements on Freshwater Management.(Reduction of sediment into Kaipara Harbour)
-The impact to our fishing industry as a result of increased sedimentation and pollution of tamure (snapper) breeding habitat.
-Waste Management NZ claims that the local community will benefit in terms of employment opportunities however in it's OIO application it states that most of the landfills employees will be relocated from it's Redvale landfill.
-Increased truck traffic on the currently dangerous Dome Valley Highway will increase fatal accidents.
-Effects of 300 return truck journeys every day from Auckland and the sustainability of carting waste in diesel trucks 80 kms from Auckland with their carbon dioxide promoting global warming.
-Loss of habitat to important native and threatened species.
-The Valley is in a high flood and rainfall area making the risk of a washout releasing leachate into the Hoteo River and eventually the Kaipara Harbour an unacceptable risk
-.Risk of pollution to significant wetlands
-Unsuitable site for a landfill.The terrain is most suited for the creation of a series of freshwater reservoirs; these would complement the Waitakere and Hunua systems in providing water security for the rapidly growing northern region of the Auckland Supercity. Considering historic and current water shortage issues, there is the potential that this water resource could be another water supply for Auckland City whilst also improving te oranga (the health) of the Kaipara Harbour.
-Impact on springs and the water table The environmental impacts on natural waterways such as Te Awa Hoteo(the Hoteo River) ,tomo (springs) and the water table from which 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.

I or we seek the following decision by council: Decline the plan modification 66.1

Submission date: 24 May 2020

Supporting documents
Submission Opposing Dome Valley Landfill.pdf

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

Submission on Resource Consent Application

Jodi Ellis
32 Lodders Lane ,Riuwaka
Tasman 7198

Telephone Mobile: 027 5287072
Email: kojodiahau@gmail.com

Application Number: BUN60339589
Name of applicant: Waste Management NZ Limited ('WMNZ')
Address of proposed activity: 1232 State Highway 1, Wayby Valley 0972
Description of proposed activity: To construct and operate a new regional landfill.

My submission: (please tick one)
Opposes the Application
The specific parts of the application to which my/our submission relates to are: (use additional pages if required.)

- Failure to recognise the mana of Ngati whatua o kaipara as partners in te Tiriti o Waitangi with their role as kaitiaki for the whenua (land), awa(river tributaries) flowing into the Kaipara Harbour and the Kaipara Harbour itself.
- Failure to acknowledge the Kaipara Harbour as the second largest harbour on Earth and as the paramount Taonga of the Ngati Whatua iwi.
- Kaipara District Council is opposed to the landfill and is also opposed to the plan change for allowing a landfill of this size to even occur in the headwaters of the Kaipara Harbour.
- 700,000 tonnes of silt every year is washed into the Kaipara Harbour through bad land management practices.
- This month's budget has allocated money to the Kaipara Harbour as the only place in Aotearoa to receive money to protect waterways with plantings and sedimentation control
- The proposal being in direct opposition to National Policy Statements on Freshwater Management.(Reduction of sediment into Kaipara Harbour)
- The impact to our fishing industry as a result of increased sedimentation and pollution of tamure (snapper) breeding habitat.
- Waste Management NZ claims that the local community will benefit in terms of employment opportunities however in it's OIO application it states that most of the landfills employees will be relocated from it's Redvale landfill.
- Increased truck traffic on the currently dangerous Dome Valley Highway will increase fatal accidents. effects of 300 return truck journeys every day from Auckland and the sustainability of carting waste in diesel trucks 80 kms from Auckland
- Use of carbon dioxide producing diesel trucks promoting global warming.
- Loss of habitat to important native and threatened species.
- The Valley is in a high flood and rainfall area making the risk of a washout releasing leachate into the Hoteo River and eventually the Kaipara Harbour an unacceptable risk
- .Risk of pollution to significant wetlands
- Unsuitable site for a landfill.The terrain is most suited for the creation of a series of freshwater reservoirs; these would complement the Waitakere and Hunua systems in providing water security for the rapidly growing northern region of the Auckland Supercity. Considering historic and current water shortage issues, there is the potential that this water resource could be another water supply for Auckland City whilst also improving te oranga (the health) of the Kaipara Harbour.

- Impact on springs and the water table The environmental impacts on natural waterways such as Te Awa Hoteo(the Hoteo River) ,tomo (springs) and the water table from which 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.
- 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.

- 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 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.

The reasons for my submission are: (use additional pages if required.)
Ko Jodi Ellis toku ignoa, Ko Rees Ellis te matua o toko koro. Kaore au he Māori hoiono te whaea o toko koro Melina Eugenie Du Fujard he tamahine o Te Moana Nui A Kiwa. Tona hoa rangatira , Rees Ellis he tangata o te ngahere, no Kaipara. No reira e mauria ana ahau ona kupu e pa ana te ngahere me te moana o te rohe Kaipara i whakahihi te tangata o te ngahere o te tau 1954 “Tiaki te ngahere me te moana Kaipara mo matou mokopuna.”

Jodi Ellis is my name. Rees Ellis is the father of my Grandfather. I am not a Māori but the mother of my Grandfather is a daughter of the Pacific. Her husband, Rees Ellis was a bushman from the Kaipara. Therefore I bring his words from when he was awarded bushman of the year in 1954 “ Protect the forests and the Kaipara for our Grandchildren”.

I am writing this submission because my ancestors valued the Kaipara .As a Pakeha I take the partnership with Māori within the context of Te Tiriti O Waitangi as a privilege and as such I take responsibility to share with them in kaitiakitanga o ngā whenua o te taha o te Kaipara/ protection of the lands beside the Kaipara .

I particularly object to Waste Management NZ’s failure to recognise the mana of Ngati Whatua o Kaipara as partners in te Tiriti o Waitangi with their role as kaitiaki for the whenua (land), awa(river tributaries) flowing into the Kaipara Harbour and the Kaipara Harbour itself. Ngati Whatua acknowledge it’s mauri and it is their paramount taonga. Naida Glavish of te Runanga o Ngati Whatua o Kaipara emphasises that the Kaipara Harbour is not only a taonga at the very heart of the rohe (territory) of Ngati Whatua, it is also a critical ecosystem that underpins the snapper (tamure) fishery for a huge area around the west and east coasts of the North Island.She says ” the Kaipara as a harbour is under threat from neglect, with issues such as poor water quality and adverse effects from adjacent land use and has long suffered from the lack of a comprehensive resource management plan for the harbour and its catchments.”

It is astounding and unacceptable that 700,000 tonnes of silt every year is washed into the Kaipara Harbour through bad land management practices. It is time for Auckland Regional Council to implement the appropriate legislation and

decline Waste Management NZ's application for resource consent for this proposal. The Kaipara District Council is opposed to the landfill and is also opposed to the plan change for allowing a landfill of this size to even occur in the headwaters of the Kaipara Harbour.

The land purchased by Waste Management NZ also includes wetlands, flood plain, springs/tomos and a fresh-water aquifer, and a fresh water supply is nearby. This area known as Springhill is going to be used to excavate clay and to be replanted in pine forestry. We have seen the impact of excavation by heavy machinery during housing developments in Long Bay and the impact of sediment entering the mangroves which in turn impacted on fish species which use this habitat as a nursery. This will all be repeated again except this time it will be the Kaipara Harbour with the country's largest tamure/snapper breeding ground which will be negatively impacted by sedimentation caused by clay excavation and tree felling.

It is absolutely unacceptable that Waste Management NZ is proposing a planning change to allow increases desecration of the Kaipara Harbour and it;s surrounding environment especially when in this month's budget allocated money to the Kaipara Harbour as the only place in Aotearoa to receive money to protect waterways with plantings and sedimentation control. As a taxpayer I am not prepared for my taxes to be wasted because of Waste Management NZ building a landfill adjacent to the Hoteo River.Considering Ngati Whatua gifted the land we now recognise as the Auckland region I consider the proposal by Waste Management NZ , a Chinese owned company as an insult to Ngati Whatua and to New Zealanders as a whole because it completely disregards Te Tiriti o Waitangi , the RMA and the National Freshwater Standards. 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 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. 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.

The Kaipara Harbour has a coastline which is 3,350km in length making it the largest harbour in the Southern Hemisphere and the second largest harbour on Earth meaning the Kaipara is a major contributor to New Zealand's seafood industry as it is the major breeding ground for West Coast snapper. Due to its endangered 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 whole proposal by Waste Management NZ 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, and is in direct opposition to the National Policy Statements on Freshwater Management .
The impacts of the proposal by Waste Management NZ in the Wayby Valley are many and 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.

On the Waste Management NZ website the company claims that " safeguarding our environment ensures we have a clean , healthy future" however .this proposal will have significant harmful impacts on the environment. In the brochure promoting the proposed landfill it claims that storage ponds will be designed to be released into tributaries that flow into the Hoteo River. With Waste Management NZ's reactive approach to management of leachates rather than preventative means these tributaries are at huge risk of contamination . As these tributaries lead into the Hoteo River which then leads into the Kaipara Harbour the negative impacts on 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 area has significant natural features such as streams and rivers, wetlands and old growth native forest which provides vital habitat for important rare species of 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 fish and frogs,bats and geckos, including Hochstetter frog habitat and possibly 4 types of forest gecko.

Leachates will be generated and there is no guarantee that the landfill liners will not in the long term fail due to high rainfall, microbial activity as well as pest species such as rodents compromising the landfill liners allowing leachates to be transported through aquatic systems from discharges from the landfill. Springs/tomos spontaneously occur in the area. These could affect the integrity of the landfill liner leading to breaches.
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 .of the local water table.

Leachates from landfills change overtime as well, so the future of the area, particularly the Hoteo River and the aquifer located in Wayby valley, where Wellsford water will be sourced from, must not be put at risk of leachate contamination from a landfill placed in the very valleys that charge the aquifer.

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.

As I have already discussed, the Kaipara Harbour is already under threat from sedimentation from its tributary rivers. Cutting down existing trees and later replanting in pine forestry would only worsen both sediment movement and erosion that the local community are familiar with.

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):
I would like the council to decline the resource consent completely.

✔ 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.

Signatureof submitter(s)
Date: 24/5/2020

!

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.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Patrick Joseph Wildermoth

Organisation name:

Agent's full name:

Email address: n_eng@hotmail.com

Contact phone number:

Postal address:
17 Kanuka Place,
Mangawhai Heads.
Mangawhai 0505

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
1.) The proposal is contrary to sound resource management principles & contrary to the purposes of the resource management act 1991.
2.) It will conflict with the national policy statements on freshwater management which would see the zoning change from farm forestry to landfill precinct.

Property address: 1232 State Highway 1, Waybe Valley.

Map or maps:

Other provisions:
If the proposal goes ahead without a doubt leachate & toxic waste will end up in the river/creeks & streams and will end up in the Kaipara Harbour.

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

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

The reason for my or our views are:
Rate Payer/resident Mangawhai Heads/Auckland.

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

67.1

Submission date: 24 May 2020

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Haley Hinewai Clarke

Organisation name: Haley Clarke

Agent's full name: Haley Hinewai Clarke

Email address: haleyclarke1.HC@gmail.com

Contact phone number:

Postal address:
149 Kupe street
Ōrākei
Auckland 1071

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
The proposed waste facility in the being sourced in the dome Valley.

Property address: Dome Valley

Map or maps:

Other provisions:
There is no guarantee that this landfill will not polite the Hōteo river.

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

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

The reason for my or our views are:
The dumping of waste in this area will poison the food basket of our people and directly effect the livelihoods of our kin, an act of such is not only considered provocative by our people but also neglegent to the wider nation in your responsibility to protect our environmental elements for future generations.

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

68.1

Submission date: 25 May 2020

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Maurice and Karen Purdy

Organisation name:

Agent's full name:

Email address: mauricepurdy@hotmail.com

Contact phone number: 027 292 2396

Postal address:
51 Kaipara Flats Rd
Warkworth Rd1
Warkworth Rd1 0981

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
Private Plan Change42;

Property address: 1232 State Highway 1, Wayby Valley, Auckland 0972

Map or maps:

Other provisions:
To develop a new rubbish landfill at the above address

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

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

The reason for my or our views are:
This landfill if it goes ahead has the potential of poisoning all the waterways in it surround which includes the Kaipara Harbour. It is an archaic system of disposing of Auckland rubbish there are much better ways of disposing of this rubbish, waste to energy being the most efficient system.

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

69.1

Submission date: 25 May 2020

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Mary HauTai Tepuea wirihana

Organisation name:

Agent's full name:

Email address: mhtwirihana70@gmail.com

Contact phone number:

Postal address:
2873 Mangakahia road Rd2 whangarei
Rual Parakao
Whangarei 0172

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
Plane modifaction number an the plan modifaction name

Property address: Dome vally Dump site

Map or maps:

Other provisions:
I Don't won't your Dump in my waters of the kaipara harbour you think that just because ur the regional council you can do what you won't at the price of our kaipara I'm from Otamatea on the kaipara our marae is there our urupaa is on the kaipara our whanau land is basted there we eat from the rich Kai we get from her yes the Kaipara is a women she gives life an staple food souce for all ppl not just Maori UR Dump will kill it you can say how your going to keep track of the inviroment but I don't believe you Auckland regional council has lied to my ppl in the past an to this very day you only have to read your planes there nothing planned if your dump seeps in to the harbour nothing in your plans to clean it up proprely so there for you ask for 1000years with nothing on cleaning up ur rubbish thanks heaps for that kaipara ppl AN THERE LAND are NOT AUCKLANDS DUMPING GROUND

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

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

The reason for my or our views are:
We are from the Kaipara harbour an eat from her kaipara is NOT AUCKLANDS DUMPING GROUNDS FOR THERE RUBBISH NO #$&+?*/WAY

70.1

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

Submission date: 25 May 2020

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Alan Gilbert von Tunzelman

Organisation name: Warkworth Country House

Agent's full name:

Email address: admin@warkworthcountryhouse.co.nz

Contact phone number: 021728107

Postal address:
18 Wilson Road
RD1 Warkworth 0981
Warkworth
Auckland 0981

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:

Property address:

Map or maps:

Other provisions:
This submission relates to the plan change application PC42 that is proposed in order to facilitate the approval of a Landfill Resource Consent for the proposed Wayby Valley Disposal of Rubbish.

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

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

The reason for my or our views are:
This is quite simply endeavouring to expedite the approval of rubbish disposal in the Wayby Valley. My view is that the whole project is badly conceived and will inhibit, or certainly delay development of a far more sustainable and environmentally friendly option for many years.
Do your thinking and planning now, for something that will service New Zealand well into the future. Transporting the bulk of material more than 100 Km cannot be viewed as a solution for a progressive forward thinking country endeavouring to set an environmental example for efficient long term waste treatment.

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

71.1

Submission date: 25 May 2020

Attend a hearing

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

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Penelope Jane smith

Organisation name:

Agent's full name:

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

Contact phone number: 021 983 297

Postal address:
14 charis lane
Te arai. Wellsford rd5
Auckland 0975

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:

Property address: 1232 state highway 1 wayby valley

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
We do not wish to see the Kaipara polluted
We believe the extra trucks on the main road each day will be polluting the local environment and hazardous to health
There is no need for this outdated approach to waste management

I or we seek the following decision by council: Decline the plan modification 72.1

Submission date: 25 May 2020

Attend a hearing

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

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: William Graham O'Meara

Organisation name:

Agent's full name:

Email address: chernobill@slingshot.co.nz

Contact phone number: 021904977

Postal address:
14 Charis Lane
Wellsford RD5
Auckland 0975

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
5.2. Resource Management Act 1991 (Reprint as at 19 December 2018)
The following sections of the RMA highlight existing clauses that demonstrate that this proposed site is unsuitable for a landfill. Note: weblinks have been supplied at the end of each section for ease of locating the information.
8. Treaty of Waitangi
In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

River and lake beds
13 Restriction on certain uses of beds of lakes and rivers
(1)
No person may, in relation to the bed of any lake or river,—
(a)
use, erect, reconstruct, place, alter, extend, remove, or demolish any structure or part of any structure in, on, under, or over the bed; or
(b)
excavate, drill, tunnel, or otherwise disturb the bed; or
(c)
introduce or plant any plant or any part of any plant (whether exotic or indigenous) in, on, or under the bed; or
(d)
deposit any substance in, on, or under the bed; or
(e)
reclaim or drain the bed—
unless expressly allowed by a national environmental standard, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.

(2)
No person may do an activity described in subsection (2A) in a manner that contravenes a national environmental standard or a regional rule unless the activity—
(a)
is expressly allowed by a resource consent; or
(b)
is an activity allowed by section 20A.
(2A)
The activities are—
(a)
to enter onto or pass across the bed of a lake or river:
(b)
to damage, destroy, disturb, or remove a plant or a part of a plant, whether exotic or indigenous, in, on, or under the bed of a lake or river:
(c)
to damage, destroy, disturb, or remove the habitats of plants or parts of plants, whether exotic or indigenous, in, on, or under the bed of a lake or river:
(d)
to damage, destroy, disturb, or remove the habitats of animals in, on, or under the bed of a lake or river.
(3)
This section does not apply to any use of land in the coastal marine area.
(4)
Nothing in this section limits section 9.
Section 13 heading: amended, on 7 July 1993, by section 11 of the Resource Management Amendment Act 1993 (1993 No 65).

Section 13(1): replaced, on 7 July 1993, by section 11 of the Resource Management Amendment Act 1993 (1993 No 65).

Section 13(1): amended, on 1 October 2009, by section 13(1) of the Resource Management (Simplifying and Streamlining) Amendment Act 2009 (2009 No 31).

Section 13(2): replaced, on 1 October 2009, by section 13(2) of the Resource Management (Simplifying and Streamlining) Amendment Act 2009 (2009 No 31).

Section 13(2A): inserted, on 1 October 2009, by section 13(2) of the Resource Management (Simplifying and Streamlining) Amendment Act 2009 (2009 No 31).

Property address: 1232 State Highway 1 Wayby Valley

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
The plan is contrary to the items identified in the rules section of this submission

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

73.1

Submission date: 25 May 2020

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Peter Foster

Organisation name: Results Plus Limited

Agent's full name: Peter Foster

Email address: peter.foster@resultsplus.co.nz

Contact phone number: 021726882

Postal address:
50A HAMILTON RD
RD2
Warkworth
Warkworth 0982

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
The entire application needs to be declined. Resource consent should not be granted.

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
The Dome Valley is not the place for a landfill site. It is a beautiful natural area with significant forest, water, animal, bird and plant populations.
Waterways are significantly threatened and discharges through normal use and resulting from significant weather events will leach pollutants into streams, rivers, harbour environments and eventually the ocean. The Kaipara Harbour is a taonga and a source of kai moana for many of us. It provides a habitat and breeding ground for many fish and bird species. We all have a responsibiulity to preserve this beautiful part of our country. underground aquifers are important and the entire Wellsford community will end up drinking water polluted by landfill leachates.
I am in the tourist industry and enjoy showcasing our environment, forests, birds and kai moana. Of partto be polluted but the landfill will provide a breeding ground for predatory rats. icular concern is the threat to kauri, tui, kereru, piwakawaka, our threatened grey duck, geckos and numerous others.

All of these will be impacted by this consent. Not only is their habitat
State Highway One is already congested and current approved investment in the Dome Valley is way short of what is needed. Extra heavy traffic estimated at up to 500 trucks per day and other service vehicles of 150 per day adds to this already congested, under maintained road. The road is not suitable. It is already a road death black spot. Adding 500 trucks per day adds to the hazards of this stretch of road. Trucks travelling 90 km from Auckland will add litter along the entire route.
Interesting to note that this landfill is very close to the council boundary. Residents from nearby Kaipara District end up being negatively impacted by the waste from Auckland.

I or we seek the following decision by council: Decline the plan modification 74.1

Submission date: 25 May 2020

Attend a hearing

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

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Antony Pai

Organisation name:

Agent's full name:

Email address: antony.f.pai@gmail.com

Contact phone number: 0212655271

Postal address:
136 Kupe Street
Orakei
Auckland 1071

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
Relates to the entire plan change and resource consent for the proposed Dome Valley landfill (also known as 1232 State Highway 1, Wayby Valley).

Property address: 1232 State Highway 1, Wayby Valley

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
Stop the proposed landfill. Ngati Whatua will protect our environment, Hoteo River & Kaipara Harbour. 75.1

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

Submission date: 25 May 2020

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Tracy Isobel New

Organisation name:

Agent's full name: George New

Email address: meow.racey@gmail.com

Contact phone number: 0220981726

Postal address:
341A Rodney Street
Wellsford
Auckland 0900

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
The 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

Property address:

Map or maps:

Other provisions:
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

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

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

The reason for my or our views are:
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. The site clearly does not align with the Resource Management Act, the Unitary/Regional Plans of the area, and to the Waste Industries own landfill siting criteria.
3. As witnessed with the Rotorua landfill court case and allegations of leaked discharges due to major

weather events and the recent Fox Glacier landfill disaster the placement of this landfill in an unsuitable location is likely to lead to cost ratepayers in the area for the clean up.
4. This submission is being made because of an immediate risk to surrounding environments, people and businesses by this proposed landfill. Due to nearby extensive waterways, native and threatened species and ecosystems, and local communities in the proposed landfill area, there is clearly a lack of regard for protecting the land and its people from the far-reaching and long-lasting impacts of landfills by this proposal.
5. The land includes waterways - tributaries to the 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.

6. Geology and water systems - The proposed site consists of fractured upthrusted sandstone and mudstone layers, topped with reactive clay. The cracking and swelling clay causes gradual ground movement or sudden slips. Water flows carve intermittent underground streams, forming tomos and springs. These streams will often disappear down cracks in the uplifted bedrock thus contributing to the underground aquifers. This combination also results in high risk of slips on the surface.
7. Weather - The elevated site is exposed to north - north westerly winds, highly localised rain, lightning and thunderstorms. The Dome Valley area experiences high rainfall, normally in the winter months, but also is prone to summer cyclones predominantly from the north east. These high rains cause extreme flood events and large slips in the area, particularly where earthworks such as a landfill site would include.
8. Related waterways
a) The Hoteo is the third largest river (second after rain) feeding into the Kaipara Harbour. The river provides water to the local community, farmers and livestock, and is home to many flora and fauna species including the highly endangered seagrasses that surround the rivermouth (Auckland Council, 2014).
b) The Kaipara Harbour has a coastline which is 3,350km in length making it the largest harbour in the Southern Hemisphere. It is a major contributor to New Zealand’s seafood industry as it is the major breeding ground for West Coast snapper. Due to its seagrass habitat it is a nursery and feeding ground for multiple species including snapper, mullet, trevally, sharks, seals, orca, shellfish, and the endangered maui dolphin. The dunes and shoreline are habitat to a range of bird species including endangered birds such as Fairy Terns, Black Stilt, NZ Dotterel, Bittern, Heron, Black Billed Gull, Wrybills and Oystercatchers.
c) The site includes significant wetland areas which are highly endangered and at risk in New Zealand. They contain important flora and fauna and act as a filter for sedimentation and contaminants.
d) The area includes flood plains below the proposed site, which regularly flood causing road closures. They are fed by the tributaries from the proposed landfill area and the Hoteo River. Flood events could carry leachates across the flood plain area, impacting agricultural areas and ground water sources.
e) Springs/tomos spontaneously occur in the area. These could affect the integrity of the landfill liner leading to breaches.
f) An aquifer / fresh water supply underlies the area's waterway systems and is a potential groundwater source for the Wellsford Water Treatment Plant.

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

10. Important species - The proposed landfill site and surrounding area contains many native and/or threatened terrestrial and aquatic species. Such as:
Land based
Trees
● Kauri – Very Endangered and highly threatened currently by Kauri Dieback spread
● Taraire, Tawa, Podocarp, Kauri, Broadleaf and Beech forest
Birds

● Tui, Kereru, Morepork, Fantail
● Silver-eye, Swamp Harrier, Shining cuckoo, Welcome Swallow, Kingfisher
● Bitterns
● Fairy terns
● Grey Duck - Nationally Critical
Other
● Long-tailed bat - Nationally Vulnerable
● Flat-web spider (oldest spider in the world)
● Giant earthworms
● Forest Gecko - Declining
Amphibians
● Hochstetter frogs – At risk

Aquatic - Water based
Freshwater species found in nearby river Waiwhiu, other Hoteo tributaries and the Hoteo River itself.
● Shortfin eel, Longfin eel (Declining), Inanga, Common Bully, Redfin Bully.
● Banded Kokopu, Freshwater crayfish, Freshwater Tuna, Whitebait.
Marine life
● Seafood stocks - Snapper, Tarakihi, Mullet, multiple shellfish species
Sealife
● Maui dolphins, Orca, major shark nursery, shellfish etc.
● Seagrass - the mouth of the Hoteo River is home to a key seagrass population, which could be majorly threatened by the increased sedimentation and leachate distribution from this landfill.

IMPACT ON LOCAL IWI AND HAPU

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

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

11. Treaty of Waitangi settlements and the Resource Management Act recognise and state that organisations and individuals have obligations to local iwi / mana whenua when proposing changes or activities which will or may impact the environment.
12. Local iwi Te Uri o Hau, Ngati Manuhiri, Ngati Rango and Ngati Whatua are guardians of the land, marine and coastal area surrounding the proposed landfill site and encompassing the entire Hoteo River and Kaipara Harbour area. They separately and collectively advocate and support kaitiakitanga and the management and development of natural resources within their statutory areas. Many hapu and whanau groups live beside and rely on the Hoteo River and Kaipara Harbour for their food and

recreation.
13. Wai (Fresh water): Degradation of this natural resource is a major issue because:
● water is seen as sacred because of its purity and life supporting qualities
● water plays an important role from birth to death
● each freshwater system has its own mauri which represents the life force of the resource and the ecological systems which live within that resource.
● the quality of the fresh water entering the harbour directly affects the quality of the marine environment
● like all taonga, water is traditionally conserved and protected
● traditional methods of protection included rahui and tapu

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

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

15. Habitat and species loss caused by tree felling and excavations causing loss of biodiversity.
● loss of habitat for species as previously listed (see #10)
● loss of species directly through removal of species
● indirectly over time due to loss of habitat, and/or cascading effects through ecosystems

16. Increased erosion and sediment movement by wind and rainfall once sediment is loosened from excavations and daily dirt layers on the landfill adversely impacting the environment.
This will cause:
● dust layers over vegetation.
● decreased availability of vegetation as a food for other species.
Note: the Kaipara Harbour is already under threat from sedimentation from its tributary rivers.

17. Rubbish distribution is likely throughout the surrounding environment by wind and rainfall with adverse impacts on biodiversity.
This will cause:
● negative impacts on animals when consumed.
● animals to become poisoned by toxins and chemicals in rubbish.
● the spread of contaminants into soils, waterways and affected ecosystems.
● distasteful views for the community when seen.
● danger to vehicles avoiding rubbish on State Highway 1.

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

IMPACT ON THE WATER

19. Degradation to the natural state of the land will in turn have adverse effects on the aquatic environment/ecosystems. We believe this will occur through a breach of the landfill liner or through normal operations. Resulting in:
(a) discharge of a contaminants or water into water
(b) discharge of a contaminant onto or into land
(c) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials.
(d) conspicuous change in the colour or visual clarity.

(e) emission of objectionable odour.
(f) rendering of fresh water unsuitable for consumption by farm animals or people.
(g) significant adverse effects on aquatic life.
20. Increased sedimentation caused by soil movement in wind and rainfall once loosened from excavations and daily dirt layers on the landfill and loss of trees holding soils in place, causing change in the colour or visual clarity and significant adverse effects on aquatic life.
Sediments will become more transportable from development and operational processes, spreading it into waterways causing;
● increased sedimentation causing;
○ decreased water quality (impacts species and community water supply).
○ decreased light (impacting efficiency and ability for photosynthesis).
○ negative effects on feeding by fauna (particularly filter feeders).
○ cascading effects through the environment and aquatic ecosystems, including vulnerable and threatened wetlands in the area.

21. Leachates will be generated and transported easily through aquatic systems from discharges from the landfill, particularly during high rainfalls. Leachates are dissolved toxic compounds produced through the landfill process. All landfills are known to release leachates into the soils and surrounding areas despite any riparian plantings both during operation and after closure. These leachates can remain in the soil and mud for many years, and have many adverse impacts on the environment such as:
● contamination of habitats.
● causing damage to and loss of species
○ directly through consumption.
○ indirectly through impacts on processes in the ecosystem.
● degradation of water quality
○ for species.
○ of the local water table.
● spreading through the food chain

Leachates from landfills change overtime as well, so the future of the area, particularly the 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.

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

IMPACT ON PEOPLE AND THE COMMUNITY

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

25. Recreation – the area around and areas likely to be impacted by the landfill have many recreational purposes and are commonly used by community groups and clubs, but with the addition of the landfill may become unusable.
26. Health – there are extensive health risks associated with landfills during operation and once closed which would likely impact our local community. Leachates and rubbish spread through the

environment will bring with them bacteria, carcinogens, toxins, an infection substances that will have adverse health impacts on those;
● who come in contact with them.
● who consume infected flora and fauna.
● who consume affected seafood or any part of the food chain.

27. Employment issues – although the landfill development and operation will offer a few jobs, the overall presence of the landfill will cause loss of jobs elsewhere. It is understood that many Redvale landfill employees will relocate and fill most of the job opportunities. Expected job losses elsewhere could include:
● farmers alongside the Hoteo River and Kaipara Harbour.
● local tour operators and accommodation suppliers.
● fisherman who both recreationally and commercially use the harbour as a resource to feed their families.

28. Nuisances - Odour, noise, dust, vibration, light, visual nuisance (on people and animals), rodents, invasive weeds and species caused by the development and operation of the landfill. Landfill development and operation will involve:
● extensive lighting influencing the environment and reducing our dark sky which are culturally important, a scenic and scientific resource, and are critical for nocturnal species.
● releasing dust into the environment.
● disrupting nearby species and people with loud noises and vibrations.
● producing a bad smell which would spread easily on high winds in the area.
● distasteful views of multiple rubbish trucks (300-500 a day) travelling on our small country roads.
● potential spread of odour neutralising salts/zeolite.
● increased rodent (rats, mice) population, increasing the mustelid population.
● increased seagulls in the area
29. Agriculture – Many of the families in the area are farmers, and the addition of this landfill to the area would;
● morally degrade their ambition to care and harvest the land
● have strong impacts on their ability to care and harvest the land by;
○ spreading leachates, sediment and rubbish debris onto agricultural lands negatively impacting crops and animals
○ degrading water sources (particularly the Hoteo River)

30. Emergency services – emergency services in the Wellsford and greater area are primarily volunteer services. The addition of 300-500 rubbish trucks to our already dangerous roads, plus the increased fire risk from the methane gases released, volunteer emergency services will be under excessive pressure.
● Increased heavy traffic volumes (300-500 trucks + 150 service vehicles PER DAY)
● Increased risk of accidents/fatals (most fatals already involve trucks)
● Increased fire risk in inaccessible forestry/farmland, and proximity to the main gas line.

31. Roading – the Wellsford and greater area experience large volumes of trucks such as quarry, logging and cattle trucks, and milk tankers every day which already cause major damage and congestion, and the addition of 300-500 rubbish trucks a day would cause major roading issues.
32. Wasted previous efforts by community groups – for years, local community groups have been working tirelessly to improve the quality of the area, and educate local community members of the importance of looking after our lands and waterways. These efforts will largely be reversed by the addition of this landfill.
Although the proposal has plans to put money into the community and these types of programmes, the impacts of this landfill will still undo what has previously been done by the following groups:
● Integrated Kaipara Harbour Management Group (IKHMG) and Trees for Survival have been working on planting and improving the water quality in the wider catchment area and Kaipara Harbour.
● Councils and the government have put public money into this area. Around $15M contributed to deal with sediment and water quality in Kaipara, $2M for 5year Hoteo River Healthy Waters project
● Million Metres - planting to protect the Hoteo River.
● Forest Bridge Trust - fencing waterways and planting forest through the CatchIT programme to create a native forest corridor from Kaipara to Pakiri with the goal to reduce vermin and reintroduce Kiwi to the area.

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

I or we seek the following decision by council: Decline the plan modification 76.1

Submission date: 25 May 2020

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Francis jackie Pou maroroa

Organisation name: Manuel-Pou family whanau

Agent's full name:

Email address: liampou@gmail.com

Contact phone number: 0212523971

Postal address:
3/36 Ferndale rd
Mt wellington
Auckland 1060

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
We should do our best to sustain our environment by reuse recycle replant replenish our environment

Property address: The dome valley

Map or maps:

Other provisions:
New Zealand is already suffering from water shortages pollution loss of land though construction we must look at replenishing rejuvenation replanting how many tips do we have these needs to be looked at and investigated this environment needs to be safe and keep clean green

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

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

The reason for my or our views are:
Our environment is on water restrictions our forestry is being replaced with construction our weather has changed and we dnt get much rain even in the winter pollution is in our air streams and food recycle reuse replant replenish

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

77.1

Submission date: 25 May 2020

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Angela Bridson

Organisation name:

Agent's full name: Angela Bridson

Email address: bridson97@xtra.co.nz

Contact phone number:

Postal address:
912 Sandspit Rd
Warkworth
Auckland
Auckland 0982

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
I oppose the Plan change 42 on the grounds that it is contrary to sound resource management principles

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
The proposals conflict with national policy statements on freshwater management and are contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan.

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

78.1

Submission date: 25 May 2020

Attend a hearing

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Catherine Braham

Organisation name:

Agent's full name:

Email address: cbraham2015@gmail.com

Contact phone number: 02102920157

Postal address:
35 Gumtree Lane
Wellsford
Auckland 0973

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
Resource Management Act 1991
Auckland Unitary Plan plus various others

Property address: 1232 State Highway 1, Wayby Valley

Map or maps:

Other provisions:
The creation of a landfill precinct for the proposed Auckland Regional Landfill by Waste Management. The proposal that landfills move from a non complying activity to the status of discretionary or restricted discretionary status in terms of consent applications to Council.

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

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

The reason for my or our views are:
A precinct enables category zoning to be bypassed. In this case rural production land on the basis of two claims:

1. That landfills are compatible in terms of their effects on the rural environment as farming and logging.

2. That landfills should recognised as essential regional infrastructure as are ports, airports and defence force bases.

3. That the proposed landfill will result in some adverse effects due to the location, size and nature which ordinarily in a project which is not deemed infrastructure, would be unacceptable and contrary to existing planning objectives and policy.

4. This request for plan change is by a private company for profit wholly owned by the Chinese Government and subject to the political aspirations of a foreign power.

5. Should these plan changes be accepted it will open the way for other applications to subvert the democratic process.

I or we seek the following decision by council: Decline the plan modification 79.1

Submission date: 25 May 2020

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Oxana Haque

Organisation name:

Agent's full name:

Email address: oxana.haque@gmail.com

Contact phone number: 0277848266

Postal address:
320 Govan Wilson Road
Whangaripo
Auckland 0985

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
the whole Plan PC 42 (Private) Auckland Regional Landfill Wayby Valley

Property address: 1232 State Highway 1, Wayby Valley

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
the proposal is contrary to sound resource management principles;
is contrary to the purpose and principles of the Resource Management Act 1991,
conflicts with National Policy Statements on Freshwater Management;
contrary to the Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan

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

80.1

Submission date: 25 May 2020

Attend a hearing

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

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Nick Merwood

Organisation name:

Agent's full name:

Email address: nick.merwood@gmail.com

Contact phone number: 0226014075

Postal address:
320 Govan Wilson Road
Whangaripo
Auckland 0985

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
the whole Plan change 42

Property address: 1232 State Highway 1, Wayby Valley

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
the proposal 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

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

81.1

Submission date: 25 May 2020

Attend a hearing

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

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

Declaration

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

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

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

No

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

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

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

Auckland Council
Te Kaunihera o Tāmaki Makaurau

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/~~Mrs/Miss/Ms~~(Full Name) IAN SARNEY

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

Address for service of Submitter

72 SPINDLER ROAD, WELLSFORD 0972

Telephone: 021-0262753 Fax/Email: ISARNEY1@GMAIL.COM

Contact Person: (Name and designation, if applicable)

Scope of submission

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

Plan Change/Variation Number	PC 42
Plan Change/Variation Name	Auckland Regional Landfill Wayby Valley

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)	**Landfill Precinct**
Or Property Address	**1232 State Highway 1, Wayby Valley**
Or Map	
Or **Other** *(specify)*	

Submission

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

I **support** the specific provisions identified above ☐

I **oppose** the specific provisions identified above ☑

I wish to have the provisions identified above amended Yes ☐ No ☐

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

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation	☐	
Accept the proposed plan change / variation with amendments as outlined below	☐	
Decline the proposed plan change / variation	☑	82.1
If the proposed plan change / variation is not declined, then amend it as outlined below.	☐	

I wish to be heard in support of my submission ☑

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

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

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

25/5/20
Date

Notes to person making submission:

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

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

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

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

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

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

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Additional reasons for my submission are:

Being a resident who resides within 1.5Km of the proposed Landfill site I feel I will be adversely affected by any industrial type activity in the immediate radius of my residence. This includes but does not limit this submission to activities being undertaken in the construction stage, commencement of operation and possible environmental problems arising after the landfill is closed.

Historically this area is primarily used for farming and partly for forestry. We purchased our residence in this area due to the above and to get away from all the congestion and "living on top of each other" found in Te Atatu South where we previously resided. This has been the best move we could have made, until this zoning change came up.

Concerns are as follows in no particular order:

Pollution – this includes light, noise (both decibel level and frequency), smell, air quality (dust), water run-off, leachates, gas emitted.

Removal of habitat for native species of birds, animals, reptiles, frogs and flora/fauna

Increased risk of flooding and sediment caused by removal of trees and excavation of the land.

Risk of contamination of the Hoteo Stream.

Sighting a land fill on top of waterways and natural springs.

Considerable devaluation of our residence.

Unacceptable increase in traffic on SH1 from Warkworth, through the Dome Valley.

Proposed construction of a round about on SH! In the Dome Valley.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Denis Bourke

Organisation name:

Agent's full name:

Email address: dpbourke@xtra.co.nz

Contact phone number:

Postal address:
55 Rodney St
Wellsford
Auckland 0900

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
I object due to concerns about one -off rules and exemptions being applied to bypass environmental regulations already in place

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
As stated above

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

83.1

Submission date: 25 May 2020

Attend a hearing

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

Declaration

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

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

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

Yes

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

My submission is as follows:
PC42 Private plan change.

I wish to express the short sightedness in using the Dome Valley land fill for this purpose. 84.1
Never was there a greater site to provide a Dam for harvesting water.
The future of global warming is changing our weather cycles and the Need for water storage Is imperative to the survival of this community. This year was a fine example of water shortages and still is.
Serious thought on this subject should be paramount, taking into consideration the urban growth that is taking place in the region . 84.2
Is there no vision within the Council To address our infrastructure, for years all ratepayers money was spent on Tourism, well that turned round a bit you in the bum.
Stick to suppling the needs of a well balanced environment that serves our community.

Sylvia Taylor
Warkworth

sylviataylor@xtra.co.nz

Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

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

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

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Organisation Name (if submission is made on behalf of Organisation)
First Gas Limited

Address for service of Submitter

Private Bag 2020 New Plymouth 4340

Telephone: 06 215 4025 / 027 647 1531 Fax/Email:

Contact Person: (Name and designation, if applicable) Nicola Hine, Land and Planning Advisor

Scope of submission

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

Plan Change/Variation Number: PC 42

Plan Change/Variation Name: Auckland Regional Landfill Wayby Valley

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s): Proposed Auckland Regional Landfill Chapter

Or

Property Address:

Or

Map:

Or

Other *(specify)*

Submission

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

I **support** the specific provisions identified above ☐

I **oppose** the specific provisions identified above ☐

I wish to have the provisions identified above amended Yes ☒ No ☐

The reasons for my views are:

Please refer to Firstgas separately attached submission

(continue on a separate sheet if necessary)

I seek the following decision by Council:

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

Please refer to Firstgas separately attached submission

I wish to be heard in support of my submission	☒
I do not wish to be heard in support of my submission	☐
If others make a similar submission, I will consider presenting a joint case with them at a hearing	☒

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

25 May 2020

Date

Notes to person making submission:

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

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

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

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

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

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

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

First Gas Limited
42 Connett Road West, Bell Block
Private Bag 2020, New Plymouth,
4342 New Zealand
P +64 6 755 0861 **F** +64 6 759 6509

Submission on Private Plan Change 42 Auckland Regional Landfill 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 Plan Change:

Waste Management New Zealand Ltd (WMNZ) are seeking a Private Plan change to include a new precinct within the Auckland Unitary Plan, being the Auckland Regional Landfill Precinct. The Auckland Regional Landfill precinct would be identified on the planning maps, including proposed sub-precincts, with associated specific plan provisions.

3. Firstgas assets within the Plan Change area:

Firstgas owns and operates the "Westfield to Maungatapere Gas Pipeline" which is located (in part) within the Precinct Boundary. The pipeline is not located within Sub-Precinct A nor Sub-Precinct B.

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 form 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 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 proposed Plan Change, but seeks to ensure that it provides an appropriate framework to protect the existing infrastructure within the extent of the Precinct and enable its ongoing operation, maintenance, and upgrading, which includes access to the gas infrastructure; while also protecting the asset from activities associated with the purpose of the Precinct. 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.

While the application for the plan change notes that Firstgas will 'continue to be protected by the protection that the designation affords' it is noted that the applicant has not sought the written authority from Firstgas in respect of the Applicant's consent for Plan Change 42, nor their parallel Resource Consent Application to construct and operate a new regional landfill (BUN60339589), as 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 consider that both applications sought from Auckland Council can be considered as activities which would (or could, per the wording contained within Designation 9101) hinder work to which the designation relates. Having not been sought for written consent with regard to these applications, this highlights the risks associated with differences of interpretation in the application of section 176 of the Act to Firstgas.

Firstgas seeks that the content of this submission be factored into future decision-making deliberations, to the extent that the proposed Plan Change 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.

It is noted that the Applicants' consultation with Firstgas did not extend beyond communication regarding whom to contact within Firstgas and therefore this is the first opportunity to propose such considerations to the Applicant.

7. Specific Submission Points to Applicant's Proposed 'Auckland Regional Landfill Precinct (I617)

Proposed Objectives I617.2

Firstgas request the inclusion of a new objective which states 'The Auckland Regional Landfill recognises the importance of the existing pipeline infrastructure as assets which are regionally and nationally significant and will ensure that they are protected and enabled'. 85.1

Furthermore, Firstgas seek that the Applicant's statement regarding priority of objectives is amended to the following (proposed amendment shown underlined): 85.2

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above, expect where there is a conflict, in which case these objectives take precedence excepting those objectives contained within Chapters B3 and E26.

Firstgas consider that these changes will seek to ensure that the existing infrastructure is protected and enabled.

Proposed Policies I617.3

Firstgas requests the inclusion of a new policy which states 'The Auckland Regional Landfill is designed, constructed, upgraded, and operated so that adverse effects on existing infrastructure are avoided or mitigated'. 85.3

Furthermore, Firstgas seek that the applicant's statement regarding priority of policies is amended to the following (proposed amendment shown underlined):

The underlaying zone, Auckland-side and overlay policies apply in this precinct in addition to those specified above, except where there is conflict, in which case these policies take precedence excepting those policies contained within Chapters B3 and E26. 85.4

Firstgas consider that these changes will seek to ensure that the existing infrastructure is protected and enabled.

Proposed I617.4.1 Activity Table

Firstgas support (A4), (A5), and (A15) as drafted, in which Landfill and associated discharges have an activity status of Non-Complying when located outside of Sub-precinct A. 85.5

Firstgas consider that this will seek to ensure that the adverse effects from Landfill and its' associated discharges will not impact the existing infrastructure.

Proposed I617.6 Standards

Firstgas seek the following to be included within the applicant's proposed I617.6(1) Restricted Discretionary Standards and I617.6(2) Discretionary Standards: 'Any activity within 20 metres of existing infrastructure shall require the written authorisation from the infrastructure asset owner'. 85.6

Firstgas consider that the inclusion of this Standard will enable and protect the existing infrastructure from possible impacts created by landfill activities within the Precinct, and will provide for assessment on such possible impacts by the infrastructure owner who has the technical and operational experience relating to the efficient and safe management of the infrastructure asset.

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: F J and J SHEWAN

Organisation name:

Agent's full name:

Email address: fayeshewan@gmail.com

Contact phone number: 0211556672

Postal address:

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:

Property address: 1232 State HIgh Way 1, Wayby Valley

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
We do not believe the Plan Change is in keeping with the Unitary Plan set for the region we reject it in it's entirety.

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

86.1

Submission date: 25 May 2020

Attend a hearing

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

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

Declaration

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

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

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

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Keita Miru

Organisation name:

Agent's full name: Keita Miru

Email address: keitafitness@gmail.com

Contact phone number:

Postal address:
2 Shearwater Rise,
Auckland
Auckland 0630

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:

Property address: Dome Valley

Map or maps: Dome Valley

Other provisions:

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

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

The reason for my or our views are:
Decline the environmental impact this will have on the Kaipara harbour

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

87.1

Submission date: 25 May 2020

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Dave Salisbury

Organisation name:

Agent's full name:

Email address: dave@abeeco.com

Contact phone number: 021959284

Postal address:

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
PC42

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
The proposal identifies the significant rainfall in the area. Given the need for Auckland water catchment and storage, designating this area as landfill (with landfill contamination, earthworks etc) will remove that opportunity across this land. Clearly, a more long term critical issue is ongoing Auckland water supply (Due to Climate Change). Designated high rainfall areas are rare and should be protected for more high value outcomes. The counter factual land use cases and opportunities are not identified in the proposal.

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

88.1

Submission date: 25 May 2020

Attend a hearing

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

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

Declaration

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

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

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

No

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

Auckland Council

Dear Councillors

I object strongly to both the Plan Change and the Resource Consent applications. 89.1

My Reasons:

1. The proposed landfill is sited in a catchment which receives a relatively high rainfall because of the high terrain of the landform across the North Island at that point. Resulting leachate will undoubtedly penetrate through to tributaries of the Hoteo River and cause pollution to the river and eventually the Kaipara Harbour.

2. The possibility of 600 waste truck movements per day on an already difficult highway-SH 1 – with a steep hill will cause severe restriction of traffic speed- is a recipe for more traffic accidents.

3. With 40 tonne truck loads of waste hammering our road to Wellsford and further North, extra maintenance will no doubt be required. In the future this cost will fall on the ratepayers at that time.

4. The proposal is contrary to the purpose and principles of the RMA 1991 and conflict with national policy statements on fresh water management.

I do not wish to speak on this concern.

Yours faithfully,

Grahame Powell
Warkworth

powellg@xtra.co.nz

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Thomas Gregory Parsons

Organisation name:

Agent's full name:

Email address: parsontom@gmail.com

Contact phone number:

Postal address:
86 Shakespear Road
Army Bay
Auckland 0930

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
All modifications of the current rules that are addressed in Plan Change 42.

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
PLAN CHANGE OBJECTION

The designations which control what may and may not be done in a specific area, are part of any ordinary citizen's expectations when purchasing real estate. Such pre-existing regulations are actually a very important part of what is being purchased.

For the vast majority of people, such a purchase is a serious event, involving the largest financial decision of a lifetime, and the family's future wellbeing.

Thus it seems an unethical act to change such restrictions without a large majority vote of those affected. In a democracy, it should be the affected people voting, not outsiders or corporate dollars.

Any significant change of the municipality's allowed and/or disallowed activities in an area where the owners displayed faith in their local government by purchasing land or a residence requires far more local consultation and approval than has apparently been undertaken concerning the present application.

Thus the requested change seems an act that can only damage people's faith in the honesty and reliability of their local government. This can do much harm, and at best benefit a few at the expense of the many.

Please consider the large implications of what may seem like a small change, far away, and therefore not very important.

Specifically, note this excerpt from the introduction to the applicant's paid-for assessment of this entire project, and the generalities used to describe the investigation's history. The criteria are minimally named, and the basis for decisions almost never described well enough for the reader to judge (as described in the excerpt below, which appears between lines of asterisks).

This rejection of any other party's ability to judge the report's interim conclusions makes a mockery of its claim that its final conclusion is justified by any standard. However, one key factor is listed below, as if judged quite significant from the start, yet which would by itself disqualify the area of the present Plan Change application: distance from central Auckland.

Cited excerpt below, between asterisk lines:
****
1 Introduction and background
1.1 Introduction
This report provides a summary of the site alternatives assessment undertaken in the development of the Auckland Regional Landfill project. This has been a long and iterative process, commencing in 2007 and evolving over time. A significant number of potential sites were considered.
The report summarises the decision making and assessment process involved in considering alternative sites. 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, as the vast majority would be unaware that their land was considered, potentially causing significant uncertainty for them if this information was made public. However, this report is intended to demonstrate that significant analysis occurred prior to the selection of the Wayby Valley site for the proposed Auckland Regional Landfill.
1.2
Background
Tonkin & Taylor Ltd (T+T) undertook preliminary site identification studies for a possible new “northern” landfill, on behalf of WMNZ in 2007 and 2009. Although the 2007 siting study initially identified in the order of 50 potential sites, a limited number (19 sites) proved viable on further consideration of distance to the north of the Auckland CBD, distance from State Highway 1 and other locational constraints that WMNZ considered appropriate at the time.
****

As the judgment on the requested changes rests heavily on the desirability of the proposed “landfill”, I append below my submission on that specific issue as having central relevance to any consideration of the Plan Change request:

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 majeur.

(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 use of 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 each 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, the environmental savings 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 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. 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 treatment that greatly reduces any impact on the neighbours and also reduces the likelihood of future waste-escape into the environment.

In fact, the savings from lower transport cost 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 practical 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 Dome Valley (so-called "Wayby") 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 DISTANT 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 from us ratepayers may also be taxed by other levels of government (and likely by other governments) in ways that the civil service functions of a 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 it 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 that 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 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 much worse 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 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 judge this present proposal unworthy of approval.

I or we seek the following decision by council: Decline the plan modification 90.1

Submission date: 25 May 2020

Attend a hearing

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

Declaration

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

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

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

No

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

My submission is as follows:
Three cheers for the future years when we must surely reap all the joys of living near a putrid, stinking, polluting rubbish heap.
Three years for the politicians totally lacking in sagacity that enabled the possibility of this nightmare.
Three cheers for the future years when this country is fully under the yoke of totalitarian stateism.
D Johnson.

91.1

duncmjohnson@gmail.com

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: David Fletcher

Organisation name: nil personal

Agent's full name: Dave Fletcher

Email address: d_fletcher@xtra.co.nz

Contact phone number:

Postal address:
70 Spindler Road
RD2
Wellsford
Auckland 0972

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:

Property address:

Map or maps:

Other provisions:
Waste Management application for mega tip in the Dome Valley

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

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

The reason for my or our views are:
The effect on the environment , Hoteo River and Kaipara Harbour, if an unforeseen event results in the escape of Lechate from the area. A very high rainfall, continual movement of the terrain, the fact that state highway 1 is moving into private land at Springhill, which passes the sight due to movement and the unthinkable fire in the tip which breaches the bladder letting the leachate escape. The Japanese thought their nuclear power station was safe and we have seen the results. Hapten Downs has already shown the burnt hole in the tip there.

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

92.1

Submission date: 25 May 2020

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Melanie Mayall-Nahi

Organisation name:

Agent's full name:

Email address: m.mayallnahi@gmail.com

Contact phone number:

Postal address:
707/76 Wakefield Street
Auckland CBD
Auckland 1010

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:

Property address: 1232 State Highway 1, Wayby Valley

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
Auckland Council is ignoring its obligations to mana whenua. It is our right as mana whenua to voice our concerns and be heard, as we will be most affected by this landfill. Our voices have not been considered, and they continue to be disregarded as plans for the landfill move forward.
We as mana whenua are a voice for Papatūānuku, and we will continue to fight against this landfill for our uri, whānau, hapū and iwi.

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

93.1

Submission date: 25 May 2020

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jeff Smith

Organisation name:

Agent's full name:

Email address: jeffsmith33@gmail.com

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
We don’t want a rubbish dump in the Dome Valley

Property address: Dome Valley

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
We don’t want a rubbish dump in the Dome Valley

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

94.1

Submission date: 25 May 2020

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Alexander Robert Doig Woodward

Organisation name:

Agent's full name:

Email address: ardwoodward@hotmail.com

Contact phone number:

Postal address:
351 Wellsford Valley Road
RD3
Wellsford 0973

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:

Property address: 1232 State Highway 1, Wayby Valley

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
The proposed plans are ludicrous. Placing a toxic waste dump in a high water shed valley that feeds directly into the Kaipara Harbour is so stupid as to defy logic. The plan appears to rely upon a man-made liner, which will no doubt be supplied by the lowest bidder, to contain runoff, which will result in a permanent toxic soup of increasing depth gradually filling the liner until it overflows. The genius solution to this is apparently stepped ponds to catch the runoff. The problem with these ideas is the same as that faced by anti terror police; they have to be successful all the time, whereas the dump only has to leak once in the entire lifetime of the project for the harbour to be irreparably damaged. The dump, even in the unlikely event that it never ever leaks, would remain a permanent toxic blight on the landscape and would require permanent government funding to maintain and secure it once the overseas owners have packed up and gone home or conveniently gone bankrupt. Additionally the Dome Valley section of SH1 is already a known accident blackspot that is operating at maximum capacity during Summer months so to add in an additional 300 heavy truck rotations every day and expect things to work is breathtakingly stupid. The road is already routinely blocked in both directions

by even relatively minor accidents and incidents and it is in no way inconceivable that the rout e could be blocked for several days if an accident of real severity occurred at one of the many choke points. The effect this would have on the entire North Island is immense given that the majority of road transport travels through the Dome. Finding a site with a rail link would seem to be a logical choice and it can only be assumed that the proposed site was chosen purely on the basis that the overseas buyers got it cheap.

I or we seek the following decision by council: Decline the plan modification 95.1

Submission date: 25 May 2020

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Bridgit Bretherton-Jones

Organisation name:

Agent's full name:

Email address: biddy.bj@gmail.com

Contact phone number: 17788770566

Postal address:
5 Kelly st
Mt Eden
Auckland 1024

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
I do not believe that this is an appropriate location for a landfill and therefore the unitary plan should not be changed to support this. I would like the council to decline the attempt to create a new Landfill precinct.
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 fresh water management; waste minimization Plan.

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

Property address: Landfill precident, 1232 State Highway 1, Wayby Valley

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
I spend time at a rural property on a Whaiwhiu Rd. Having a Landfill precinct right next door will significantly negatively impact my enjoyment of this land and that of future generations.
I believe that if this Precinct is granted then the behavior of this company in this area will not protect the long term value of this area and that that surrounds it.

There have been many cases reported in the NZ media that have shown that Landfill operations do go wrong and pollute the environment even with attempts to minimize or remove risk. I believe that it has been well established that the effects of climate change will create more extreme weather events such as storms and floods throughout New Zealand. AS a result of this having a landfill precinct will support activities that create increased risk to the environment and to people living in the wider area.

I or we seek the following decision by council: Decline the plan modification 96.1

Submission date: 25 May 2020

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Lee Laughton

Organisation name:

Agent's full name:

Email address: nzpaddler2@gmail.com

Contact phone number: 02040070022

Postal address:
80 Spindler Road
RD2
Wellsford
Auckland 0972

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

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

Property address: 1232 State Highway 1, Wayby Valley

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
We feel the proposal conflicts with sound resource management principles; the purpose and principles of the Resource Management Act 1991, the Auckland Unitary Plan, National Policy Statements on Freshwater Management; Waste Minimisation Act 2008, Waste Industry guidelines, Ministry for the Environment guidelines and the Auckland Council Waste Management and Minimisation Plan. We object to one off bespoke objectives, policies and rules being applied to this site. We note that the plan submitted with the application indicates the extent of the landfill precinct and it's operations to encompass the entire Waste Management site (1000ha) with Sub Precincts A and B indicated. This gives us increased concerns for the effects to neighbouring properties. For specific information see attached document 'Auckland Regional Landfill Plan Change Submission - Lee Laughton 25 May 2020'.

I or we seek the following decision by council: Decline the plan modification 97.1

Submission date: 25 May 2020

Supporting documents
Auckland Regional Landfill Plan Change Submission - Lee Laughton 25 May 2020 .pdf

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

PLAN CHANGE SUBMISSION AGAINST THE PROPOSED WASTE MANAGEMENT LANDFILL PRECINCT
By Michelle Carmichael
24 May 2020

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

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

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

Part two. Purpose and Principles

5. Purpose

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

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

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

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

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

http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231905.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

6. Matters of national importance

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

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

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

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

(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231907.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

7. Other matters

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

(a) kaitiakitanga:
(aa) the ethic of stewardship:
(b) the efficient use and development of natural and physical resources:
(d) intrinsic values of ecosystems:
(f) maintenance and enhancement of the quality of the environment:
(g) any finite characteristics of natural and physical resources:
(h) the protection of the habitat of trout and salmon:
(i) the effects of climate change:
http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231910.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

8. Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).
http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231915.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

Part three. Duties and restrictions under this Act

Land

9. Restrictions on use of land

(1) No person may use land in a manner that contravenes a national environmental standard.
(2) No person may use land in a manner that contravenes a regional rule.
(3) No person may use land in a manner that contravenes a district rule.
http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231918.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

Coastal marine area

12. Restrictions on use of coastal marine area

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

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

http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231949.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

River and lake beds

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

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

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

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

(2A) The activities are—

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

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

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

http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231970.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

Discharges

15. Discharge of contaminants into environment

(1) No person may discharge any—

(a) contaminant or water into water; or

(b) contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or

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

http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231978.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

Noise

16. Duty to avoid unreasonable noise

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

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

Adverse effects

17. Duty to avoid, remedy, or mitigate adverse effects
(1) Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with—
(a) any of sections 10, 10A, 10B, and 20A; or
(b) a national environmental standard, a rule, a resource consent, or a designation.
http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231999.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

Part five. Standards, policy statements, and plans

Subpart 1—National direction

National environmental standards

43A. Contents of national environmental standards
(3) If an activity has significant adverse effects on the environment, a national environmental standard must not, under subsections (1)(b) and (4),-
(a) allow the activity, unless it states that a resource consent is required for the activity;
Or
(b) state that the activity is a permitted activity.
http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM233303.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

Schedule 3

Water quality classes

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

http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM241596.html?search=qs_act%40bill%40regulation%40deemedreg_resource+management+act+_resel_25_h&p=1

Auckland Regional / Unitary Plan

The following quoted evidence is from (*Auckland Council, 2012 – Operative from 30.09.2013: Auckland Council Regional Plan: Air, Land and Water* *http://www.aucklandcity.govt.nz/council/documents/regionalplans/airlandwater/alwp2012wholeplan.pdf*)

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

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

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

National Policy Statement for Freshwater Management 2014

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

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

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

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

Waste Minimisation Act 2008

Purpose of this Act

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

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

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

Waste Management and Minimisation Plan

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

There are nine key actions in the plan:

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

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

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

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

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

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

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Steven Pigott

Organisation name:

Agent's full name:

Email address: steve.kathypig@gmail.com

Contact phone number: 0210315444

Postal address:
P O Box 715
Warkworth
Auckland 0941

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
I object to the plan change because there should not be a landfill built on this land in the first place. There is risk to the ecosystem, waterways, air and the environment.
The proposal conflicts with sound resource management principles; the purpose and principles of the Resource Management Act 1991, the Auckland Unitary Plan, National Policy Statements on Freshwater Management; Waste Minimisation Act 2008 and the Auckland Council Waste Management and Minimisation Plan. I object to one off bespoke objectives, policies and rules being applied to this site.
Some examples are
5.2. Resource Management Act 1991 (Reprint as at 19 December 2018)
Part two. Purpose and Principles
5. Purpose
(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.
(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—
(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:
(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:

(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

Auckland Regional / Unitary Plan
(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
(b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment." (Chapter 1, Page 1, Para 6-9)
"The control of the use of land for the purpose of –
(i) Soil conservation;
(ii) The maintenance and enhancement of the quality of water in water bodies;
(iii) The maintenance of the quantity of water in water bodies and coastal water;
(iiia) The maintenance and enhancement of ecosystems in water bodies and coastal water;
(iv) The avoidance or mitigation of natural hazards." (Chapter 1, Page 4, Para 8-13)

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
The Landfill poses too greater risk to the land, water, air, ecosystem and environment.
I feel that the technology involved in a Landfill will soon be outdated.

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

98.1

Submission date: 25 May 2020

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Irihaapeti Tewhata

Organisation name:

Agent's full name:

Email address: irihaapeti.tewhata@gmail.com

Contact phone number:

Postal address:
7 Turin Place
Otara
Auckland 2013

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:
Water ways

Property address: Dome Valley

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
We don’t need a landfill in the Dome Valley next to our water ways

99.1

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

Submission date: 25 May 2020

Attend a hearing

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

Declaration

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

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

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

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: David Bruce Mason

Organisation name:

Agent's full name:

Email address: david.b.mason@xtra.co.nz

Contact phone number:

Postal address:
211 Kaipara Flats Road,
Warkworth RD1
Auckland 0981

Submission details

This is a submission to:

Plan modification number: Plan change 42

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

My submission relates to

Rule or rules:

Property address:

Map or maps:

Other provisions:
Provisions relating to protection of the environment need to e tightened

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

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

The reason for my or our views are:
Concern that the documents do not provide for adequate long term protection of the environment

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

Details of amendments: Tighten flood protection parameters, provide better long term site care

Submission date: 25 May 2020

Supporting documents
Submission_20200525195945.251.pdf

Attend a hearing

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

Declaration

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

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

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

No

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

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. 100.1

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.com[1] 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 2019[2]. 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 ARI[3]. 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 Auckland[4].

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.

100.2

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.

100.3

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. 100.4

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. 100.5

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. 100.6
- 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. 100.7
- 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. 100.8