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

Date: Monday 17 to Thursday 20 June
Monday 24 to Thursday 27 June and
Monday 1 to Thursday 4 July 2024
(Note: not all days may be required)

Time: 9.30am

Meeting Room: North Lounge (17-20 June) and South Lounge
(24-27 June and 1-4 July)

Venue: North Harbour Stadium, Stadium Road, Albany

ADDENDUM HEARING REPORT:

**THIRTEEN NOTICES OF REQUIREMENT FOR THE
NORTH PROJECT**

**TE TUPU NGATAHI - SUPPORTING GROWTH
ALLIANCE**

COMMISSIONERS

Chairperson Richard Blakey (Chairperson)
Commissioners Mark Farnsworth
Vaughan Smith

Chayla Walker
KAITOHUTOHU WHAKAWĀTANGA
HEARINGS ADVISOR

Telephone: 098902009 or 027 2315937
Email: chayla.walker@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

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

WHAT HAPPENS AT A HEARING

Te Reo Māori and Sign Language Interpretation

Any party intending to give evidence in Māori or NZ sign language should advise the hearings advisor at least ten working days before the hearing so a qualified interpreter can be arranged.

Hearing Schedule

If you would like to appear at the hearing please return the appearance form to the hearings advisor by the date requested. A schedule will be prepared approximately one week before the hearing with speaking slots for those who have returned the appearance form. If changes need to be made to the schedule the hearings advisor will advise you of the changes.

Please note: during the course of the hearing changing circumstances may mean the proposed schedule may run ahead or behind time.

Cross Examination

No cross examination by the requiring authority or submitters is allowed at the hearing. Only the hearing commissioners are able to ask questions of the requiring authority or submitters. Attendees may suggest questions to the commissioners and they will decide whether or not to ask them.

The Hearing Procedure

The usual procedure for a hearing is:

- **the chairperson** will introduce the commissioners and will briefly outline the hearing procedure. The Chairperson may then call upon the parties present to introduce themselves. The Chairperson is addressed as Madam Chair or Mr Chairman.
- The Requiring Authority (the applicant) will be called upon to present their case. The Requiring Authority may be represented by legal counsel or consultants and may call witnesses in support of the application. After the Requiring Authority has presented their case, members of the hearing panel may ask questions to clarify the information presented.
- **Submitters** (for and against the application) are then called upon to speak. Submitters' active participation in the hearing process is completed after the presentation of their evidence so ensure you tell the hearing panel everything you want them to know during your presentation time. Submitters may be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker.
 - Late submissions: The council officer's report will identify submissions received outside of the submission period. At the hearing, late submitters may be asked to address the panel on why their submission should be accepted. Late submitters can speak only if the hearing panel accepts the late submission.
 - Should you wish to present written evidence in support of your submission please ensure you provide the number of copies indicated in the notification letter.
- **Council Officers** will then have the opportunity to clarify their position and provide any comments based on what they have heard at the hearing.
- The **requiring authority** or their representative then has the right to summarise the application and reply to matters raised. Hearing panel members may ask further questions. The requiring authority's reply may be provided in writing after the hearing has adjourned.
- **The chairperson** will outline the next steps in the process and adjourn or close the hearing.
- The hearing panel will make a recommendation to the Requiring Authority. The Requiring Authority then has 30 working days to make a decision and inform council of that decision. You will be informed in writing of the Requiring Authority's decision, the reasons for it and what your appeal rights are.

**THIRTEEN NOTIFIED NOTICE OF REQUIREMENTS TO THE AUCKLAND COUNCIL
UNITARY PLAN BY TE TUPU NGATAHI - SUPPORTING GROWTH ALLIANCE**

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Addendum to a section 42A report for Notices of requirement under sections 168 and 181 of the Resource Management Act 1991 by Waka Kotahi (New Zealand Transport Agency) and Auckland Transport (AT) for new designations to enable the construction, operation and maintenance of transport corridors



| | |
|---------------------------|---|
| To: | Hearing Commissioners |
| Addendum Author: | Andrew Wilkinson, Consultant Planner, Scott Wilkinson Planning for Plans and Places, Auckland Council |
| Addendum Approver: | Peter Vari, Team Leader, Planning – Regional, North, West and Islands |
| Hearing dates: | 17 June 2024 to 4 July 2024 |
| Addendum produced: | 30 May 2024 |

Note:

- This addendum is not a decision on the notices of requirement.
- This addendum is provided to make available to Commissioners the Council officers opinions and recommendations on the revised information related to NoR 4.
- This addendum has yet to be considered by the hearing commissioners.
- A decision on the notices of requirement will be made by the requiring authority (NZTA and Auckland Transport) after it has considered the Hearing Commissioners' recommendations, subsequent to the Hearing Commissioners having considered the notices of requirement and heard the requiring authority and submitters.

1. Scope of this addendum

- 1.1 This addendum assesses whether an extension to the boundary of NoR 4, as proposed by the requiring authority to respond to the submission by Weiti Green Limited (Submission No. 43), is warranted as it would align the designation boundaries of what is proposed by NoR 4 with the Penlink designation boundary.
- 1.2 This addendum also assesses the submission by Enviro NZ Services Limited received on the notified extension to the boundary of NoR 4.

2. Background

- 2.1 Weiti Green Limited (Submission No. 43) made a submission on NoR 4 which sought to expand the boundary of NOR 4 in the vicinity of the O Mahurangi Penlink interchange.
- 2.2 Waka Kotahi (New Zealand Transport Agency (**NZTA**)) consider that the expansion of NoR 4 as sought in the submission is warranted and note that the land within the proposed expansion of NOR 4 is already subject to existing designation 6777 O Mahurangi Penlink.
- 2.3 In accordance with Direction No.3 from the Hearing Panel dated 23 April 2024, the proposed extension to the NoR 4 boundary that would result from the submission by Weiti Green Limited was notified to a limited number of adjacent property owners, who would potentially be affected by the change in designation boundary, on 26 April 2024. The submission period closed on 24 May 2024.

3. Submission

- 3.1 At the close of the submission period one submission was received from Enviro NZ Services Limited. A copy of this submission is provided as **Attachment 1**. Enviro NZ Services Limited operate from the site at 1627 East Coast Road, being one of the identified sites to be notified.
- 3.2 Enviro NZ Services Limited is opposed to the change to the NoR 4 designation boundary, with the submission commenting that the proposed changed alignment of NOR 4 has the potential to impede access for trucks and subsequently impact on their business and economic activity at their site.
- 3.3 The submission does state that Enviro NZ Services Limited seek to be part of the Stakeholder Communication and Engagement condition (being Condition 3 of the NoR conditions) and be part of the Development Response management plan (Condition 28).

4. Council Response

- 4.1 The submitters opposition is noted however, it is understood that the purpose of the change to the designation boundary would not enable additional works to occur. The change to the NoR 4 boundary will simplify the designation boundaries in the location. In this regard, it is considered that no additional adverse effects would arise from the change to the boundary proposed.
- 4.2 However, the submitters requests for incorporation into Conditions 3 and 28 are logical, to the extent that the conditions provide the opportunity for liaison between the requiring authority and the submitter to ensure that the operation of the business from the site is not unduly affected by future road works.
- 4.3 Overall, the submission received does not alter my recommendations set out in the s42a report.
- 4.4 The requiring authority is invited to present their views on the matters raised in the Enviro NZ Services Limited submission in their evidence.

5. Recommendation

- 4.1 That, the submission from Enviro NZ Services Limited be received.

4.2 That, subject to evidence presented at the hearing, the change of the NoR 4 boundary be accepted because:

- The proposed extended NoR 4 boundary is logical and simplifies designation boundaries for the requiring authorities works and networks.
- there are no material adverse effects from the boundary change, and
- the land subject to the expansion is owned by the Crown and already subject to existing designation 6777 for O Mahurangi Penlink.

This Addendum to the s42A Report is prepared by:



Andrew Wilkinson
Consultant Planner, Scott Wilkinson Planning
Date: 31 May 2024

Reviewed and approved for release by:



Peter Vari, Team Leader, Planning – Regional, North, West and Islands
Date: 31 May 2024

ATTACHMENT 1:

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).

By taking part in this public submission process your submission will be made public. The information requested on this form is required by the Resource Management Act 1991 as any further submission supporting or opposing this submission is required to be forwarded to you as well as Auckland Council. Your name, address, telephone number, email address, signature (if applicable) and the content of your submission will be made publicly available in Auckland Council documents and on our website. These details are collected to better inform the public about all consents which have been issued through the Council.

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 requirement for a designation or an alteration to a designation subject to full or limited notification

Section 149ZCC of the Resource Management Act 1991 of the Resource Management Act 1991
FORM 21



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

Attn: Planning Technician
Auckland Council
Level 16, 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)

Address for service of Submitter

Telephone: Email:

Contact Person: (Name and designation if applicable)

This is a submission on a notice of requirement:

By:: Name of Requiring Authority

NZ Transport Agency Waka Kotahi (NZTA)

For: A new designation or alteration to an existing designation

NoR 4 : State Highway 1 Improvements - Albany to Ōrewa, Alterations to existing designations 6751, 6760, 6759, 6761

The specific parts of the above notice of requirement that my submission relates to are: (give details including property address):

My submission is:

- I or we support of the Notice of Requirement I or we oppose to the Notice of Requirement
- I or we are neutral to the Notice of Requirement

The reasons for my views are:

(continue on a separate sheet if necessary)

I seek the following recommendation or decision from the Council *(give precise details including the general nature of any conditions sought).*

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

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

Date

Notes to person making submission:

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

You must serve a copy of your submission on the person who gave the notice of requirement as soon as reasonably practicable after you have served your submission on the Council (unless the Council itself, as requiring authority, gave the notice of requirement)

If your submission relates to a notice of requirement for a designation or alteration to a designation and you are a trade competitor of the requiring authority, you may make a submission only if you are directly affected by an effect of the activity to which the requirement relates that:

- (a) Adversely affects the environment, and
- (b) Does not relate to trade competition or the effects of trade competition.

FORM 21

SUBMISSION BY ENVIRO NZ SERVICES LIMITED ON NOR 4: STATE HIGHWAY 1 IMPROVEMENTS – ALBANY TO OREWA

To: Planning Technician

Auckland Council
Level 16, 135 Albert Street
Private Bag 92300
Auckland 1142
By email: unitaryplan@aucklandcouncil.govt.nz

Submitter Name:

Enviro NZ Services Limited

Address for Service and Correspondence:

Enviro NZ Services Limited
Attn: Kaaren Rosser c/o Katie Treadaway
Email: katie.treadaway@boffamiskell.co.nz
Address: PO 92810, Penrose, Auckland
Ph: 07 960 4216

This is a submission on a notice of requirement:


By: NZ Transport Agency Waka Kotahi (NZTA)

For: NoR 4: State Highway 1 Improvements - Albany to Ōrewa, Alterations to existing designations 6751, 6760, 6759, 6761

The specific parts of the above notice of requirement that my submission relates to are:

Refer attached submission.

Enviro NZ wishes to be heard in support of its submission.



Signature of submitter

[or person authorised to sign on behalf of the submitter.]

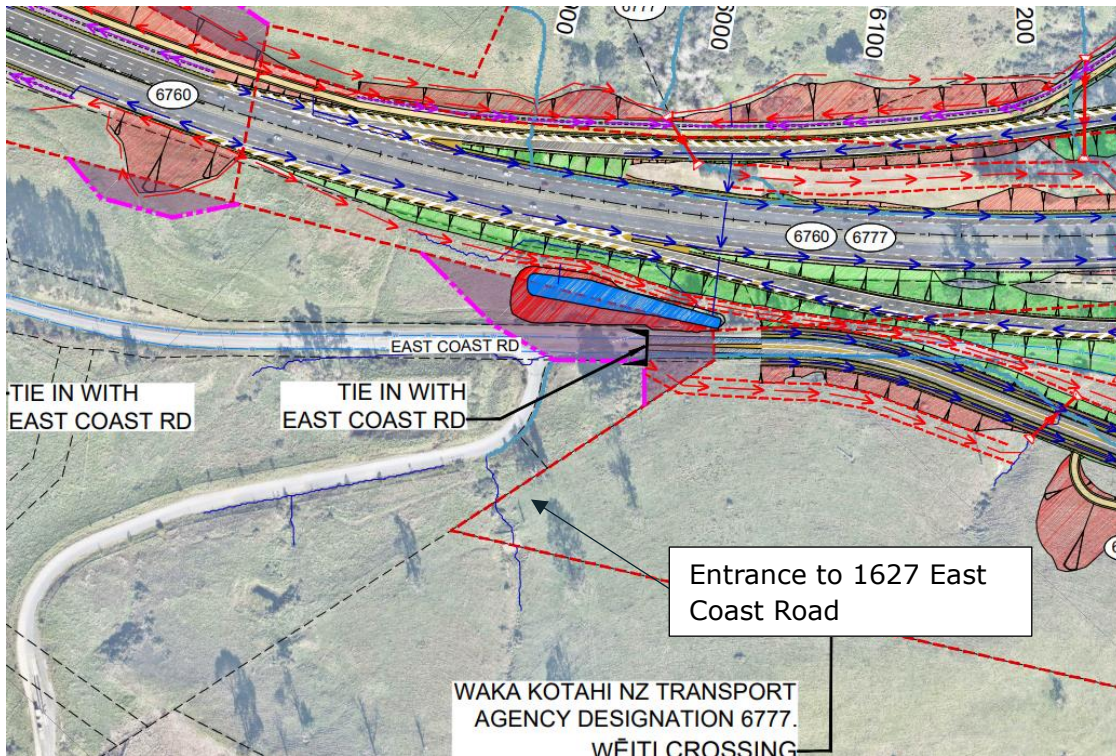
Date: 24 May 2024

SUBMISISON BY ENVIRO NZ SERVICES LIMITED**ON NOR 4: STATE HIGHWAY 1 IMPROVEMENTS – ALBANY TO OREWA****Introduction**

1. Enviro NZ Services Limited (Enviro NZ) is the second-largest solid and liquid waste management company in New Zealand.
2. Enviro NZ owns and/or operates significant portions of the Country's waste management infrastructure including landfills, waste treatment facilities, recycling facilities and waste transfer facilities. Enviro NZ also provides waste and recycling collection services for Councils, businesses and households throughout New Zealand.
3. Enviro NZ operates the site at 1627 East Coast Road, Redvale which is legally described as Lot 2 DP 340945, Lots 2 & 3 DP 366297 and Section 1 SO 69059. This site is known as the Silverdale Resource Recovery Centre and is approximately 88.4 ha in area (although the managed fill only occupies a portion of this area).
4. The existing filling activity has been operating on the site for over 10 years, accepting clean fill material and more recently managed fill material. The site has a gated entrance and exit from the northern side of East Coast Road, sealed internal access road, weighbridge, wheel wash and associated operational buildings, filling areas, stormwater ponds, as well as existing and establishing vegetation planted by the applicant. Enviro NZ has plans for further capital investment in the site, to enable it to meet projected demand for the services provided.

Submission

5. The proposed NOR 4 alteration is shown on the map below, with the pink line showing the designation boundary extended to the south across East Coast Road. The proposed alteration boundary is therefore located in direct proximity to the entrance to the site at 1627 East Coast Road.



6. Based on this information, the proposed alignment of NOR 4 has the potential to impede access for trucks and subsequently impact business and economic activity at 1627 East Coast Road. Enviro NZ requires continuous safe and efficient access to the site.
7. The s42A report for the current NOR sets out the recommended conditions and this includes a requirement for Stakeholder Communication and Engagement (condition 3). Enviro NZ seeks that they are confirmed as being part of the stakeholder list when the works occur and are directly engaged throughout the duration of the works.
8. The recommended conditions also include the requirement for a Development Response Management Plan (DRMP) (condition 28). The objective of this DRMP is to provide a framework and suite of strategies and measures in consultation with stakeholders that assist those directly affected by the project to manage the impacts of construction and to maximise the opportunities the project presents. Included in the DRMP is a hardship assistance package and hardship fund to be available for compensation to landowners, tenants, and adjacent property owners and details of how people will qualify for assistance.
9. Enviro NZ seeks that they included in the DRMP and if required the hardship assistance package in order to manage its concerns outlined above.

Conclusion

10. Enviro NZ seek the following:

- a. Continued safe and efficient access to 1627 East Coast Road

- b. Confirmed as a Stakeholder so that the relevant recommended conditions 3 and 28 (or equivalents as adjusted) apply and there is ongoing engagement.