

Auckland Regional Landfill

Referral Application

Prepared for: WM New Zealand

Prepared by: Tonkin & Taylor Ltd

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31/07/26	1	Final for submission	K Clayton C Questin	A Brabant	S Eldridge

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1 Introduction

1.1 Context

WM New Zealand (**WMNZ**) has engaged Tonkin & Taylor Ltd (**T+T**) to provide planning and other technical services for the consenting and design of a new landfill in the Wayby Valley area north of Auckland.

This report sets out the requirements within the 'Referral application form to use the Fast-track process' (**application form**) pursuant to sections 13 and 22 of the Fast-track Approvals Act 2024 (**FTAA**).

This report (and appendices) should be read in conjunction with the completed online referral application form made by WMNZ.

1.2 Background

WMNZ is one of the leading providers of comprehensive waste and environmental services in New Zealand and is a leading figure in the waste industry across the Auckland region. Across New Zealand, WMNZ has ownership and/or operational interest in seven landfills, including both landfills in the Auckland Region (Redvale Landfill and Energy Park and Whitford Landfill and Energy Park).

The vast majority of Auckland's waste disposal requirements are currently serviced by Redvale in the north, Whitford in the east and Hampton Downs to the south. Once Redvale closes, a landfill to meet Auckland's waste disposal requirements is needed.

WMNZ has acquired land in the Wayby Valley area, north of Auckland, referred to in this application as "the site".¹ WMNZ is proposing to develop a new municipal solid waste landfill on part of the WMNZ landholdings, which will be known as the Auckland Regional Landfill ("**ARL**" or "**Project**").

ARL will provide a new solid waste management and disposal facility to replace the Redvale Landfill which currently provides for disposal of approximately 50% of Auckland's solid waste (estimated as 1.7 million tonnes in the Auckland Council Waste Management and Minimisation Plan 2024). WMNZ will own, construct and operate the landfill. The proposed landfill will be designed and operated as a Class 1 Landfill in accordance with the latest guidance for New Zealand – the Technical Guidelines for Disposal to Land published by the Waste Management Institute New Zealand (WasteMINZ Technical Guidelines)². A Class 1 landfill accepts municipal solid waste including residential and commercial waste, construction and demolition waste, some industrial wastes (that meet strict acceptance criteria) and contaminated soils. The proposed works include:

- **Site access and operation:** Construction of site access roads, weighbridges, laydown areas to assist in waste transport within the site and a vehicle wheel wash.
- **Landfill development:** Major earthworks and the installation of environmental management systems, including a landfill lining system and collection networks for leachate, stormwater, and landfill gas (LFG).
- **Leachate and LFG management:** A dedicated leachate management system and an LFG treatment facility, including an LFG flare and an LFG waste-to-energy plant.
- **Support infrastructure:** Facilities for staff and contractors, plant maintenance, and water supply.

¹ All land is owned by WM except for two parcels of land that are currently under contract to WMNZ and only subject to OIO approval. This is not expected to affect the applicant's ability to undertake the work.

² Technical Guidelines for Disposal to Land, WasteMINZ, September 2023, Revision 3.1.

- **Terrestrial, freshwater and wetland biodiversity measures:** This includes native revegetation, and a weed and animal pest programme to offset or compensate for residual adverse effects on terrestrial, freshwater and wetland ecology.

WMNZ has been working through a consenting process under the Resource Management Act 1991 (RMA) for ARL since 2019, when an initial consent application was lodged with Auckland Council, which was approved and subsequently appealed by opponents to the Environment Court, High Court and Court of Appeal. Due to ongoing delays in authorisation and establishment under the RMA, WMNZ is seeking to use the FTAA in order to address a future shortfall of critical landfill infrastructure in Auckland. WMNZ is not changing what ARL proposes to deliver for Aucklanders, including its key environmental outcomes, in the context of this FTAA application. Further details on this RMA application and decisions are included in section 1.4 below.

This application is for the following approvals:

- Resource consents, required under the RMA³
- Wildlife Act Approvals under the Wildlife Act 1953; and
- Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act 2014.

1.3 Applicant and property details

Table 1.1 below sets out the details of the applicant and application site, as required by Section 1 of the application form. Evidence of authorisation to make the application on behalf of the applicant is included in Appendix A.

Table 1.1: Applicant and property details⁴

Applicant	Waste Management NZ Limited
Owner and occupier of application site	
Council / Plans	Auckland Council (AC) Auckland Unitary Plan (AUP)
Agent acting on behalf of applicant	Tonkin & Taylor Limited Attention: Keeley Clayton Phone: s 9(2)(a) Email: s 9(2)(a)
Applicant (including finance)	Waste Management NZ Limited Attention: Jim Jefferis Phone: s 9(2)(a) Email: s 9(2)(a)

1.4 RMA application process

The activities involved in this referral application have been the subject of an application for consent that has been granted under the RMA.⁵ However, the decision to grant consent remains under appeal to the Environment Court and Court of Appeal, which may not be resolved for some time and which are preventing the granted consent from being exercised.

³ FTAA, s 42(4)(a).

⁴ FTAA, s 13(4)(s).

⁵ FTAA, s 13(4)(u).

As outlined earlier, WMNZ has been working through consenting the ARL since 2019 when it applied for consents under the RMA. In 2021, a majority of Commissioners appointed by Auckland Council approved resource consents. This was subsequently appealed by eight parties to the Environment Court. That Court issued its first interim decision on 21 December 2023 which found that a modified proposal, conditions, and management plans would allow the ARL to meet the purpose of the RMA and relevant matters under section 104 of the RMA, such that the Commissioners' decision to grant consent could be confirmed.

Two appeals of the interim Environment Court decision on questions of law were filed in the High Court. Both appeals were dismissed by the High Court in a decision issued on 19 December 2024.

There was then an application for leave to appeal filed by one party in the Court of Appeal. That Court granted leave only on one question concerning the interpretation and/or consideration of Policy E3.3(18) in the AUP under the RMA. That appeal is to be heard in mid-August 2026. The timing of any decision is uncertain, as is the outcome of the appeal, and the nature of any subsequent reconsideration (if any) that might be required.

The Environment Court has continued to consider parts of WMNZ's application (with certain matters "ring-fenced" by the Court of Appeal process). A second interim decision was released on 26 February 2026 where the Court found it "was satisfied that a consent can be granted on modified conditions". A third interim decision was issued on 18 June 2026 which addressed remaining disputed conditions, excluding those "ring-fenced" by the Court of Appeal process. A final decision has not been made by the Environment Court on the appeals before it and cannot be made until the outcome of the Court of Appeal process is known.

Overall, there has been a very lengthy first-instance consenting and subsequent appeals process for the ARL under the RMA consenting framework. It is considered that the Fast-track Approvals process would facilitate the delivery of the Project in a more timely and cost-effective way for the reasons discussed in section 3.2.1 below. Importantly, WMNZ is not changing what ARL proposes to deliver for Aucklanders, including its key environmental outcomes determined through the Council-level and Environment Court appeals process.

1.5 Compliance and enforcement history

The compliance and enforcement history, as required by the FTAA⁶, is attached as **Appendix C**.

⁶ FTAA, s 13(4)(x).

2 Proposal

2.1 Project name

The project name by which the project will be known publicly is *Auckland Regional Landfill (ARL)*.

2.2 Project description

2.2.1 Listed project description

The following description is proposed to be used for the publication of this project on the Fast-track website:

Construction, operation, closure, and aftercare of a new Class 1 Landfill, and associated infrastructure, in the Wayby Valley area north of Auckland.

2.2.2 Overview of project description

This section provides an overview of the proposed ARL development to provide critical landfill infrastructure; this is also described in the Landfill Engineering Technical Memo included in Appendix G⁷. The proposal comprises the construction, operation, closure and aftercare of a new landfill with an airspace capacity of approximately 24 Mm³.

The figures included in Appendix D demonstrate an indicative landfill facility layout to indicate that all proposed management on-site can be accommodated within the site itself. The WMNZ landholdings have been divided into five general areas: the Eastern Block, the Western Block, the Southern Block, the Waiwhiu Tributary Block and the Waiteraire Tributary Block.

2.2.3 Landfilling footprint and design

The landfill valley is to be located within the Eastern Block, as shown in the drawing in Appendix D. The landfill footprint and design are described in detail in the Landfill Engineering memo (Appendix G). The key considerations for the landfilling footprint are as follows:

- The footprint has been selected to maximise the fill potential of the landfill valley.
- Consideration of the existing contours of the site.
- Maintaining sufficient area downstream of the landfill for long-term stormwater treatment facilities, leachate handling and other operational requirements.

The landfill will be constructed in stages within the landfill valley. The staging will begin with the construction of a toe bund and an initial section of the lining system. Subsequent phases will be constructed surrounding the initial phase and expanding the lining system footprint. The size of each phase is kept to a practical minimum for efficient operation and phases are only constructed as they are required.

2.2.4 Lining system

Lining systems provide essential management of effects for landfills, as these provide separation between the waste and the surrounding environment and provide a containment system for leachate. The WasteMINZ Technical Guidelines set out best practice guidance for the development of a lining system. The proposed lining system for ARL is set out in the Lining System Memorandum (Appendix H). The configuration of the lining system will comprise the following (top to bottom):

⁷FTAA, s 13(4)(a)

- Leachate drainage layer incorporating drainage aggregate and collection pipework.
- Protection geotextile.
- 1.5 mm high-density polyethylene (**HDPE**) geomembrane.
- Compacted low-permeability mineral soil layer, with a geosynthetic clay liner (**GCL**) incorporated where required.
- Prepared foundation soils.

Two lining system configurations are proposed for use over the life of the landfill, depending on the quality of site-won soils available at the time of construction, namely:

- **Type 1 lining system**, comprising a 1.5 mm HDPE geomembrane placed directly over a 600 mm thick compacted low-permeability mineral soil layer.
- **Type 2 lining system**, comprising a 1.5 mm HDPE geomembrane placed over a GCL and a 600 mm thick compacted low-permeability mineral soil layer.

The lining system is designed as a containment system, which prevents leakage. It incorporates an integrated leachate collection system designed to limit leachate head above the geomembrane and minimise the potential for leakage. Lining system performance has been assessed for contaminant performance, durability, longevity and seismic performance. Using these performance metrics the following has been concluded:

- Under typical and conservative scenarios, modelling demonstrates low leakage rates;
- The lining system incorporates specific measures to limit tensile strain to ensure longevity; and
- The proposed lining system geometry, combined with the low-risk seismic setting, suggests that the liner is not expected to sustain damage from seismic shaking.

To ensure the liner quality, quality assurance, including oversight by independent qualified experts, is proposed.

2.3 Leachate management

Leachate is an unavoidable byproduct of landfill management, generated through the breakdown of waste. To manage this risk, engineered landfill leachate collection systems are established to capture and manage this leachate. To minimise leachate generation, the following measures are proposed:

- Minimising the active tip area to manage potential rainfall infiltration.
- Progressive covering of areas with the use of daily, intermediate and final cover.
- Establishment of a stormwater system to prevent water from running into the working face. Water that is kept separate from the waste can be treated as clean water through sediment ponds, rather than being treated as leachate.

A leachate collection system will be established, comprising an aggregate layer placed directly above the lining system with a network of collection pipes. Leachate is conveyed through these pipes to leachate sumps located at the toe of the landfill. This system is designed to limit the leachate head above the lining system of the landfill to a maximum of 300 mm across the landfill, with the exception of sump locations where leachate head can be higher due to the collection in those areas.

Leachate management approaches will depend on the stage of the landfill. The following is an overview of the stages of leachate management:

- Early stages with small volumes of leachate: loaded into tankers and trucked off site.

- Later stages: when sufficient LFG is being generated to service the renewable energy centre, a leachate evaporator unit (**LEU**) will be established. At this time, leachate will be trucked to this location and stored in holding tanks.

If a leachate breakout is identified, or leachate is identified in surface water, the site will have contingency procedures in place. Any surface water with evidence of leachate will be held in the ponds to allow for treatment or management. No discharge would occur from the ponds until monitoring demonstrates that the water quality is suitable for discharge.

2.3.1 Landfill gas management

LFG is produced from the anaerobic decomposition of the organic components within the waste. To manage LFG from the landfill, a collection system will be installed inclusive of horizontal collection pipes and vertical wells. These will be progressively extended as the landfill develops.

The treatment of LFG will be undertaken in stages as the landfill is developed. This will include:

- Initial treatment via a flare that will burn LFG at a controlled temperature and retention time to destroy methane.
- When sufficient LFG is being collected at the landfill, the LFG will be directed to a Renewable Energy Centre, where it will be used to fuel up to 12 generators to produce electricity for export at 11 kV or 33 kV by pylons and wires.

Any LFG not used for energy generation will be destroyed in one or more fully enclosed ground flares.

2.3.2 Stormwater management

Stormwater management at the landfill has the overall objective of effectively treating stormwater to ensure that discharges from the site do not cause adverse effects offsite. This is achieved through:

- The separation of leachate and stormwater at the site to provide for appropriate management with any surface water that comes into contact with the open working face and associated areas treated as leachate and treated through the leachate system.
- A series of drains installed on the outside edge of all benches as the landfill develops to convey water to the treatment ponds.
- Diversion of clean surface water where possible.
- Treatment of stormwater through a series of ponds (including a polishing wetland) for appropriate treatment prior to discharge. These ponds will be designed appropriately for peak flows and potential storm events.

Discharges following treatment will occur into the surrounding catchment, including Waiteraire Stream and other unnamed tributaries of the Hōteio River.

2.3.3 Ancillary infrastructure

2.3.3.1 Site access

The main permanent site access will be from an appropriate location along SH1. The location of access will take into account:

- Appropriate sight distance along SH1.
- Potential upgrades to SH1 to mitigate safety concerns, including provision for turning lanes or roundabouts as required.

- Provision for facilities such as a weighbridge or laydown areas for landfilling operations.

As part of the construction phase, multiple entrances may be required. These will be designed to relevant safety requirements as above and could access the site from SH1 or alternatively from Wayby Valley Road/Spindler Road.

2.3.3.2 Site roading

Additional on-site roads will be required throughout the life of the Project. These roads will be constructed as part of landfilling operations and for access to all ancillary infrastructure, such as stockpiles, stormwater ponds, energy centre and site offices.

These roads will typically be constructed as gravel roads and will be constructed progressively as the landfill progresses. Where possible, existing tracks established for forestry activities will be utilised.

2.3.3.3 Ancillary buildings and facilities

Ancillary buildings and services may include:

- A site office for staff and contractors responsible for the operation of the landfill, including parking adjacent to the site office.
- A workshop for plant and general maintenance. A hardstand area will be provided outside of the workshop. Additional small buildings will also be provided in this general area to house small plant, equipment, etc.
- A weighbridge kiosk.

2.3.3.4 Water supply

There are water supply requirements on the site to service the staff located here, requiring potable water, and water for the operation of the landfill, being non-potable water. The following water supply is currently proposed at the site:

- Potable water sourced from a groundwater bore located at the site, pumping water into tanks as required, located near the bore.
- Non-potable water sourced from stormwater treatment ponds at the site as appropriate.

2.3.4 Stockpiles and clay borrow areas

Stockpile and clay borrow areas will be located on the site and generally consist of a main stockpile, topsoil stockpile(s) and a clay borrow area that will service the landfill as required. Each of these features will include an associated sediment control pond to provide ongoing management of runoff from the site.

The stockpiles will be required during the construction of the landfill for soil excavated from the establishment of the site such as the excavation of the landfill valley and stormwater ponds. The clay borrow will be established once this material is required for the operation of the landfill.

2.3.5 Landfill operation

The operation of the landfill generally comprises receipt of the waste, placement and compaction within the landfill and covering that waste. The landfill will be developed and operated in a phased approach to minimise the open working area at all times. The landfill will operate pursuant to a Landfill Management Plan (**LMP**). Phases are proposed for the development of the landfill valley (as part of the single project); each will be designed for a set capacity, to be managed appropriately. Within a phase there will be a number of smaller stages, which are determined as a phase progresses.

Soils are excavated from undeveloped parts of the site and are carted either directly to the tipping zone for use as cover or to the phased construction area for structural earth fill and liner. Due to the surplus of soils on the site, some of the soils are held in stockpiles. Daily cover consisting of natural earth material or a suitable alternate material will be placed over refuse to a thickness of about 150 mm.

It is anticipated that the working face will be open daily from 5.00 am to 10.00 pm.

2.3.6 Ecological offset and compensation

In order to address the ecological effects from the Project, a programme of ecological enhancement and restoration for the purpose of mitigation, offset and compensation will be developed as discussed in the Terrestrial and Freshwater memos attached as Appendix S and T.

2.3.7 Landscape and visual mitigation

Landscape planting and mitigation will be developed. The purpose of this planting will be to mitigate adverse landscape and visual effects of the Project. The details of the purpose and requirements of this planting are set out in more detail in the Landscape and Visual Assessment Memo (Appendix U).

2.3.8 Bond

WMNZ will enter into a bond, taking into account the risks and costs of remediation, closure and aftercare. The details of the bond requirements will be clearly specified in the proposed conditions of the RMA approvals, and would be required to be in place prior to the Landfill accepting waste, and is set out in more detail in the Bond Memo (Appendix R).

2.4 Description of project area

2.4.1 Site location

The site is located at 1232 State Highway 1, Wayby Valley, located approximately 70 km north of Auckland, as shown in the figures in Appendix D. The main site access is proposed to be located off State Highway 1, approximately 6 km southeast of Wellsford and 13 km northwest of Warkworth.

Activities immediately surrounding the site include the working Springhill Farm within the Western Block, and extensive plantation forestry operations within the Eastern Block and parts of the Waiteraire Tributary Block. Areas of native vegetation are also present, predominantly within the Southern Block.

2.4.2 Site description

In accordance with section 2.2.2 of the application form, Table 2.1 below sets out the records of title and site area. Additionally, a further detailed description of the site is included below in Table 2.1.

Table 2.1: Property description

Site address	1232 State Highway 1, Wayby Valley
Site area	Approximately 1020 ha

Legal description	Part Section 94 Parish of Hōteio Part Allotment 163 Parish of Hōteio Lot 2 Deposited Plan 398682 Part Allotment 68 and Part Allotment 69 Parish of Hōteio Lot 2 Deposited Plan 210406 Lot 2 Deposited Plan 71574 Allotment 17 Parish of Hōteio North Western Portion Allotment 16 Parish of Hōteio Allotment 16 Parish of Hōteio Part Allotment 16 Parish of Hōteio Allotment 33 Parish of Hōteio North Western Portion Allotment 34 Parish of Hōteio Allotment S.E. 34 Parish of Hōteio Allotment 35 Parish of Hōteio Allotment 36-38 Parish of Hōteio Allotment 39 Parish of Hōteio Part North Western Portion Allotment 7 Parish of Hōteio, Part North Western Portion Allotment 8 Parish of Hōteio, Part South Eastern Portion Allotment 9 Parish of Hōteio and Part Allotment 117 Parish of Hōteio Allotment 103 Hōteio Parish Southern Part Allotment 12 Parish of Hōteio Allotment 11, Allotment N12, Allotment 105-106, Allotment 177 and Allotment 184 Hōteio Parish Allotment 13-14 Parish of Hōteio, Middle Part Allotment 15 Parish of Hōteio and North Western Part Allotment 15 Parish of Hōteio Allotment N.M. 15 Parish of Hōteio Southern Portion Allotment 16 Parish of Hōteio South Eastern Portion Allotment 15 Parish of Hōteio Lot 1 Deposited Plan 554271 Lot 1 Deposited Plan 72318 And including any land shown for public roads, whether formed or unformed, within any of the titles listed, subject to appropriate interests in that land being transferred to WMNZ.
Record of Title reference	NA42B/697, NA42B/699, 963372, 983862, NA138D/56, NA136/300, NA31B/790, NA279/207, NA1937/63, NA599/297, NA761/222, NA634/125, NA2D/102, NA26C/477, NA870/214, NA50B/713, NA907/217, NA1149/47, NA28A/580, NA1149/48, NA643/294, NA599/296, NA599/299, NA27D/570, 963371, NA28C/1389

2.4.3 Existing environment

The WMNZ landholdings cover an area of approximately 1020 ha that comprises a mixture of terrain and land use typologies, including pastoral farmland and plantation forestry. The topography of the WMNZ landholdings rises from the Hōteio River and farmland area in the west to a steep area covered with plantation forestry in the east.

For ease of reference, the site has been split into five areas, as shown in Appendix D.

- **Western Block:** comprising the western part of the WMNZ landholdings including Springhill Farm and including the Hōteio River along a portion of its western boundary.

- **Eastern Block:** comprising an area of plantation pine forestry. This area is predominantly steep ridges and valleys and includes the Landfill Valley. A number of forestry access tracks run along the ridges.
- **Southern Block:** comprising a strip of land between Springhill Farm to the north and the Sunnybrook Reserve to the south-east.
- **Waiwhiu Tributary Block:** comprising further plantation pine forestry and forestry tracks, divided from the Eastern Block by Wilson Road.
- **Waiteraire Tributary Block:** comprising an area of plantation forestry and native vegetation at the southeastern extent of the WMNZ landholdings.

The relevant AUP maps with zoning and key planning notations that apply to the site are identified in Table 4.1 below.

2.5 Ineligible activity

The criteria of ineligible activities have been assessed in the relevant section of the application form⁸. The Project, when assessed against the criteria, is not deemed to be an (or involve any) ineligible activity.

⁸ Application form, part 2, subpart 1; FTAA, ss 5 and 13(4)(c).

3 Appropriateness for Fast-track approvals process

3.1 Significant regional and national benefits of the project⁹

3.1.1 Overview

The purpose of the FTAA is to 'facilitate the delivery of infrastructure and development projects with significant regional or national benefits'¹⁰. An essential component of assessing a referral application is to determine whether the project is an infrastructure or development project that would have significant regional or national benefits. Overall, referring the Project would:

- 1 Align with the purpose of the FTAA and referral application criteria¹¹ as waste infrastructure that has significant regional or national benefits (detailed in sections 3.1.2 to 3.1.3 below).
- 2 Enable the Project to be processed in a more timely and cost-effective manner under the FTAA¹² (in contrast with standard RMA consenting processes), as detailed in section 3.2.
- 3 Be unlikely to affect the efficient operation of the FTAA process.¹³

3.1.2 Significant national and regional benefits

The Project has significant national and regional benefits. Municipal landfills are essential infrastructure in New Zealand, allowing for the safe management and disposal of waste across the country, as they are the final destination for solid waste that cannot be reused or recycled. Their status as essential infrastructure has been validated by the National Policy Statement for Infrastructure, and a number of Councils around New Zealand, including Auckland Council, which has included municipal landfills in their definitions of "infrastructure" within their planning documents, as demonstrated in Chapter J Definitions of the Auckland Unitary Plan – Operative in Part (AUP). Modern landfills, such as the ARL, are designed so that the actual and potential effects of the disposal of waste are appropriately managed through the implementation of engineered lining and capping systems and proactive on-site management of LFG, leachate and stormwater.

The Auckland region currently depends on Class 1 landfills at Redvale in the north of Auckland, Whitford in the east of Auckland, and Hampton Downs to the south in the Waikato, with an additional small amount of waste sent to Puwera Landfill, located south of Whangarei in Northland. Redvale is operated by WMNZ and currently accepts approximately 600,000 tonnes per annum, around 50% of Auckland's residual waste. However, under Condition 8 of its existing consent, Redvale is required to cease accepting waste on 31 December 2028. The ARL is proposed as the permanent replacement for Redvale but is not expected to be operational until the mid-2030s. To bridge the resulting gap in critical landfill capacity, WMNZ lodged a separate FTAA referral application (the Redvale Landfill Expansion project) to extend Redvale's operation to the end of 2036. That application was accepted for referral on 24 April 2026. That transitional arrangement is directed at maintaining continuity of service until the ARL, the enduring, long-term solution, is available.

As identified in the NERA Economics Assessment (Appendix E), landfill capacity at Puwera and Whitford Landfills is constrained.¹⁴ If the ARL does not obtain consent and is not operational by 2035, this would create a significant capacity shortfall and Auckland's projected demand of almost

⁹ FTAA, s 22(1).

¹⁰ FTAA, s 3.

¹¹ FTAA, s 22(1)(a).

¹² FTAA, s 22(1)(b)(i).

¹³ FTAA, s 22(1)(b)(ii).

¹⁴ Whitford is limited to 350,000 tonnes per annum and Puwera is estimated to have capacity of approximately 87,500 tonnes per annum available for Auckland waste.

1.6 million tonnes per annum would fall to just three landfills (Hampton Downs, Whitford and Puwera), leaving Hampton Downs managing the bulk of Auckland's waste (as landfill capacity at Whitford and Puwera is constrained as described above). NERA estimates this would increase landfill gate prices by between 10 and 30%, an additional cost to users in the order of \$42.2 million per year (at a 15% increase), representing both a substantial lessening of competition and a significant capacity shortfall for the region.

Under Chapter B1 'Issues of regional significance' of the Regional Policy Statement contained within the AUP, it is identified that the significant resource management issues for the Auckland region encompass urban growth, infrastructure, transport and energy. Stats NZ (2025)¹⁵ projects Auckland's population to reach approximately two million people around 2033, up from approximately 1.76 million in 2023. Given this rate of population growth and the anticipated shortfall of landfill capacity in the region, the proposed development of the ARL will effectively address these identified regional issues. Critically, the ARL is designed to provide secure landfill capacity for the region for in excess of 30 years, delivering long-term certainty for essential waste infrastructure. The Project will contribute to a high standard of living for Auckland communities by enabling safe, ongoing waste collection and disposal. This is also anticipated to reduce illegal dumping and associated environmental and health risks within the Auckland region.

Furthermore, the Project will facilitate energy recovery. This involves using LFG, which is approximately 50% methane gas, from the landfill to fuel a number of renewable energy initiatives. As the landfill is progressively filled, the generation of LFG will continue to increase. As an indication, in 2019, Redvale's energy generation had the capacity to power 14,000 homes on the local grid, making it Auckland's largest renewable energy source. It is estimated that the Redvale landfill could power up to 18,000 homes as at 2026¹⁶. The development of ARL, with its renewable energy generation capabilities like Redvale, will directly support electricity supply to Aucklanders, thereby contributing to housing needs and ensuring a well-functioning and resilient urban environment¹⁷, consistent with the outcomes sought by Policy 1 of the National Policy Statement on Urban Development 2020. In this way, the Project will contribute to a well-functioning environment through its provision of essential waste infrastructure and renewable energy generation that supports housing development, population growth and access to services necessary for communities' social, economic and cultural wellbeing.

Landfills also play a critical part in natural hazards and disaster recovery¹⁸. Material and debris from events such as the Auckland Anniversary Floods in 2023 must be disposed of, as they cannot be reused. This response also needs to be reactive, and landfills are required to have adequate capacity to manage this material at short notice, as it cannot be planned for in advance. Ensuring this capacity is available in Auckland through the development of ARL is considered to be essential for resilience at a national and regional level.

3.1.3 Economic benefits¹⁹

The project will deliver significant regional and national economic benefits. The economic benefits of the ARL have been assessed in two independent economic reports prepared for WMNZ including a report by NERA on the effect of the Project on landfill gate prices, and a report by NZIER on the economic cost of transporting Auckland's waste. Both compare the scenario in which the Project is consented and operational from 2035 (the "Factual") against the counterfactual in which it does not

¹⁵ Retrieved from [Stats NZ Subnational population projections, by age and sex, 2023\(base\)-2053](#).

¹⁶ Office of the Prime Minister's Chief Science Advisor (2019). Retrieved from [Modern landfill – a waste-to-energy innovation | Office of the Prime Minister's Chief Science Advisor](#)

¹⁷ FTAA, s 22(2)(a)(iii).

¹⁸ FTAA, s 22(2)(a)(viii).

¹⁹ FTAA, s 22(2)(a)(iv).

proceed, and Auckland's waste is absorbed by the remaining landfills, principally Hampton Downs in the north Waikato. Together, they demonstrate that consenting the Project would deliver material and enduring economic benefits for Auckland and the wider upper North Island.

If the Project does not proceed, the Auckland landfill market would reduce from four competing landfills to three, leaving Hampton Downs as, in effect, a monopolist for the bulk of Auckland's waste (as other landfills are constrained by current resource consents restricting size and waste acceptance). NERA finds the reduction of landfills if Redvale was to close would materially increase market concentration: the Herfindahl-Hirschman Index (HHI) rises from 3,760 to 5,782, well beyond the thresholds competition regulators use to identify a substantial lessening of competition. Combined with high barriers to entry and expansion and relatively inelastic demand, NERA estimates landfill gate prices would be 10 to 30% higher without the Project (10–15% based on the Commerce Commission's merger analysis, and 29.9% under Cournot modelling). Even the bottom of that range is material: a 15% increase equates to about \$26.42 per tonne, or roughly \$42.2 million in additional disposal costs each year **across** Auckland's projected 1.6 million tonnes of waste in 2035. These gate price effects would likely flow through to Northland, Waikato and Bay of Plenty users as well. Under a more constrained scenario, where Hampton Downs cannot take additional Auckland waste, NERA estimates price increases of around 103% and roughly 560,000 tonnes of waste with no ready disposal option. Consenting the Project therefore preserves competitive tension and avoids these cost increases.

NZIER's transport modelling reaches a consistent conclusion. Because the Project is located to serve Auckland demand efficiently, developing it is the lower-cost option: it avoids trucking around 73% of Auckland's waste to Hampton Downs. Proceeding with the Project delivers a direct saving of about \$17.3 million per year in transport costs (roughly \$63.7 million versus \$80.9 million), reduces vehicle kilometres travelled by about 2.03 million km per year, and cuts transport emissions by about 3.7 million kg CO₂-e per year. It also disperses truck movements rather than concentrating them, reducing congestion on the Auckland Harbour Bridge and the western and southern road network, congestion that would otherwise reduce regional employment, productivity and supply-chain efficiency.

Beyond gate prices and transport, NZIER identifies further economic benefits from developing the Project, including employment and capital investment during construction of the site and its infrastructure, and retained employment and operational expenditure in the Auckland region once operational. Retaining landfill capacity within Auckland also avoids the region becoming dependent on disposal capacity outside its boundaries.

Both assessments support the significant national and regional benefits case for the Project. Consenting the ARL would deliver significant regional economic benefits being materially lower landfill gate prices, an estimated \$17.3 million in annual transport savings, reduced emissions and congestion, and construction and operational employment for Auckland and, to varying degrees, Northland, Waikato and the Bay of Plenty.

3.2 Efficiency of the Fast-track approvals process

3.2.1 Facilitation of the project under the FTAA²⁰

The purpose of the ARL is to be a replacement for the existing Redvale Landfill, located in Dairy Flat, north of Auckland, and ultimately likely the main waste disposal facility serving Auckland into the long-term future.

²⁰ FTAA, s 22(1)(b)(i).

The ARL has faced uncertainty under the traditional RMA consenting pathway particularly due to the appeals by the Project's opponents of the Environment Court's decision. This has resulted in the resource consenting process for ARL taking significantly longer than anticipated when originally lodged. The original resource consents were lodged with the Auckland Council in 2019 and granted in 2021 but subsequently appealed by multiple parties to the Environment Court. These consents are still subject to Environment Court and Court of Appeal processes, with parties on appeal having reduced over time due to the efforts of WMNZ to pragmatically resolve and reduce issues in contention. In particular, Ngāti Manuhiri (as mana whenua and project partner) and all other interested iwi have reached agreements with WMNZ that address their concerns, such that all iwi now support the proposal.

With the large scale of this regional infrastructure facility, there is a significant lead time required in the construction phase to have the facility ready to accept waste. The considerable time expended on the normal RMA consenting process, which is ongoing and has no guaranteed timing or outcome (particularly due to the appeals by the Project's opponents of the Environment Court's decision), results in risk to the viability of the project and its ability to serve its intended purpose.

For this reason, it is considered that the Fast-track Approvals process would facilitate the Project and provide the mechanism for the project to be considered on its merits as a significant infrastructure facility, in a timely and cost-effective way, rather than continue along a protracted appeal process with no definitive end point.

3.2.2 Likelihood of the efficient operation of the Fast-track approvals process being materially affected by referring this project²¹

Referral of the ARL to the Fast-track approvals process is unlikely to materially affect the efficient operation of the Fast-track approvals process for the following reasons:

- Relevant experts have been engaged over a lengthy period due to the Project's appeals processes. They are well informed and have detailed understanding of the intricacies of the Project, enabling them to be able to provide timely and knowledgeable advice to any Fast-track panel on potential adverse effects on the environment, as detailed in Appendix H to Appendix Z.
- Involvement of other parties and consultation undertaken to date has been extensive, as detailed in Appendix Y. Feedback from this process has been reviewed and will be used to inform and refine mitigation measures proposed as part of the Project (noting ARL will not change its key environmental outcomes determined through the Council-level and Environment Court appeals process).
- The project does not affect any of the Māori-related considerations which are required to be considered and addressed under the FTAA. Consultation with the relevant iwi groups who have interests in the proposal has been undertaken with the feedback included in Appendix Y. As set out above, Ngāti Manuhiri are mana whenua and are project partners with WMNZ. Ngāti Manuhiri have provided a letter in support of the application, attached in Appendix Y. WMNZ has also reached agreement with all other interested iwi.
- WMNZ has extensive experience operating within the Auckland region, and country wide, managing large-scale waste management activities. It is familiar with the consenting framework including the need to identify and address effects. WMNZ has the technical capability, operational experience, and environmental management systems necessary to

²¹ FTAA, s 22(1)(b)(ii).

appropriately address those matters in a cost-effective and efficient manner for all parties involved.

- WMNZ is not aware of any ways in which referring the application would affect the efficient operation of the Fast-track approvals process. Instead, referring the Project is consistent with the purpose of the FTAA, as it enables the timely delivery of infrastructure with significant regional or national benefits.

3.3 Addressing significant environmental issues²²

Environmental issues of the Project have been assessed within the Technical Referral Memorandums included in Appendix G to W. It is considered that these have been adequately addressed.

3.4 Consistency with local or regional planning document²³

The Project is consistent with the following local and regional planning documents:

AUP Chapter B Regional Policy Statement:

- **Chapter B3 Infrastructure:** The Project seeks to ensure that the waste infrastructure within Auckland is resilient, efficient and effective, while appropriately managing potential effects on the environment. The establishment and operation of essential infrastructure results in important positive benefits to the safe and efficient functioning of the Auckland region. Municipal landfills form part of this essential infrastructure as they provide a necessary service to businesses and residents, by providing for the safe disposal of residual waste. The Project provides such a facility and will be constructed and operated in a way that it is managed appropriately, so that adverse effects are managed and positive benefits arise from the provision of this essential infrastructure.
- **Chapter B7 Natural resources:** The proposed development is within a greenfield environment which is recognised as including areas of indigenous biodiversity, freshwater systems and anticipated good ambient air quality. These environmental aspects will be protected through avoidance or effects mitigated, compensated or offset for following the final design and understanding of the magnitude of effects. Based on the initial assessments within the attached Technical Memos, the effects that have been identified will be able to be appropriately managed through more detailed design.
- **Chapter B9 Rural Environment:** Given the functional and locational constraints of a large municipal landfill, the rural area is an appropriate location for the ARL. The ARL will be designed, constructed and managed in such a way that the landfill will not represent inappropriate development in this location.
- **Chapter B10 Environmental Risk:** The proposed ARL site has been identified through Plan Change 120 as having potential flood hazard risk and landslide susceptibility. These will both be taken into account and managed through the design process during a substantive application.

AUP Regional chapters:

- **Chapter E1 Water quality and integrated management:** The construction and ongoing operations of the ARL will be managed so that the mauri of the surrounding freshwater will be maintained, with the opportunity to be improved through offset and compensation measures where appropriate. Any sediment that may be generated will be managed within the site through management measures such as sedimentation ponds.

²² FTAA, s 22(2)(a)(ix).

²³ FTAA, s 22(2)(a)(x).

- **Chapter E2 Water quality, allocation and use:** Proposed water takes at the site will be limited to that required for the operation at the landfill. It is understood that any water take that will be required will be within a limit of efficient allocation of the catchment.
- **Chapter E3 – Lakes, rivers, streams and wetlands:** The proposed ARL will have an impact on the streams located within the site, including reclamation required to develop the site. Where possible, this will be avoided and only occur where there is no practicable alternative, and impacts on streams will generally be minimised wherever possible. Any impacts will be avoided, remedied and mitigated wherever possible and where this may not be practicable be offset or compensated for.
- **Chapter E7 – Taking, using, damming and diversion of water and drilling:** Refer to the assessment of Chapters E1 and E2 above.
- **Chapter E8 - Stormwater – Discharge and diversion:** Refer to the assessment of Chapters E1 and E2 above.
- **Chapter E11 - Land disturbance – Regional:** All earthworks on site will be managed appropriately to avoid any impacts on the environment through best practice erosion and sediment controls, a comprehensive sediment pond system and managing any potential stability issues through geotechnical design. Additional management measures, including offsetting and/or compensation (as required), will be detailed as part of the substantive application and will be encapsulated through proposed conditions of consent.
- **Chapter E13 - Cleanfills, managed fills and landfills:** The ARL will be designed and operated so that adverse effects on the environment from discharges are avoided, remedied or mitigated through design and operation. Impacts on human health effects from the landfill have been assessed, and there are no current concerns for those offsite or works onsite (provided correct Personal Protective Equipment (PPE) is utilised).
- **Chapter E14 - Air quality:** The air discharges from the proposed landfilling operations are undertaken in a way that appropriately manages impacts on the air quality within the area. Impacts on human health from air discharges have been assessed and it is considered that the air discharge associated with the ARL will have effects that are less than minor on the surrounding environment.
- **Chapter E15 - Vegetation management and biodiversity:** The site includes areas of indigenous biodiversity, including areas identified as Significant Ecological Areas (SEA). The proposed design will deliberately avoid impacts on the identified SEAs and minimise impacts on other indigenous biodiversity on the site where possible. Where impacts are unavoidable, these will be remedied, mitigated, offset or compensated which will be developed through further design work.
- **Chapter E26 – Infrastructure:** Landfills are a key piece of regional and national infrastructure as they provide for the safe and efficient location for final waste disposal, the benefits of which are further discussed above in Section 3.1.2.
- **Chapter E33 - Industrial and trade activities:** Areas of Industrial and Trade Activities will be carefully managed throughout the operation of the landfill. Appropriate management practices will be outlined in an LMP which identifies the activities with the potential to generate contaminants and outline methods to avoid or minimise potential effects.
- **Chapter E36 – Natural hazards and flooding:** Plan Change 120 was notified on 3 November 2025. It proposes rezoning residential land for greater intensification, increased building heights and densities (where appropriate) and strengthening management of natural hazard risks. Parts of the plan change took immediate legal effect, including the Flood Plains and Landslide susceptibility layers (shown in the Plan Change 120 maps), which overlap with the WMNZ landholdings. The Project includes stormwater management measures to ensure risks are adequately mitigated through the site's stormwater ponds. The Geotechnical memo

(Appendix I) provides an assessment of the WMNZ landholdings' geological considerations and stability. Robust geotechnical investigation work has been undertaken in order to determine ground condition suitability. Potential instability risks can be managed through the design of the landfill. Additionally, an Appendix 24 Landslide hazard risk assessment methodology will be undertaken as part of the substantive application.

AUP District chapters:

- **Chapter E12 Land disturbance – District:** The landfill will be developed in stages, minimising the area of soil exposed at any one time. Runoff from the landfill will be treated through a multi-stage system of sediment ponds and wetlands for treatment prior to discharge.
- **Chapter E24 Lighting:** The proposed development will include lighting at the site for operation periods during the evening and for health and safety measures. This will be managed to ensure the impacts on the environment, such as the surrounding ecology, will be appropriately managed.
- **Chapter E25 Noise and vibration:** The proposed works, including construction and landfill operation, are anticipated to comply with the relevant noise standards within the AUP. Compliance with these standards indicates that the objectives, including people being protected from unreasonable noise and vibration levels, are managed.
- **Chapter H19 Rural zones:** Impact on rural areas is assessed under the RPS above.

Based on the assessment above, the proposal is consistent with the local and regional planning documents.

4 Project details

In accordance with Section 3.1 of the Fast Track Referral Application Form, the approvals required to authorise the proposed works outlined in Section 3 above are detailed below.

4.1 Approvals required

4.1.1 Resource Management Act 1991

Based on the current understanding of the proposal, approvals are required under the following²⁴:

- Auckland Unitary Plan (AUP)
- Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F)

Given the site is partly plantation forestry, including the landfill footprint, regulations under the Resource Management (National Environmental Standards for Commercial Forestry) Amendment Regulations 2023 were considered but were deemed not to apply. This is because any felling of trees required will be managed through WMNZ's private agreement with the forestry operator and will not form part of this application.

At this stage, we understand consent will be required under the rules listed below. This list is not exhaustive and is based upon the information available to date. Further consent triggers may be identified as the proposal develops.

4.1.1.1 Auckland Unitary Plan

The requirements for resource consents are determined by the rules in the AUP. The rules which apply are determined by the zoning of the site, any identified notations in the plan and the nature of the activities proposed. The planning notations for the site are included in Table 4.1 and an assessment of the rules under the AUP is in Table 4.2.

Overall, the Project currently requires resource consent as a **non-complying** activity under the AUP. However, as s104D of the RMA is not applied through an assessment under the FTAA, the application would be assessed as if a discretionary activity. The substantive application will also address all aspects of the proposal that are considered to be Permitted Activities with respect to the below rules. There are no prohibited activities.²⁵

Table 4.1: Zoning and planning notations

Zoning/ Overlay or other planning limitation	Comment
Zone	
Rural – Rural Production Zone	The Rural Production Zone is the underlying zone of the whole site.
Overlays	
Significant Ecological Area Overlays (SEA)	Several SEAs are identified within the wider WMNZ landholdings including: • SEA_T_629 • SEA_T_683

²⁴FTAA, Section 13(4)(y)(i).

²⁵ FTAA, s 13(4)(i).

Zoning/ Overlay or other planning limitation	Comment
	- SEA_T_6634 - SEA_T_5541 - SEA_T_6456 - SEA_T_909 - SEA_T_909c
Natural Stream Management Areas Overlay (NSMA)	A NSMA is identified within the Southern Block, covering the main stream in the base of the valley. Another NSMA is identified along the Hōteio River channel.
Outstanding Natural Landscapes Overlay (ONL) – Area 32 Dome Forest	This overlay is to the south of the proposed landfill footprint and covers the Sunnybrook Reserve, with a small proportion of the ONL extending onto the WMNZ landholdings.
Wetland Management Areas Overlay (WMA)	Two WMAs are identified within the wider WMNZ landholdings.
Controls	
Controls: Emergency Management Area Control - New Zealand Refining Pipeline, Infrastructure	The emergency management area control relates to the petroleum pipeline which crosses the Western Block. The pipeline is also designated.
Designation ID 9101 – Taupaki to Topuni Gas Pipeline	
Designation ID 6500 – Petroleum Pipeline Rural section	
Controls: Macroinvertebrate Community Index – Exotic	A mix of Macroinvertebrate Community Index controls apply across the WMNZ landholdings.
Controls: Macroinvertebrate Community Index - Native	
Controls: Macroinvertebrate Community Index – Rural	
Auckland Council GeoMaps and other relevant notations	
Overland flow paths	Council mapping shows a number of overland flow paths within the WMNZ landholdings.
Flood Plains and Flood Prone Areas	The margins of the main stream channels within the WMNZ landholdings and an area to the east of SH 1 in the Southern Block are identified by Council mapping as floodplains and flood prone areas.
Flood Hazard Areas: Very High to Low Hazard Areas	Plan Change 120 includes updated Flood Hazard Areas, identifying areas of Very High to Low hazard area over parts of the WMNZ landholding. Areas identified as “High” and “Very High” Flood Hazard Areas largely reflect the existing topography and watercourses across WMNZ’s landholdings.
Landslide susceptibility areas	Plan Change 120 includes landslide susceptibility maps identifying areas of Very High to Low shallow and large-scale landslide susceptibility area over parts of the WMNZ landholding. The areas more susceptible to landslides are typically within the areas of higher topography and within the valleys of the WMNZ landholdings. Additionally, Council mapping shows a number of historic recorded landslides within the WMNZ landholdings.
Landslide Inventory items	

Zoning/ Overlay or other planning limitation	Comment
Highly productive land	Parts of the Western Block are identified as 'highly productive land' in the transitional definition within the NPS-HPL.
Tangata whenua areas of interest ²⁶	The WMNZ landholdings are an area of interest to the following mana whenua groups: • Ngāti Whātua o Kaipara • Te Rūnanga o Ngāti Whātua • Ngāti Whanaunga • Ngāi Tai ki Tāmaki • Te Kawerau ā Maki • Ngāti Whātua Ōrākei • Ngāti Wai • Ngāti Manuhiri • Ngāti Te Ata • Ngāti Maru

The reasons for consent under the AUP are included in Table 5.2.

Table 4.2: Reasons for resource consent under the AUP

Proposed activity	Rule reference/ description	Activity status
Stream/River diversion	E3.4.1 (A19) – Diversion of a river or stream to a new course and associated disturbance and sediment discharge outside of Overlays.	Discretionary
Culverts	E3.4.1 (A33) – Culverts or fords more than 30m in length when measured parallel to the direction of water flow outside of Overlays.	Discretionary
	E3.4.1 (A33) – Culverts or fords more than 30m in length when measured parallel to the direction of water flow within Overlays	Non-complying
Stream reclamation	E3.4.1 (A49) – New reclamation or drainage, including filling over a piped stream outside and within Overlays.	Non-complying
Discharge of contaminants to land and water	E4.4.1(A15) [rp] - Discharge of water or contaminants (including washwater) onto or into land and/or into water not complying with the relevant standards or not otherwise provided for by a rule in the Plan	Discretionary
Take and use of ground and surface water for the construction and ongoing operation of the landfill	E7.4.1 (A9) - Take and use of surface water, including dams not meeting the permitted activity, controlled activity or restricted discretionary activity standards or not otherwise listed	Discretionary
	E7.4.1 (A26) - Take and use of groundwater	Discretionary
Stormwater pond dams	E7.4.1 (A35) - Dams not otherwise listed	Discretionary

²⁶ Ngāti Manuhiri are recognised as tangatatangata whenua, as the ARL project is within Ngāti Manuhiri rohe ((see *Te Rūnanga o Ngāti Whātua v Auckland Council* [2023] NZEnvC 277 at [501]).

Proposed activity	Rule reference/ description	Activity status
Groundwater diversions for the construction and ongoing operation of the landfill	E7.4.1 (A28) - Diversion of groundwater caused by any excavation (including trench) or tunnel that does not meet the permitted activity standards or is not otherwise listed	Restricted discretionary
Stormwater diversion and discharge for construction and ongoing operation of the landfill	E8.4.1 (A5) - Diversion and discharge of stormwater runoff from additional impervious areas greater than 5,000m ² of road (which include road ancillary areas that are part of a road, motorway or state highway operated by a road controlling authority) or rail corridor that complies with Standard E8.6.1 and Standard E8.6.4.1	Restricted discretionary
	E8.4.1 (A10) - All other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for	Discretionary
Earthworks for construction and ongoing operation of the landfill	E11.4.1 (A5) – Greater than 50,000m ² where land has a slope less than 10 degrees outside the Sediment Control Protection Area	Restricted discretionary
	E11.4.1 (A8) – Land disturbance greater than 2,500m ² where the land has a slope equal to or greater than 10 degrees	Restricted discretionary
	E12.4.1 (A6) – Greater than 2500m ² of land disturbance	Restricted discretionary
	E12.4.1 (A10) – Greater than 2500m ³ of land disturbance	Restricted discretionary
Discharges from a new landfill	E13.4.1 (A9) - Discharges from new landfills	Non-complying
Leachate evaporation associated with the use of leachate evaporator system	E14.1.1 (A2) - Activities not meeting the permitted activity standards and not provided for by any other rule	Discretionary
Combustion of leachate within the leachate evaporation system	E14.4.1 (A54) - Combustion activity not meeting the permitted, controlled or restricted discretionary standards	Discretionary
Discharges to air from new landfills receiving waste material	E14.4.1 (A160) - Landfills that do not comply with restricted discretionary or discretionary activity standards	Non-complying
Vegetation removal	E15.4.1 (A10) - Vegetation alteration or removal, including cumulative removal on a site over a 10-year period of greater than 250m ² of indigenous vegetation that: (a) is contiguous vegetation on a site or sites existing on 30 September 2013; and (b) is outside the rural urban boundary	Restricted discretionary
	E15.4.1 (A12) - Vegetation alteration or removal of any vegetation within a Natural Stream Management Areas Overlay	Restricted discretionary
	E15.4.1 (A17) - Vegetation alteration or removal within 10m of rural streams in the Rural – Rural Production Zone and Rural – Mixed Rural Zone	Restricted discretionary

Proposed activity	Rule reference/ description	Activity status
	E15.4.1 (A18) - Vegetation alteration or removal within 20m of a natural wetland, in the bed of a river or stream (permanent or intermittent), or lake	Restricted discretionary
Electricity generation facilities within Rural Zones	E26.2.3.1 (A63) – Other electricity generating facilities	Discretionary
Construction of site access off State Highway 1	E27.4.1(A5) - Construction or use of a vehicle crossing where a Vehicle Access Restriction applies under Standards E27.6.4.1(2) or E27.6.4.1(3)	Restricted discretionary
Storage of hazardous materials/substances	E31.4.1(A7) – Hazardous facilities that store or use hazardous substances above the specified thresholds for controlled activity and restricted discretionary activity status in the activity tables or are not otherwise provided for	Discretionary
Landfill as a high-risk industrial trade activity	E33.4.1 (A8) [rp] - Use of land for a new industrial or trade activity listed as high risk in Table E33.4.3	Controlled
Discharges from areas which have been assessed as ITA	E33.4.1 (A9) [rp] - Any activity in this table that does not meet the relevant permitted or controlled land use standards	Discretionary
Discharge of contaminants associated with ITA	E33.4.2(A12) [rp] - Discharge of contaminants from an existing or new industrial or trade activity area not listed in Table E33.4.3 where the permitted discharge standards are not met	Controlled
	E33.4.2 (A24) - Discharge of contaminants from a new industrial or trade activity area listed as high risk in Table 33.4.3	Discretionary
Landfill and waste management facilities ²⁷ located within very high and high flood hazard areas	E36.4.1A (A78) - Activities where natural hazard risk is significant in accordance with Table E36.3.1B.1 and E36.3.1B.2 in flood hazard areas	Non-complying
Storage of hazardous materials within very high and high flood hazard areas	E36.4.1A (A84) - Storage of hazardous substances in flood hazard areas	Restricted discretionary
Storage of hazardous materials within high (significant) landslide hazard risk areas	E36.4.1B (A108) - Storage of hazardous substances in landslide hazard risk areas that comply with Standard E36.6.A1	Restricted discretionary
Construction and operation of the landfill and the ancillary activities within floodplains and flood prone areas	E36.4.1(A37) – All other new structures and buildings within the 1% AEP floodplain	Restricted discretionary
	E36.4.1A (A98) - All other structures and buildings (including retaining walls) in the 1 per cent annual exceedance probability (AEP) floodplain and flood prone areas	
Construction and operation of the landfill and ancillary activities within overland	E36.4.1 (A41) – Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path	Restricted discretionary

²⁷ Landfills and waste management facilities are specified in the AUP PC120 definition of “Activities sensitive to natural hazards”, where the risk from natural hazards is considered ‘significant’ (Table E36.3.1B.1 and E36.3.1B.2).

Proposed activity	Rule reference/ description	Activity status
flow paths, and within Very High and High Flood Hazard Areas	E36.4.1A (A102) – Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path within very high and high flood hazard areas	
	E36.4.1 (A42) - Any buildings or other structures, including retaining walls (but excluding permitted fences and walls) located within or over an overland flow path	Restricted discretionary
	E36.4.1A (A101) – Any buildings or other structures located within an overland flow path with a catchment greater than 4,000m ²	
Construction and operation of the landfill and ancillary activities within high (significant) landslide hazard risk areas	E36.4.1B (A128) - All other buildings and structures, including retaining walls, in landslide hazard risk areas that comply with Standard E36.6.A1	Restricted discretionary
Infrastructure within high and medium landslide susceptibility assessment areas	E36.4.1C (A133) - All other infrastructure in landslide susceptibility assessment areas not otherwise provided for	Restricted discretionary
Infrastructure within overland flow paths and within Very High and High Flood Hazard Areas	E36.4.1 (A56) – Infrastructure in overland flow paths not otherwise provided for	Restricted discretionary
	E36.4.1A (A107) [rp] – All other infrastructure in flood and coastal hazard areas not otherwise provided for	
Establishment and operation of a landfill within the Rural Production Zone	H19.8.1 (A67) [dp] – Landfill in the Rural – Rural Production Zone	Non-complying

4.1.1.2 National Environmental Standards (s13(4)(y)(i) and clause 2 of Schedule 5)

The reasons for consent under National Environmental Standards are set out in Table 4.3.

Table 4.3: Resource consents required under National Environmental Standards

Proposed activity	Regulation reference / description	Activity status
Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F)		
Construction and ongoing operation of the landfill	Regulation 45B (1) Vegetation clearance within, or within a 10 m setback from, a natural inland wetland is a discretionary activity if it is for the purpose of constructing or operating a landfill or a cleanfill area.	Discretionary
	Regulation 45B (2) Earthworks or land disturbance within, or within a 10 m setback from, a natural inland wetland is a discretionary activity if it is for the purpose of constructing or operating a landfill or a cleanfill area.	Discretionary
	Regulation 45B (3)	Discretionary

Proposed activity	Regulation reference / description	Activity status
	Earthworks or land disturbance outside a 10 m, but within a 100 m, setback from a natural inland wetland is a discretionary activity if it— (a) is for the purpose of constructing or operating a landfill or a cleanfill area; and (b) results, or is likely to result, in the complete or partial drainage of all or part of the wetland.	
	Regulation 45B (4) The taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland is a discretionary activity if— (a) the activity is for the purpose of constructing or operating a landfill or a cleanfill area; and (b) there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and (c) the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland.	Discretionary
	Regulation 45B (5) The discharge of water into water within, or within a 100 m setback from, a natural inland wetland is a discretionary activity if— (a) the discharge is for the purpose of constructing or operating a landfill or a cleanfill area; and (b) there is a hydrological connection between the discharge and the wetland; and (c) the discharge will enter the wetland; and (d) the discharge will change, or is likely to change, the water level range or hydrological function of the wetland.	Discretionary
Culverts	Regulation 71 (1) The placement, use, alteration, extension, or reconstruction of a culvert in, on, over, or under the bed of a river is a discretionary activity if it does not comply with any of the conditions in regulation 70(2).	Discretionary

4.2 Other approvals sought

4.2.1 Wildlife Act

The proposal will require works within identified habitat of indigenous fauna and therefore permits under the Wildlife Act 1953 will be required. A package will be prepared as part of the substantive application to seek a Wildlife approval.

4.2.2 Heritage New Zealand Pouhere Taonga Act

The proposal will require works within close proximity to identified archaeological sites and therefore permits under the Heritage New Zealand Pouhere Taonga Act 2014 will be required. A package will be prepared as part of the substantive application to seek an archaeological authority.

4.2.3 Freshwater Fisheries Regulations 1983 and Conservation Act 1987

It is anticipated that a complex and/or standard freshwater fisheries activity will be undertaken at the site that may include, but not be limited to, stream diversions and the construction of structures such as culverts or weirs within the stream that may impact fish passage. Therefore, approval under the Freshwater Fisheries Regulations 1983 may also be sought as part of the substantive application. Fish salvage may also require approval under the Conservation Act 1987 and will be determined at the time of a substantive application.

4.3 Project stages

There are no project stages to consider as part of this application. While a landfill is built and operated in stages, it will proceed as one landfill project.

4.4 Alternative project

No part of this Project is proposed as an alternative project for the purposes of section 13(4)(g) of the FTAA.

4.5 Adverse effects

An assessment of the Project and the adverse effects has been undertaken in the relevant Technical Memorandums (Appendix G to Appendix W). These describe the anticipated and known adverse effects of the proposed landfill facility on the environment and, in accordance with section 13(4)(h) as amended, evaluate the significance of those effects for this referral stage. The assessment is based on the extensive work undertaken for the RMA process and the full landfill footprint, which represents the full spatial extent of the landfill and ancillary activities and therefore enables consideration of the maximum potential extent of effects.

As part of any future substantive application, detailed technical reports will be prepared to support the identification and assessment of potential adverse effects (including their significance) and they will recommend appropriate measures to avoid, remedy, mitigate or where necessary, offset/compensate those effects.

This includes the following areas:

- Landfill engineering (including lining system)
- Geotechnical
- Air quality
- Stormwater
- Dam safety
- Hydrogeology
- Erosion and sediment control
- Noise and vibration
- Ecology
- Traffic
- Bond
- Contaminant fate and transportation
- Health risk
- Landscape and visual
- Waste acceptance criteria

Based on the current proposal, effects under each of the above technical areas are anticipated to be appropriately mitigated and, based on the current understanding of the Project, no significant environmental issues have been identified that have not been addressed, or that cannot be appropriately managed through management plans and mitigation measures.

4.6 Persons affected

The FTAA does not include a specific definition of affected parties, but notes a list of those likely to be affected to include:

- i Relevant local authorities.
- ii Iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements.
- iii Other relevant iwi authorities.
- iv Relevant Treaty settlement entities.
- v Relevant protected customary rights groups and customary marine title groups.
- vi Ngā hapū o Ngāti Porou, if the project area is within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou.
- vii Relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011.
- viii Persons with a registered interest in land that may need to be acquired under the Public Works Act 1981.

The definition contained in the RMA has also been used to inform the basis for the consideration of potentially affected parties. A conservative approach has been taken in identifying potentially affected persons. The persons likely to be affected by the Project have been listed and described below:²⁸

- Auckland Council as the local authority²⁹.
- Relevant iwi authorities, hapū and Treaty settlement entities as described in the Consultation & Treaty Settlements and Cultural Values Memorandum (Appendix X) and Mana Whenua Consultation Log (Appendix Z-1).
- Department of Conservation as a relevant administering agency.
- Heritage New Zealand Pouhere Taonga as a relevant administering agency.
- Ministry for Cities, Environment, Regions and Transport as a relevant administering agency.

4.6.1 Consultation and notification

The consultation and notification requirements of a referral application are set out in section 11 of the FTAA. Those provisions relevant to this application are included below.

There are no statutory requirements for consultation beyond those specified in section 11 of the FTAA. However, WMNZ has undertaken additional consultation with the following parties specifically for this application:

- North Shore Aero Club.
- Redvale Environmental Protection Society Incorporated.
- Warwork Area Liaison Group (Dr Bruce Scroggins).
- Mahurangi East Residents and Ratepayers Association (Stuart Windross).

²⁸ FTAA, s 13(4)(j).

²⁹ FTAA, s 11(1)(b)(i).

- Ministry of Education.
- New Zealand Transport Agency.

The relevant notification requirements include notifying:

- The relevant local authorities.
- Any relevant iwi authorities, hapū, and Treaty settlement entities.
- Relevant administering agencies.

Notification of this application was provided to the above parties on 17 or 18 June 2026. The following parties were notified:

- Auckland Council.
- Auckland Transport.
- Heritage New Zealand Pouhere Taonga.
- Department of Conservation.
- Ministry for the Environment (now part of the Ministry for Cities, Environment, Regions and Transport).

A summary of the consultation undertaken for this referral application is included in Appendix Y.

4.6.1.1 Influence of responses to a notice on the project³⁰

There has been extensive consultation previously undertaken as part of the Council and Environment Court consenting processes for the ARL project. This engagement and consultation have influenced the Project and has been reflected as part of this application.

4.6.2 Mana whenua

As noted above, Ngāti Manuhiri and all other interested iwi have reached agreements with WMNZ that address their concerns, such that all iwi now support the current proposal presented in the courts.

Particular discussion on Mana Whenua values in regard to this application is included in the Consultation & Treaty Settlements and Cultural Values Memorandum as included in Appendix X, and details of the consultation that has been undertaken are included in Appendix Z-1. Only one request for further information was made (and was responded to) in response to the FTAA notification on 17 June 2026. No other responses were received.

A letter from Ngāti Manuhiri in support of this referral application is provided at Appendix Z-2.

4.7 National Policy Statements

An assessment against the relevant national policy statements is below. It is noted that an assessment against the National Environmental Standards is provided separately in Section 4 above.

4.7.1 National Policy Statement for Infrastructure 2025

The National Policy Statement for Infrastructure 2025 (**NPS-I**) came into effect on 15 January 2026, which recognises infrastructure³¹ as nationally significant and aims to support community wellbeing, health, and safety, while ensuring environmental impacts are appropriately managed. For the

³⁰ FTAA, s 13(4)(ka).

³¹ Defined in the NPS-I as “includes all infrastructure as defined by the Act and additional infrastructure as defined in this National Policy Statement”.

purposes of these provisions, resource recovery or waste disposal facilities are included in the definition of “additional infrastructure”³² and therefore fall within the NPS-I definition of “infrastructure”.

It is considered that the ARL is consistent with the relevant objective and policies of the NPS-I for the following reasons:

- The Project provides significant regional and local benefits by providing a controlled disposal location for the city's waste, preventing the significant adverse effects that come with uncontrolled waste disposal, while also delivering essential landfill capacity to support Auckland's ongoing population growth and development.
- An initial assessment of the Project and the adverse effects has been undertaken in the relevant Technical Referral Memorandums. Based on the current proposal, effects under each of the technical areas are anticipated to be appropriately mitigated.
- The Project will be located wholly within land owned by WMNZ. The buffer provided by WMNZ-owned land will effectively and permanently separate potentially incompatible activities and will avoid creating reverse sensitivity effects.

4.7.2 National Policy Statement for Freshwater Management 2020 (NPS-FM)

The National Policy Statement for Freshwater Management 2020 (**NPS-FM**) provides direction on the management of freshwater under the RMA. It is based around the fundamental concept of Te Mana o te Wai³³.

It is considered that the ARL will not be inconsistent with the relevant objective and policies of the NPS-FM for the following reasons:

- Ongoing monitoring and detailed surveys have been undertaken to ensure the health condition of the water bodies and freshwater ecosystems is understood so that any proposed works ensure that this is maintained and not degraded. Management measures will be developed, inclusive of appropriate management plans. This is further discussed within the Erosion and Sediment Assessment (Appendix M) and Freshwater Ecology (Appendix S) Memos.
- A number of mitigation measures will be implemented to ensure the water quality and sediment discharges to the Hōteu River and the Kaipara Harbour will be appropriately managed in a way that gives effect to Te Mana o te Wai and the habitats for freshwater macroinvertebrate and native fish species are protected.
- Where practicable, stream loss will be avoided, although given the location of the site some stream loss is inevitable to enable the construction of the landfill. While it is predicted that the Project will result in the loss of stream habitat and ecological function within the WMNZ landholdings (which is inevitable under the landfill footprint and in North Auckland), mitigation and offset measures will be proposed and will look to address the loss of stream ecological function to a no net loss level.
- Through the partnership with Ngāti Manuhiri and agreement with the other relevant iwi for ARL, tangata whenua have been actively involved in the management of the streams of the site to ensure that Māori freshwater values are identified and provided for.

³² Defined in the NPS-I as including “...(g) resource recovery or waste disposal facilities;...”

³³ The Resource Management (Freshwater and Other Matters) Amendment Act 2024 amended RMA section 104 so that a consent authority must not have regard to clause 1.3(5) or 2.1 (Objective) of the NPS-FM which relate to the hierarchy of obligations.

4.7.3 National Policy Statement for Indigenous Biodiversity 2023 (NPS-IB)

The National Policy Statement for Indigenous Biodiversity 2023 (amended December 2025) (**NPS-IB**) has the overarching objective to maintain indigenous biodiversity and ensure that there is no overall loss in indigenous biodiversity. The NPS-IB includes several methods to achieve this.

It is considered that ARL will not be inconsistent with the relevant objectives and policies of the NPS-IB for the following reasons:

- Consultation has been undertaken with the relevant tangata whenua, as discussed in Section 4.6.1. This ensures that the principles of the Treaty of Waitangi are upheld and tangata whenua have the opportunity to exercise kaitiakitanga.
- The current SEAs that are identified across the site will be recognised and provided for within the final design of the landfill, including avoiding and enhancing these wherever possible.
- The proposed landfill is for the purpose of contributing to New Zealand's social, cultural and environmental wellbeing through providing for a final location of safe and efficient waste disposal as described in Section 3.1.2.

4.7.4 National Policy Statement for Highly Productive Land 2022 (NPS-HPL)

The National Policy Statement for Highly Productive Land 2022 (amended December 2025) (**NPS-HPL**) came into force on 17 October 2022 and has the overarching objective to protect highly productive land for use in land-based production. The NPS-HPL is limited to land that meets the transitional definition of 'highly productive land', being land zoned as rural or rural production and classified as Land Use Capability (LUC) 1 to 3.

It is considered that ARL will be consistent with the relevant objectives and policies of the NPS-HPL for the following reasons:

- The design of the landfill will take into account the locations on site that are identified as potentially highly productive land and will avoid these where possible.
- Clause 3.9(2) of the NPS-HPL includes a specific reference to an exemption for activities which "addresses a high risk to public health and safety" and for the "development" and "operation" of specified infrastructure on highly productive land. The proposal is for the construction and operation of a municipal landfill which is considered to be 'specified infrastructure'³⁴. The NPS identifies that specified infrastructure is infrastructure that is recognised as regionally or nationally significant in a National Policy Statement. As identified above, landfills are identified as such under the National Policy Statement for Infrastructure.
- Additionally, the Project will provide for the public health, safety and wellbeing of people and communities in Auckland by ensuring that residual solid waste is appropriately disposed of in a safe and sanitary manner. Therefore the proposal is considered to be consistent with the objective of the NPS-HPL.

4.7.5 National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG)

The National Policy Statement for Renewable Electricity Generation 2011 (**NPS-REG**) provides for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities throughout New Zealand. It recognises the importance of renewable energy and its contribution to achieving the target of 90% of electricity from renewable energy sources by 2025.

³⁴ Defined in the NPS-HPL as meaning "...any of the following: (b) infrastructure that is recognised as regionally or nationally significant in a National Policy Statement, New Zealand Coastal Policy Statement, regional policy statement or regional plan:". Municipal landfills are identified in the AUP as regionally significant infrastructure.

It is considered that the Project is consistent with the relevant objective and policies of the NPS-REG for the following reasons:

- WMNZ's current landfill holdings are major contributors to renewable electricity supply in the Auckland Region, and the renewable energy facility to be provided as part of this project will increase the contribution into the local grid. LFG is captured and then converted to energy through generators on the site. As the landfill fills over time and the volume of waste increases, the quantity of gas being produced also increases, which allows for more generators to come online and more renewable energy to be fed back into the National Grid.
- The proposal helps increase the security of electricity supply at local and regional levels by diversifying the type and location of electricity generation while reducing greenhouse gas emissions.
- The proposal will support the national target for the generation of electricity from renewable resources for the duration of the project.
- Appropriate mitigation measures are proposed around the generators, specifically in relation to reverse sensitivity, with landscaping and noise barriers incorporated around the Energy Plant site to mitigate the noise and ensure their integration with the wider Landfill site and surrounding environment.

4.7.6 National Policy Statement for Natural Hazards 2025 (NPS-NH)

The National Policy Statement for Natural Hazards 2025 (**NPS-NH**) was notified in the New Zealand Gazette on 18 December 2025 and came into force on 15 January 2026. This NPS manages natural hazard risk and applies to all activities managed under the RMA, except for infrastructure³⁵ and primary production.

The NPS-NH requires an assessment of a proposal in relation to a risk hazard matrix, to understand how a risk may be avoided or mitigated. For the purpose of this referral application, an assessment of natural hazard risk has not been undertaken as the design that has been prepared is only indicative. Regardless, the site has identified areas of flood and seismic hazard risk as identified by Auckland Council and detailed above. It is anticipated that during the design phase, the risks that have been identified will be addressed to ensure that the risks are minimised and therefore will not be inconsistent with the objective and policies of the NPS-NH.

³⁵ As defined in the RMA.

5 Applicability

This report has been prepared for the exclusive use of our client WM New Zealand, with respect to the particular brief given to us. It may not be relied upon in other contexts or for any other purpose, or by any person other than our client, without our prior written agreement.

We understand and agree that WMNZ will submit this report to the Environmental Protection Authority in support of a referral application under the Fast-track Approvals Act 2024 for the works described herein, and that the Environmental Protection Authority will use this report for the purpose of assessing that application.

Tonkin & Taylor Ltd
Environmental and Engineering Consultants

Report prepared by:



Keeley Clayton
Senior Planner



Andrea Brabant
Technical Director – Planning

Authorised for Tonkin & Taylor Ltd



Simonne Eldridge
Project Director



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