

**BEFORE A BOARD OF INQUIRY
EAST WEST LINK PROJECT**

**UNDER THE RESOURCE MANAGEMENT ACT
1991 (the RMA)**

IN THE MATTER of Notices of Requirement for
Designation and Resource
Consent applications by the
**NEW ZEALAND TRANSPORT
AGENCY** for the East West
Link Project

SUBMISSION ON BEHALF OF WARD DEMOLITION LIMITED

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SUBMISSION ON BEHALF OF WARD DEMOLITION LIMITED

1. This submission concerns a property at 13-17 Miami Parade, Onehunga.
2. The owner-occupier is Ward Demolition Limited, one of the largest demolition and recyclers of building waste in the region. The company employs over 100 staff about half of whom work out of the Miami Parade site. This is also the base for a fleet of vehicles and demolition machinery.
3. Details of the operation are set out in the written submission of 22 March 2017, in the evidence filed and in the summaries to be presented today.
4. One of the difficult issues that had to be addressed in the recent Auckland Unitary Plan hearings was where, in an intensifying urban environment, would it be possible to locate heavy industrial activity. The various District Plans came together in the Auckland Unitary Plan and had a hierarchy of industrial zones which have now been simplified into Light Industry zone and Heavy Industry zone. Noisy activities, or those producing discharges of dust or gas into the atmosphere and requiring discharge consents, will typically be found in the Heavy Industrial zone.
5. One of the main activities on this site is crushing concrete – with raw materials sourced from redevelopment sites in and around the city. As illustrated in the submission already lodged, the Downtown Centre currently under redevelopment produced 20,509 tonnes of recycling, while the Convention Centre site produced 23,253 tonnes.
6. Every tonne of material recycled is a tonne of material not having to be transported to and placed in a landfill. While the material produced for recycling is useful it is not of particularly high commercial value and it is possible for the whole economics of recycling to be upset by transport

costs where the distance to the recycling plant is away from the source of the raw material and the market for the recycled product.

7. The locational criteria for locating a business such as Ward Demolition are simply stated, but difficult to achieve:
 - Central site.
 - Large site (ability to turn truck and trailer units).
 - Low amenity zone – well away from residential and employment areas sensitive to noise and dust.
8. In terms of remedying or mitigating the loss of land taken for roading purposes, financial compensation is not the answer. The problem is finding land in the right location and with the right zoning at any price. “Before and after” valuations based on imaginary “willing buyers and willing sellers” are of no use in finding alternative sites when they are simply not on the market. The business interruption compensation provisions of the Public Works Act are unworkable to the point where aggrieved parties tend not to bother to invoke them.
9. At this stage in the hearings process, you have heard from many landowners and occupiers, including a power generation company, owners potentially affected by new controls applying to land under and even in the vicinity of powerlines, and you have a broad understanding of the different ways in which people, businesses and land will be affected by implementation of the requirements as notified.
10. The contrast between the detailed evidence you have heard from submitters highlights the inadequacy of the assessments of effect undertaken on behalf of the requiring authority.
11. It is to be hoped that the quality of the impact assessments does not reflect the success fee payment structure, unprecedented in cases of this type.

12. In that regard, I request that the Panel reject all evidence from experts who directly or indirectly were working to an incentive or success fee arrangement, as exposed through the diligent work of Counsel.

R E Bartlett QC
Counsel for Ward Demolition Ltd
4 September 2017