

**Submission Form 16 to the Otago Regional Council on consent applications**

This is a Submission on (a) limited notified/publicly notified resource consent application/s pursuant to the Resource Management Act 1991.

**Submitter Details:**

*(please print clearly)*

Full Name/s: Anne-Claire Mauger

Postal Address:

[REDACTED]

[REDACTED]

Post Code:

[REDACTED]

Phone number:

Business:

Private:

Mobile:

[REDACTED]

Email address:

[REDACTED]

I **OPPOSE** submission on the application of:

Applicant's Name:

And/or Organisation:

DCC

Application Number:

Application No. RM20.280

Location:

Smooth Hill

Purpose:

Proposed landfill

The specific parts of the application/s that my submission relates to are: *(Give details)*

- Discharge of water and contaminants from an attenuation basin and sediment retention ponds for the purpose of construction and operation of a Class 1 Landfill.
- Water permit to divert surface water within Ōtokia Creek catchment for the purpose of the construction of a Class 1 landfill, and to dam water within an attenuation basin.
- Land use consent to alter, reclaim and place structures on the bed of waterbodies and wetlands for road alignment works.
- Destruction of archaeological features relating to early Māori occupation.

My submission is *(include: whether you support or oppose the application or specific parts of it, whether you are neutral regarding the application or specific parts of it and the reasons for your views)*.

I am a resident of Brighton, a mother, a trustee of the Ōtokia Creek And Marsh Habitat Trust, and a PhD student at the Archaeology Programme of the Otago University.

I am alarmed by the submitted project to develop a landfill at the headwaters of the Ōtokia river, especially by the ecological impact on water quality and wildlife. The long-term consequences of landfills are unknown, and it seems unfair to leave such a legacy to the future generations.

The Ōtokia is a landscape with many interconnections: ecological, social, cultural, and archaeological. This project undermines the community efforts to restore native taonga and water quality, and to reinforce mahinga kai practice that is at the core of our local culture.

My concerns relate to the following aspects of the proposed project:

- The lack of consideration of other alternatives, especially aiming to reduce waste and promote recycling and local circuits.
- The poor assessment of ecological value of the river system including the wetlands, the marsh and the lagoon at the beach. Their significance to the community is ignored. The rating of low-ecological value is contradicted by the rarity of wetlands in New Zealand (10% left), and the significance as reserves of biodiversity. In particular, numerous native species live or visit each year the marsh and the river, some already at risk of extinction, some soon at risk if their habitat get degraded. Furthermore, it was deceptive that the submission was lodged few days before the implementation of the new Freshwater management regulations.
- The lack of documentation provided regarding leachate and infiltration. Reports fail to demonstrate full clarity regarding risk of leachate within the Ōtokia river, and infiltration within deeper groundwater. In particular, the leachate assessment does not factor the increase of adverse meteorological events, which have been modelled in the scope of climate change scenarios. The expected average of 3 m<sup>3</sup> of leachate per year seems low, and alerting still.
- The absence of a wildlife and vegetation restoration management plan.
- The ecological validity to offset a wetland, especially by replacement with exotic plants.
- the poor archaeological assessment, which does not use appropriate terms to describe these features, and by rating them at 'low archaeological value', ignore their archaeological and modern cultural significance.

I seek the following decision from the consent authority (*give precise details, including the general nature of any conditions sought*)

**Decline** a consent to operate a Class 1 landfill in the streambed of a tributary of Ōtokia Creek.

I/we:

- YES** Wish to be heard in support of our/my submission

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

Yes

I **am not** a trade competitor\* of the applicant (for the purposes of Section 308B of the Resource Management Act 1991).

*\*If trade competitor chosen, please complete the next statement, otherwise leave blank.*

I, **am** directly affected by an effect as a result of the proposed activity in the application that:

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.

I, **do** wish to be involved in any pre-hearing meeting that may be held for this application.

I **do** request\* that the local authority delegates its functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority.

I **have not** served a copy of my submission on the applicant.

Anne-Claire Mauger

15 November 2021

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**Signature/s of submitter/s**  
*(or person authorised to sign on behalf of submitter/s)*

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(Date)

### **Notes to the submitter**

If you are making a submission to the Environmental Protection Authority, you should use [form 16B](#).

The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.

You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.

**Privacy:** Please note that submissions are public. Your name and submission will be included in papers that are available to the media and the public, including publication on the Council website. Your submission will only be used for the purpose of the notified resource consent process

If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in [Part 11A](#) of the Resource Management Act 1991.

If you make a request under [section 100A](#) of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you may be liable to meet or contribute to the costs of the hearings commissioner or commissioners.

You may not make a request under section 100A of the Resource Management Act 1991 in relation to an application for a coastal permit to carry out an activity that a regional coastal plan describes as a restricted coastal activity.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 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.

The address for service for the Consent Authority is:

**Otago Regional Council, Private Bag 1954, Dunedin, 9054**  
or by email to [submissions@orc.govt.nz](mailto:submissions@orc.govt.nz)