

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: James Molloy

Postal Address:

██████████

████████████████████

Post Code:

██████

Phone number:

Business:

Private:

Mobile:

Email address:

████████████████████

I/ we wish to ~~SUPPORT~~ / ~~OPPOSE~~ / submit a NEUTRAL submission on (circle one) the application of:

Applicant's Name: Dunedin City Council

And/or Organisation:

Application Number: RM20.280

Location:

Smooth Hill, at McLarens Gully / Big Stone Rd

Purpose:

Regional landfill development

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

Landfill leachate liner design using erodible soils

Seismic hazard factor for Design – Importance Level NZS1170 Part 0

My/Our 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).*

Whilst I support the need for a new landfill to be developed for the Dunedin city and wider regional environs I believe the documents presented by DCC (specifically GHD's factual and geotechnical interpretative reports of August 2020 updated May 2021 and the T&T review on same September 2021) do not address two significant land hazards to the potential for land fill failure for the Smooth Hill project and resultant damage to the catchment and receiving environment that site beyond the landfill on all boundaries. These notably are the limited information on the potential erodible nature of the soils presented for land fill liners and regional and site specific seismicity of the proposed landfill site.

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

1/ I would seek the consideration and assurance from DCC that they have considered that to engineer the use of an erodible soil for part or all of the proposed land fill liner and that engineered soil will provide a full and complete impervious boundary between the discharge of leachate from the landfill into the receiving above ground and below ground environments.

2/ The principle of design for the seismic design of all structures for the project, including the land fill liner appears to have been based upon NZS1170 Part 0 Importance 'Level 3' seismic design criteria which relates to non-critical and general use structure for where there are large gatherings or where all hazardous materials may be contained within the boundary of the structure – see attached excerpt from the Standard for reference.

- It would be my expressed view that the proposed landfill and notably the liner and any critical leachate control structure and plant or equipment would be more appropriately designed to an Importance NZS1170 Part 0 'Level 4' seismic design criteria. The reason for this is that the land fill will serve both as an essential service and should by virtue of its public health criterion have post disaster function. It will also in my view and in the event of a significant seismic event could likely fail in its function to contain whatever hazardous materials or fluids retained within the landfill liner such that there could be an uncontrolled discharge from the landfill into the receiving environment beyond the landfill boundaries, whether that be over ground or underground.

I/we:

- 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 (choose one) 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.*

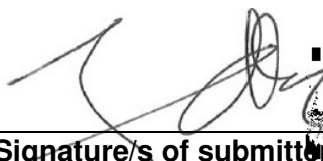
I, am/████ (choose one) directly affected by an effect as a result of the proposed activity in the application that:

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

I, do/████ (choose one) wish to be involved in any pre-hearing meeting that may be held for this application.

I █████/do not 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.



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

15 November 2021

(Date)

TABLE 3.2
IMPORTANCE LEVELS FOR BUILDING TYPES—NEW ZEALAND STRUCTURES

Importance level	Comment	Examples
1	Structures presenting a low degree of hazard to life and other property	Structures with a total floor area of <math><30\text{ m}^2</math> Farm buildings, isolated structures, towers in rural situations Fences, masts, walls, in-ground swimming pools
2	Normal structures and structures not in other importance levels	Buildings not included in Importance Levels 1, 3 or 4 Single family dwellings Car parking buildings
3	Structures that as a whole may contain people in crowds or contents of high value to the community or pose risks to people in crowds	Buildings and facilities as follows: (a) Where more than 300 people can congregate in one area (b) Day care facilities with a capacity greater than 150 (c) Primary school or secondary school facilities with a capacity greater than 250 (d) Colleges or adult education facilities with a capacity greater than 500 (e) Health care facilities with a capacity of 50 or more resident patients but not having surgery or emergency treatment facilities (f) Airport terminals, principal railway stations with a capacity greater than 250 (g) Correctional institutions (h) Multi-occupancy residential, commercial (including shops), industrial, office and retailing buildings designed to accommodate more than 5000 people and with a gross area greater than $10\,000\text{ m}^2$ (i) Public assembly buildings, theatres and cinemas of greater than $1\,000\text{ m}^2$ Emergency medical and other emergency facilities not designated as post-disaster Power-generating facilities, water treatment and waste water treatment facilities and other public utilities not designated as post-disaster Buildings and facilities not designated as post-disaster containing hazardous materials capable of causing hazardous conditions that do not extend beyond the property boundaries
4	Structures with special post-disaster functions	Buildings and facilities designated as essential facilities Buildings and facilities with special post-disaster function Medical emergency or surgical facilities Emergency service facilities such as fire, police stations and emergency vehicle garages Utilities or emergency supplies or installations required as backup for buildings and facilities of Importance Level 4 Designated emergency shelters, designated emergency centres and ancillary facilities Buildings and facilities containing hazardous materials capable of causing hazardous conditions that extend beyond the property boundaries
5	Special structures (outside the scope of this Standard—acceptable probability of failure to be determined by special study)	Structures that have special functions or whose failure poses catastrophic risk to a large area (e.g. 100 km^2) or a large number of people (e.g., 100 000) Major dams, extreme hazard facilities

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