

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: Simon Andrew Laing

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:

And/or Organisation: Dunedin City Council

Application Number: 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 Otokia 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.

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)*.

My family home in Brighton is situated on the river bank along the Ōtokia Creek where I live with my wife and two children. My children and I swim in the creek, as I swam in the Ōtokia at Brighton Beach with my parents when I was a child, and as my parents and grandparents did when they were young. The Ōtokia Creek at Brighton Beach is currently a favorite calm water swimming spot for Dunedin families with young children, as it has been for generations. I anticipate that if a landfill is built in the headwater stream gully of the Ōtokia, this will no longer be the case. I have decades of experience in civil construction and engineering in some of the largest mega-projects ever built in Australasia. I have read every detail of the assessments provided to support the application to operate a landfill at Smooth Hill. I have little confidence that the risk of leachate contamination has been adequately addressed by the applicant. If I, myself feel that the risk of contamination is too high to allow my family to swim in the creek, with my own subject matter expertise, then it is clear that the general public will no longer view the Ōtokia Creek as a safe place to swim. The perception of risk that accompanies a landfill situated within a tributary of the creek will change the way our community interacts with the waterway forever, and degrade the well-being of the greater Dunedin community.

It concerns me that the applicant has not assessed alternative locations since the 1990s. Given how our understanding of waterway management has changed in the last 30 years in New Zealand, it is clear that Smooth Hill would not proceed had it been assessed in recent years. What's more the recent assessment by the applicants consultants is of a poor quality, with ecological values underestimated, fish surveys incorrectly carried out at the wrong time of year. Even the archaeological assessment seems to have large gaps in its conclusions (ODT 'historical treasure at proposed tip site' 12/8/20)

Recent research by seismologists have shown an increased threat from fault lines in the area. The Titiri and Akatore faults among others have been reevaluated and now carry a higher probability and more significant impact than previously thought (ODT 'On shaky ground' 26/9/20). The landfill liner has not been engineered with this risk considered. The proposal also does not consider the effects from climate change of increased and more severe rain events. The proposal is based on a 'business as usual' scenario that simply will not exist in the future.

The Ōtokia Creek has seen a rejuvenation in recent years and the health and quality of the creek and its fauna are on an upward trajectory. This landfill would see a large and irreversible backward step taken in regards to the health of the waterway.

I/We 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:

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.

No

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.*

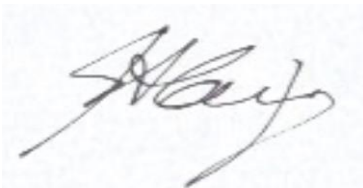
I, **am** (choose one) directly affected by an effect as a result of the proposed activity in the application that:

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



15 November 2021

Signature/s of submitter/s

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

(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