

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: Viktoria Kahui

Postal Address:

████████████████████

████████

Post Code:

██████

Phone number:

Business:

Private:

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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 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 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 live along the Lower Ōtokia Marsh and am the Treasurer for the Ōtokia Creek and Marsh Habitat Trust. I am also a Senior Lecturer in Environmental Economics at the University of Otago. I have been teaching students on all issues relating to the environment (renewable resources, such as

fisheries and surface water; depletable resources; pollution etc.) in undergraduate and postgraduate courses for over 15 years. I have published in international academic journals, and provided advice and input to environmental policy making for the Government's Living Standard Framework.

As an individual, I am deeply concerned about the impact of the proposed landfill due to the following issues

- My children **swim** in the Creek and my husband catches **eels**; any potential or low level leachate will affect our enjoyment of the Creek and the ability to safely consume kaimoana;
- Even if the risk of leachate is low, the **perceived** risk (what if?) will stop me from letting my children swim in the Creek and Brighton Beach;
- As the Treasurer of the Treasurer for the Ōtokia Creek and Marsh Habitat Trust, I (along with many others) have volunteered countless hours planting over 2,000 natives, building a nursery, engaging with community and applying for funding (see our facebook site <https://www.facebook.com/Otokiatrust> - we have received funding from the ORC's EcoFund)
- We have a long term vision to restore the Creek and Marsh habitat to allow for native wildlife to flourish, provide clean water, and provide other ecosystem services (such as carbon absorption and flood protection) that will help our society and our children to prepare for **climate change**;
- I have lived in Brighton for over 20 years and feel an affinity with the Ōtokia Creek, I look at it every day, I garden around it, I plant natives and it brings me joy;
- I am worried that a landfill at the headwaters of the Creek will bring pollution, degradation and uncertainty. It will spoil everything that we as a community have worked so hard for;

As an environmental economist, I have the following concerns:

- The **Economic Assessment Report** (Appendix 7) does not follow best practice: the method of Economic Impact Assessment (EIA) is outdated and the report itself acknowledges that the Treasury has developed the Living Standards Framework (**LSF**) as a new method for assessing policy, which it does not apply (p.6).
- According to the LSF "...a cost benefit analysis that the Government is interested must identify all the economic (including social and environmental) impacts of decisions on people, whether or not they can be quantified" (emphasis added) (The Treasury's Guide to Social Cost Benefit Analysis, p.3).
- By not adopting the LSF, the DCC fails to consider the impacts of a landfill on the **social wellbeing** of the community it terms of recreation and safety;
- The DCC fails to consider the effects of the Akatore Faultline and climate changed related increases in high rain events on the risk of leachate;
- The DCC fails to consider the effects of **persistent organic pollutants**, which will eventually leach into Brighton Beach, on future generations.
- The **consideration of alternative sites is insufficient**: The Programme Business Case (PBC) does not consider alternative sites other than Smooth Hill, which was selected over 30 years ago; it does not consider changes to transport charges when all public organisations switch to electric vehicles (see p. 29 ORC Notification Report); and it does not follow best practice of providing a sensitivity analysis (i.e. how sensitive are the results of the multi-criteria assessment to a 1% change in assumed variables?).
- New Zealand has enacted National Policy Statement for Freshwater Management (NPSFM) to protect freshwater systems and the loss of wetlands. The DCC reduced the size of the landfill to comply with the NPSFM but I am concerned that the effect on 'no net loss' of biodiversity is underestimated. Placing a landfill in a wetland area will lead to ongoing

biodiversity loss and problems for **future generations**, and impact on the **intrinsic health** of the Ōtokia Creek.

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
 ~~Not 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~~
 No

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.



14 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