

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: Kingston Community Association Inc. _____

Postal Address: Po Box 10, Kingston 9748 _____

Post Code: _____

Phone number: Business: _____ Private: _____

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

Applicant's Name: Queenstown Lakes District Council _____

And/or Organisation: _____

Application Number: RM20.164 _____

Location: Kingston _____

Purpose: Disposal of treated wastewater from Kingston Township _____

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

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- Hydraulic Loading Rate and Effects on Soils
- Biological Oxygen Demand (BOD5)
- Drainage and runoff
- Effects on Groundwater
- Nitrogen Leaching
- Nitrogen and Drinking Water
- Phosphorus - the high storage potential, Lucerne uptake and the distance of groundwater beneath the LTA
- Pathogens - Effects on Surface Water

- Effects on Surface Water - Wastewater discharges to land may contaminate surface water via groundwater or from overland flow during disposal system malfunction.
- Consideration of Alternatives - alternative locations for land treatment sites that include Kingston Golf Course and Glen Nevis Station
- Cumulative Effects

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)*.

Kingston Community Association opposes the consent in its current form. It is clear not enough data has been gathered on the receiving environment and the software used to model the impacts of the proposed discharged, through a peer reviewed study commissioned by Ministry for the Environment, can not be used with confidence to estimate loss of nitrogen as a standalone measure.

The applicant has suggested sampling and subsequent reactive measures put in place if sampling is found to be outside of consent conditions. There is clear evidence the receiving Environment is already degrading in terms of drinking water, surface water quality and freshwater ecosystems for the local indigenous fish and invertebrates that are already classed as threatened with extinction. We believe at least a 5-year period of sampling should be undertaken before the consent can be considered in its current form. Or a minimum of 12 months monitoring be carried out prior to commissioning of the treatment plant and LTA, with both the possible increased treatment at the plant of 10 mg/l of Nitrogen and a minimum of 15 hectare LTA utilised until 5 years of monitoring data had been gathered.

12 months monitoring is not sufficient to fully understand the condition of the receiving environment nor determine accurately the impacts of the treatment plant and LTA. Schedule 15 of the RPW requires 5 years of data be collected to compare results against Schedule 15 limits. Hence the suggestion 5 years monitoring be undertaken and the treatment plant and LTA be operated at its maximum efficiency until 5 years monitoring has been completed.

Furthermore, we believe a condition of the consent should ensure the existing township is connected in conjunction with the new development as soon as the treatment plant and LTA is commissioned, not after Stage 1 as currently suggested. This prevents the highest risk scenario in terms of Nitrogen leaching presented by the applicant and ensures connections to the system are taking place at the fastest possible pace giving the applicant the opportunity to run the plant as efficiently as possible from the start.

Below is a further explanation for our views:

- Insufficient data is available to determine the effectiveness of the LTA.
 - Soil temperatures have been used from Cromwell, this clearly a different climate, there is a reason, grapes, fruit and veg is grown there and not in the Kingston Valley; less sun resulting in lower ground temperatures.
 - An assumption that the use of the LTA in winter will be less when it is performing at its worst due to reduced number of residents in town has been made with no recent data to support it. Kingston now has a majority permanent resident population, with holiday makers coming in both winter and summer to take advantage of the activities both seasons offer in the region.
 - Historical climate data from 1981 to 2010 has been used. This is outdated and in May 2021 was revised to a data set between 1991 to 2020. With the obvious impacts of

climate change we are seeing in the region the most up to date data set should be used with a factor applied for climate change.

- Policy 13 of the National Policy Statement for Freshwater Management 2020 (NPS-FM) requires the condition of water bodies and freshwater ecosystems is systematically monitored over time (minimum 5 years), this has been carried out. Given the knowledge of the aging existing septic tank systems and the proposed reticulated system being in consideration for nearly 20 years, it would seem, at the least, odd that monitoring has not taken place to date.
- Overseer, the software used to model the impacts of the proposed discharged, through a peer reviewed study commissioned by Ministry for the Environment, can not be used with confidence to estimate loss of nitrogen as a standalone measure.
- Stage 2 of the development as per Plan Change 18 includes large education and employment zones. The existing garage and fuel station are also not mentioned. The black water from these operations has not been considered or modelled.
- Uncertainty over timing of Stage 1 and connection of existing township.
 - Currently the Kingston Valley Special Zone developer has only got consent for 217 lots. This does not align with the Stage 1, 450 lots discussed in the submission
 - QLDC has not yet been able to find a solution to the unaffordability of connecting the existing township to both reticulated water and sewer. Both factors have an effect on this consent.
 - No data has ever been collected on how many of Kingston township property owners would be willing to connect to reticulated sewer or when.

It appears the applicants overarching approach with this consent is to proceed in spite of sufficient data and build a less efficient treatment plant and smaller disposal field from the start to save costs. If then from the belated monitoring, once the treatment plant and LTT has been commissioned, results indicate a detrimental effect on the environment the applicant will implement its contingency of a more efficient treatment plant and bigger LTA. This approach at no point equates a cost to the environment, the detrimental effect on the environment is considered a free side effect. If a dollar value was equated to this interim period of degradation of the environment the applicant would not have proposed it consent in the current form. On this basis again we oppose the consent in its current form.

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

At least a 5-year period of sampling should be undertaken before the consent can be considered in its current form. Therefore, it should not be granted.

Or a minimum of 12 months monitoring be carried out prior to commissioning of the treatment plant and LTA, with both the maximum treatment at the plant of 10 mg/l of Nitrogen and a minimum 15 hectare LTA be utilised from the start of the discharge, until 5 years of monitoring data had been gathered. At which point a reassessment of the required treatment and sizing of the LTA can be carried out.

We oppose the use of the Golf Course as an alternative location.

I/we:

- 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/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/am not** (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/do not** (choose one) wish to be involved in any pre-hearing meeting that may be held for this application.

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



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

11/10/21

(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