

**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: Saddle Hill Community Board  
C/- Chairman Scott Weatherall

Postal Address: [REDACTED] Post Code: [REDACTED]

Phone number: Business: Private:  
Mobile: [REDACTED]

Email address: [REDACTED]

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

Applicant's Name: Dunedin City Council – Smooth Hill Landfill Application

And/or Organisation:

Application Number: RM 20.280

Location: Smooth Hill

Purpose: Proposed Landfill

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

PLEASE SEE ATTACHED

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).

PLEASE SEE ATTACHED

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

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PLEASE SEE ATTACHED

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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.*

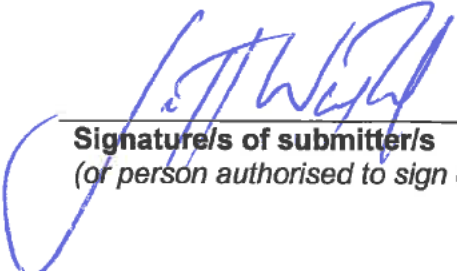
I, ~~am~~/am not (choose one) directly affected by an effect as a result of the proposed activity in the application that:

- 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)

  
\_\_\_\_\_  
(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)

**Saddle Hill Community Board Submission  
to the Smooth Hill Landfill Resource Management Process**

**Introduction :**

The Saddle Hill Community Board (SHCB) is a group of six Community Representatives elected triennially under the Local Government Act.

The Saddle Hill Community Board has statutory responsibility to the Dunedin City Council and sits under a tiered layer of Community Representation below the City Councillors and the Mayor of the Dunedin City.

The members of the Saddle Hill Community Board take an oath to represent their community to the best of their ability.

**Members of the Saddle Hill Community Board are:**

Scott Weatherall	Chair	6 <sup>th</sup> term
Paul Weir	Deputy Chair	2 <sup>nd</sup> term
Keith McFadyen		7 <sup>th</sup> term
Leanne Stenhouse		4 <sup>th</sup> term
John Moyle		4 <sup>th</sup> term
Christina McBratney		2 <sup>nd</sup> term
Cr Jules Radich		1 <sup>st</sup> term

Cr Jules Radich is an elected member and Council Representative to the Saddle Hill Community Board – for this submission Cr Radich has withdrawn from discussion and the process given his role at a City Wide Councillor.

The following resolution passed, supported and recorded at the Saddle Hill Community Board meeting on Thursday the 21<sup>st</sup> of October 2021:

Moved (Scott Weatherall/Leanne Stenhouse):

That the Board:

- a) **Approves** the Chairperson to prepare and submit to the Otago Regional Council on Smooth Hill on behalf of the Saddle Hill Community Board to include and base the submission on:
  - That the Saddle Hill Community Board does not support the proposal or development of a Waste Disposal Landfill at Smooth Hill on Big Stone Road, south of Brighton.

**Motion carried (SHCB/2021/001)** with Cr Jules Radich recording his abstention.

**The concerns below have been gathered, heard and listened to from various community groups, residents, Iwi and interest groups that the Saddle Hill Community Board have consulted with:**

**The specific parts of the application/s that our submission relates to are:**

1. **Communication with the community** - The Dunedin City Council are relying on public consultation and communication from more than 30 years ago of which they are currently unable to locate the files and archives.

We have asked for copies of communication had with the local community – the Dunedin City Council to date are only able to share the original report that was published in 1993.

Even when the land was re-designated in the late 2010's under the Dunedin City Council - Second Generation Plan when staff came and held several community meetings at Ocean View to discuss the specific changes and potential impacts of the plan for the southern coastal communities there was no mention of Smooth Hill.

In 2020, when the Dunedin City Council plans became public Community Meetings were called and two DCC Senior Staff came to the first of these meetings which was appreciated – but when any specific questions were asked of the staff the reply was they were not able to answer these as the consent was sitting with the Councillors.

Prior to this staff had given confirmation to the Saddle Hill Community Board that community engagement and consultation would be carried out prior to any Resource Consent being applied for – sadly this has not happened.

In the report published in 1993 there was minimal reference to Community Engagement – the local community at the time presented to the Dunedin City Council a 3000 person petition against the proposed landfill so for any indication that the community were ever in favour is truly not correct.

The Saddle Hill Community Board have formally requested copies and reference of Community Engagement back in the early 1990's at time of submitting this submission the Dunedin City Council have not been able to locate any files on record.

*Ref: REPORT-A-Future-Landfill-For-Dunedin-Smooth-Hill-21-April-1993.pdf*

2. **Significant change to the area and those whom live in the area** - just 5 years ago the nearest resident purchased their home and there was nothing about a proposed landfill recorded on the LIM report.

**30 years ago there were far fewer homes in the immediate area.** The value of living remotely has grown and those who have brought in the area of Big Stone Road have brought and/or **built** their dream homes **based on the area** as it is today **only to** find out that the Dunedin City Council are planning to build a Landfill in their backyard.

The recreational value the Community places on this area is significant – if a Landfill is to be built then that will be lost.

### 3. Risk of bird strike and distance to the Dunedin International Airport

Within several kilometres of the proposed site is an International Airport – we are aware that Civil Aviation Authority, the Dunedin International Airport and Air New Zealand are preparing submissions against this proposed landfill.

There is a risk of bird strike given the short distance to the Dunedin International Airport.

We understand the potential operator plans to ensure there are no birds at this proposed landfill – but with its proximity to the beach:

- Large breeding colonies at the nearby Green Island and Motorata Island are for seagulls only a short flight away.
- How can we be 100% confident this proposed Landfill will not attract birds?
- One of the planned mitigation is to kill the birds. That's not OK! Not only is it cruel to attract them too close to the airport and then kill them as a consequence; of the type of birds that they are likely to be targeting (gulls) one species which is endangered
- "New Zealand's only endemic gull is the most threatened gull species in the world, and it's rapidly declining"

*Ref: Guidance material for land use at or near aerodromes and ORC Notification Report and <https://www.doc.govt.nz/nature/native-animals/birds/birds-a-z/black-billed-gull/>*

### 4. Risk of contamination entering the Otokia Creek exiting at one of, if not Dunedin's most popular swimming beach

Locals and visitors to our beach fish and gather shellfish off the rocks and coast of the Brighton Beach. How this will affect food safety?

The community is less likely to use Otokia creek for recreation use if there is fear of leaching. This would have a negative impact on the wellbeing of locals and visitors. During summer, over hundreds of people from all over Dunedin come to swim at Brighton Beach.

There is **fear of pollution** of local waterways and **loss of recreational value**.

The adverse effects of the proposed development are far from minor. The impact of development will have a huge effect on the surrounding area and the wellbeing of the community.

Regardless of the technology used, it seems absurd to say that the environmental effects will be 'minor' when Otokia Creek originates within the landfill site.

The proposed leachate monitoring is not going to guarantee that there is no leakages just that there will be warning. This is not acceptable.

*Ref: Assessment report on environmental effects:*

**5. Risk of a fire at the location - there is no water source to the site which is a safety issue especially with close proximity to the forest**

Landfills increase the risk of fire due to trapped gasses and disposal of hazardous household items such as batteries.

The proposed landfill will be surrounded by forestry but the application has no fire management plan. On a hot, windy day, fire may spread rapidly. The local Brighton fire service is voluntary organisation and does not have the capacity to monitor the landfill.

Given heightened risk of the area and risk to life it is simply not acceptable that a detailed fire fighting and mitigation plan has not been submitted.

When asked of senior Council Staff at the meeting they did attend – there were not even aware of this being a potential issue or challenge.

**6. Change of recreational value of the area**

The value the community place on this area for its recreational value (Mountain Biking, Running, Walking, Horse Riding and Hunting) is immense – it's used and accessed daily; any potential Landfill may result in the loss of these activities.

**7. Community Wellbeing:**

We are aware that the Dunedin City Councillors were led to believe that the Otokia River has nil significance to the local community – this is **completely** not the case.

The creek is very popular for local families to swim in, learn to kayak in. The Brighton Surf Life Saving club use it as an alternative training area. The community and visitors are unlikely to use Otokia of locals and visitors.

**8. Effect on the local wildlife: In the various reports there is reference and knowledge of a number of vulnerable species in the area**

- 1) **Native Eastern Falcon** nest and breed in the area; 16 breeding falcon pairs were surveyed in the area. The falcon is an At Risk or Threatened species.
- 2) There are potentially **five lizard species**, four of them at risk and declining
- 3) We are aware that there are 2 **endangered** at risk fish species in the Ōtokia Creek (Longfin Eel and Redfin Bully) and two endangered at risk bird species that visit or live at the marsh (White Heron and Black Stilt)?

- 4) That one of the planned mitigation is to kill the birds. That's not OK! Not only is it cruel to attract them too close to the airport and then kill them as a consequence; of the type of birds that they are likely to be targeting (gulls) one species is endangered " New Zealand's only endemic gull is the most threatened gull species in the world, and it's rapidly declining"

Ref: *ORC Notification Recommendation Report'* and 1)  
<https://www.doc.govt.nz/nature/native-animals/birds/birds-a-z/black-billed-gull/>

9. **Noise pollution** – with any busy worksite there will be heavy machinery working at the proposed site – what impact will that have on the nearby neighbours whom brought their homes without any knowledge the Dunedin City Council were planning to build this proposed landfill.

10. **The location of the Akatore fault line** is just 6km from the Smooth Hill site. If or when the earthquake comes it is expected to potentially be around 7.4 magnitude. What does this mean for a proposed landfill? We cannot locate reference to this fault line in the Geological Report.

Ref: <https://www.odt.co.nz/lifestyle/magazine/shaky-ground>

**Our submission is in opposition.**

The Saddle Hill Community Board, on behalf of its communities it is elected to represent, opposes this application in its entirety.

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

We do not support this application now any part of the application being granted.

We have pleaded a number of times with the applicant to take a pause, avoid making unnecessary decisions and actually plan for the future – is dumping rubbish in the ground really what the Dunedin City Council want to do in the long term?