

February 17 2020

Consents Manager  
Environment Southland  
Private Bay 90116  
Invercargill  
[service@es.govt.nz](mailto:service@es.govt.nz)

Tēnā Koe,

**Limited Notification of resource consent application – A B Lime Limited – 10-20 Kings Road, Winton.**

Please find attached a submission lodged, on behalf of Te Rūnanga o Awarua and Waihōpai Rūnaka for Resource Consent applications APP-20202200 and APP-205862-01-V2 is for the seven new resource consents and 1 variation to an existing resource consent, to authorise proposed activities associated with solid waste disposal and limestone quarrying activities at 10-20 Kings Bend Road, east of Winton.

The submission period for the applications closed on 9 February 2021. Te Ao Marama Inc picked up the mailed notification after the submission date, we were told by the consultant working for Hokonui Rūnanga. Te Ao Marama does not rely solely on mail system and hence the mailed-out letter was not picked up until after the submission date, due to staff being on holiday and checking mail intermittently. Generally, limited notification has come through via email.

Rūnanga have prepared this late submission and request that the late submission is accepted given we were considered affected parties to the application.

We trust the information contained within the submission is sufficient; however, should you wish to discuss any aspect further, please do not hesitate to contact me.

Nāhaku noa nā,



Stevie-Rae Blair  
Te Ao Marama Inc.  
Iwi Environmental Advisor

To: Environment Southland  
Private Bay 90116  
Invercargill  
[service@es.govt.nz](mailto:service@es.govt.nz)

This is a submission on the application Resource Consent Applications (APP-20202200 and APP-205862-01-V2) for seven new resource consents and 1 variation to an existing resource consent, to authorise proposed activities associated with solid waste disposal and limestone quarrying activities at 10-20 Kings Bend Road, east of Winton. Te Rūnanga o Awarua and Waihōpai Rūnaka submission relates to the applications in their entirety (Appendix A).

1. Te Rūnanga o Awarua and Waihōpai Rūnaka is **opposed** to the granting of the application.
1. Te Rūnanga o Awarua and Waihōpai Rūnaka wish to be heard in support of its submission.
2. If others are making a similar submission, Te Rūnanga o Awarua and Waihōpai Rūnaka will consider presenting a joint case with them at a hearing.
3. Te Rūnanga o Awarua and Waihōpai Rūnaka are not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.
4. A copy of this submission has been sent to the applicant.

**Signed** for and on behalf of Te Rūnanga o Awarua and Waihōpai Rūnaka.



Stevie-Rae Blair  
PO Box 7078  
South Invercargill,  
9844

February 17 2021

## Introduction

1. This submission is made on behalf of Te Rūnanga o Awarua and Waihōpai Rūnaka (referred to as Ngā Rūnanga).
2. The suite of resource consents includes:
  - a) Discharge permit of solid waste to land where contaminants may enter water.
  - b) Discharge permit for discharge of leachates to land within the landfill footprint where contaminant may enter water.
  - c) Discharge permit for the discharge of leachate and contaminated storm water that may enter groundwater.
  - d) Land use consent for the drilling and construction of any bore or well
  - e) Discharge permit for contaminants into air from combustion processes where combustible refuse matter is flared.
  - f) Discharge permit discharge of contaminants into air from the use of masking agents to disguise odour.
  - g) Variation to discharge permit AUTH-205862-01-V1 to change conditions of consent for the discharge of contaminants to air from a lime works.

### Papatipu Rūnaka

3. The Te Rūnanga o Ngāi Tahu Act 1996 (the TRoNT Act) and the Ngāi Tahu Claims Settlement Act 1998 (the Settlement Act) give recognition to the status of Papatipu Rūnanga as kaitiaki and manawhenua of the natural resources within their takiwā boundaries.
4. The consent application proposals relate to a solid waste disposal and limestone quarrying activities at Kings Bend Road, Winton that is within the takiwā of Te Rūnanga o Awarua and Waihōpai Rūnaka.

### General Position and Reasons for the Submission

5. Cultural Values Report for the Makarewa, 2014<sup>1</sup> states that:

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<sup>1</sup> Kitson, 2015

*“This cultural landscape has linkages with the ancestral Takitimu waka (canoe) and the great explorer Tamatea. Tamatea explored throughout New Zealand from the far north to Southland, and there are names all along the full length of the country that document his travels.*

*There are several versions of the story relating to the sinking of this waka, one of which relates to the Makarewa area. The Takitimu was wrecked in Te Waewae Bay by three waves, Orokoroko, O-te-Wao and Okaka. The first two waves can give their names to ridges in the Makarewa catchment (Heale Ridge and Forest Hill, respectively.)”*

6. There was also a pā at Otaupiri, a Kati Mamoe rangatira named Tutemakohu resided here, which was a strategic vantage point with extensive views of the Waimea Plains, Dipton flats and upper reaches and flats of the Otaupiri Stream (Otapiri).<sup>2</sup> Histories also relay an extensive mahinga kai culture including fowling and eeling.
7. The various waterways surrounding the application are all tributaries of the Oreti River which is identified in the Ngāi Tahu Claims Settlement Act, 1998 as a Statutory Acknowledgement (attachment 1).
8. Ngā rūnanga is supportive of development within its takiwā, provided activities are undertaken in a way that respects the environment where the activity is to be undertaken and do not adversely affect Ngāi Tahu cultural values, customs and their traditional relationship with land and water.
9. Very much a significant cultural landscape to Ngāi Tahu because of historical (as some have been indicated above) and contemporary associations. These associations include the formation of landscape, wāhi ingoa (place names), mahinga kai, Ara tawhito, wāhi tapū and archaeological sites.
10. Ngā rūnanga, as kaitiaki, is responsible for protecting the mana and mauri of Murihiku.
11. Ngā rūnanga **opposes** the application for the following reasons:
  - a. The applicant seeks a 35-year consent term which is contrary to policy within the Iwi Management Plan, Te Tangi a Tauira, 2008.
  - b. Kaitiaki Rūnanga via Te Ao Marama are not considered in Proposed Condition 19 (d) of discharge permit to be advised when the landfill is accepting waste under a crisis or emergency response conditions.

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<sup>2</sup> Milligan 1977



### Decision Sought

12. That a consent duration of around 17 years is more appropriate to be consistent with Te Tangi a Tauri, 2008 and coincides with the original expiry date of 2038.
13. If the application is approved, Te Ao Marama is considered likely affected and added to Condition 19 (d).



## Attachment 1: Oreti River Statutory Acknowledgement

### STATUTORY ACKNOWLEDGEMENT FOR The Oreti River

#### Statutory Area

The statutory area to which this statutory acknowledgement applies is the river known as Oreti, the location of which is shown on Allocation Plan MD 123 (S.O. 12262).

#### Preamble

Under section 206, the Crown acknowledges Te Runanga o Ngai Tahu's statement of Ngai Tahu's cultural, spiritual, historic, and traditional association to the Oreti River, as set out below.

#### Ngai Tahu Association with the Oreti River

The Oreti River traverses a significant area of Murihiku, stretching from its mouth at Invercargill almost to the edge of Whakatipu-wai-maori (Lake Wakatipu). As such, it formed one of the main trails inland from the coast, with an important pounamu trade route continuing northward from the headwaters of the Oreti and travelling, via the Mavora or Von River Valley, to the edge of Wakatipu and onto the Dart and Routeburn pounamu sources. Indeed, pounamu can be found in the upper reaches of the Oreti itself.

The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the Oreti, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today.

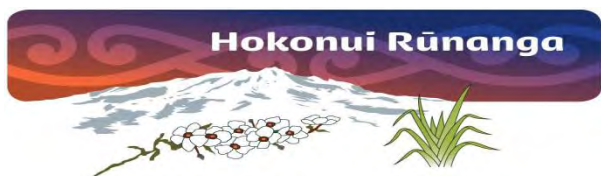
The kai resources of the Oreti would have supported numerous parties venturing into the interior and returning by mokihi (vessels made of raupō), laden with pounamu and mahinga kai. Nohoanga (temporary campsites) supported such travel by providing bases from which the travelers could go water fowling, eeling and catching inaka (whitebait), and were located along the course of Oreti River.

There were a number of important settlement sites at the mouth of the Oreti, in the New River estuary, including Omaui, which was located at the mouth of the Oreti, where it passes the New River Heads. Oue, at the mouth of the Oreti River (New River estuary), opposite Omaui, was one of the principal settlements in Murihiku. Honekai who was a principal chief of Murihiku in his time was resident at this settlement in the early 1820s, at the time of the sealers. In 1850 there were said to still be 40 people living at the kaik at Omaui under the chief Mauhe.



As a result of this pattern of occupation, there are a number of urupā located at the lower end of the Oreti, in the estuarine area. Urupā are the resting places of Ngai Tahu tupuna and, as such, are the focus for whanau traditions. These are places holding the memories, traditions, victories and defeats of Ngai Tahu tupuna, and are frequently protected by secret locations.

The mauri of the Oreti represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whānui with the river.



Hokonui Rūnanga  
140 Charlton Road, GORE – 9774  
PŌ Box 114, GORE – 9740  
[hokonui.office@ngaitahu.iwi.nz](mailto:hokonui.office@ngaitahu.iwi.nz)

Form 13

**Submission on a publicly notified application concerning resource consent AB Lime Limited (APP-20202200 APP-205862-01-V2) under section 96, Resource Management Act 1991**

Name of submitter: Hokonui Rūnanga  
Address for service: C/- Beca Ltd, PO Box 13960, Armagh Street, Christchurch 8141  
Attention: Genevieve Doube  
Phone: 027 213 3152  
Email: [Genevieve.doube@beca.com](mailto:Genevieve.doube@beca.com)

This is a submission on an application from AB Lime Limited to authorise proposed activities associated with solid waste disposal and limestone quarrying activities located at 10-20 Kings Bend Road, Winton.

The suite of resource consents includes –

- Discharge permit of solid waste to land where contaminants may enter water
- Discharge permit for discharge of leachates to land within the landfill footprint where contaminant may enter water
- Discharge permit for the discharge of leachate and contaminated storm water that may enter groundwater
- Land use consent for the drilling and construction of any bore or well
- Discharge permit for contaminants into air from combustion processes where combustible refuse matter is flared
- Discharge permit discharge of contaminants into air from the use of masking agents to disguise odour
- Variation to discharge permit AUTH-205862-01-V1 to change conditions of consent for the discharge of contaminants to air from a lime works

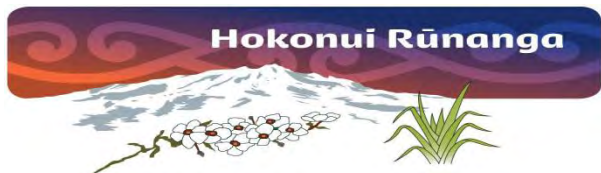
Under the new consents sought, the landfill footprint, overall capacity, final finished profile and overall physical area of the landfill will not change from those already authorised by existing consents; with key changes sought by the new consents being to remove the upper threshold for annual waste acceptance, and to formalise the ability to receive emergency waste. It is understood that the site was consented as a solid waste disposal facility in 2003 for a term of 35 years, which expires in June 2038.

The applicant seeks a new 35 year consent term which, if approved, means the consents will expire in 2055. The applicant seeks a period of 5 years to give effect to the new consents, and will not seek to surrender the existing consents until the new consents are given effect to, being 2026.

It is noted that the applicant holds existing Water Permits 201348, 201349 and 201350 for taking of up to 40 cubic metres per day of groundwater, damming and diverting surface water, and taking up to 500 cubic metres of surface water. The application does not seek to surrender any of these existing water permits which, as outlined above, expire in June 2038.

The applicant has also sought concurrent land use consents from the Southland District Council.





Hokonui Rūnanga  
140 Charlton Road, GORE – 9774  
PŌ Box 114, GORE – 9740  
[hokonui.office@ngaitahu.iwi.nz](mailto:hokonui.office@ngaitahu.iwi.nz)

**The specific parts of the application that the Hokonui submission relates to are:**

The submission of the Hokonui Rūnanga relates to is the duration of the consent sought.

**Background**

Hokonui Rūnanga represent the Ngāi Tahu tangata whenua who hold rangatiratanga within the rohe of Hokonui and are kaitiaki of all natural resources within our takiwā (area). This includes the area to which the application relates.

Under the Resource Management Act (RMA) 1991, decision makers must recognise and provide for the relationship of Māori and their culture and traditions with ancestral lands, water, sites, waahi tapu and other taonga and have particular regard to rangatiratanga and kaitiakitanga. Furthermore, there is a duty to avoid, remedy or mitigate actual and potential adverse effects on the environment. Hokonui considers that, as per Te Tangi a Taurira, the consent should not have a duration longer than 25 years.

Long term consent durations prevent the consideration and adoption of improvements in technology over time that could lead to improved environmental outcomes. The Rūnanga considers anything over 25 years is essentially making decisions for the next generation. Further, if approved, the landfill will have consents that expire in 2026 (existing consents to be surrendered), 2038 (existing water permits) and 2055 (consents sought). Hokonui request that a holistic approach is adopted with the consents expiring at the same time so that a full re-assessment of the site and activities can be completed in 2038, when the original consents are proposed to expire.

**The submission of Hokonui is:**

Hokonui Rūnanga has concerns about the proposed consent duration of 35 years and given the potential for adverse effects a shorter term to align with the other consents is preferred.

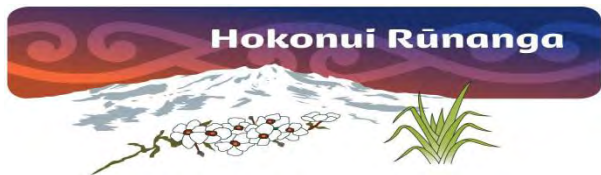
Proposed condition 19 (d) of Discharge Permit AUTH-201346-V3 states “All likely affected neighbours are to be notified of the crisis/emergency waste stream prior to acceptance on site, or as soon as practicable.” Hokonui Rūnanga wish to be advised when the landfill is accepting waste under the crisis or emergency response provisions

Hokonui Rūnanga submit that it should be advised on the discovery of archaeological items, koiwi or taonga as such, the Site Archaeological/Koiwi or Taonga Accidental Discovery Plan (SAKTDP) needs to be amended. Further to this, condition 2.27 of Land Use Consent 60/3/02/138/1 and condition 35 of Schedule 1 – General Conditions AUTH 201346, 201347, 201348, 201349, 201350, 201351 should specifically identify Hokonui Rūnanga as a party requiring notification in the event of discovery of artifacts.

**Hokonui seeks the following decision from the consent authority:**

The Rūnanga considers a shorter consent duration of around 17 years is more appropriate that coincides with the original expiry date of 2038.

If the application is to be approved, Hokonui requests amendments to the “emergency” and “discovery” conditions as referred to above.



Hokonui Rūnanga  
140 Charlton Road, GORE – 9774  
PŌ Box 114, GORE – 9740  
[hokonui.office@ngaitahu.iwi.nz](mailto:hokonui.office@ngaitahu.iwi.nz)

**Hokonui wishes to be heard in support of their submission.**

Hokonui are not a trade competitor of the applicant for the purposes of Section 308B of the Resource Management Act 1991.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read "Genevieve Doube".

Genevieve Doube  
**Consultant Planner**

To: The Chief Executive  
Environment Southland  
Private Bag 90116  
DX20175  
Invercargill

## SUBMISSION FORM

Submission on a Limited Notified Application for a Resource Consent

I: JACK GEERLINGS (Name(s))  
of: 266 WINTON-HEDGEHOPE HWY (Address)  
at: 03-236-7567 (Phone)  (Fax) jack.geerlingsrocks@gmail.com (E-mail)

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

Name: A B LIME LTD  
And/or Organisation: \_\_\_\_\_  
Application Number: 205862-01-V2 Location: 10-20 Kings Bend Road  
WINTON

My reasons for my submission are: (State the nature of your submission and give clear reasons. Continue on attached pages if necessary)

I think that A B LIME has a great plan to do the very best for our environment. My Reason is that I live nearby at 1km distance.

ENVIRONMENT SOUTHLAND

25 JAN 2021

I wish the Council to make the following decision *(Give precise details, including the nature of any conditions sought)*

[Empty box for providing details of the decision sought]

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 heard in support of my submission.

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

I have served a copy of my submission on the applicant.

Yes

No

**Note:** Your submission will become publicly available information.

Signed



Date

19-1-2021

If you have any queries about this form or its purpose please contact the Consents Division of Environment Southland (03) 211 5115 or 0800 76 88 45.



8 January 2021

RG Hamilton  
C/- RG & RA Hamilton Trust  
202 Egerton Road  
RD 1  
Winton 9781

Our Reference: APP-20202200,  
APP-205862-01-V2  
Enquiries to: bruce.halligan@es.govt.nz

Dear Sir

**Limited notification of resource consent application – AB Lime Limited –10-20 Kings Bend Road, Winton**

Notice is hereby given pursuant to S.95B Resource Management Act 1991 that the following application for resource consents has been received by Environment Southland.

The application **APP-20202200 APP-205862-01-V2** is for the following seven new resource consents and 1 variation to an existing resource consent, to authorise proposed activities associated with solid waste disposal and limestone quarrying activities at 10 -20 Kings Bend Road, east of Winton:

**\*1) Discharge Permit for:**

The discharge of solid waste onto or into land where the contaminants may enter water as a discretionary activity under Rule 45 of the Proposed Water and Land Plan, and Rule 56 of the Regional Water Plan, pursuant to Section 15 (1)(b) of the Resource Management Act 1991. Consent is required as a discretionary activity.

**\*2) Discharge Permit for:**

The discharge of leachate onto or into land within the landfill footprint where that contaminant may enter water as a discretionary activity under Rule 45 of the Proposed Water and Land Plan and Rule 56 of the Regional Water Plan, pursuant to Section 15(1)(b) of the Resource Management Act 1991. Consent is required as a discretionary activity.

**\*3) Discharge Permit for:**

The discharge of leachate and contaminated storm water that may enter groundwater (leachate leakage) as a discretionary activity under Rule 45 of the Proposed Water and Land Plan and Rule 3 of the Regional Water Plan, pursuant to Section 15(1)(b) of the Resource Management Act 1991. Consent is required as a discretionary activity.

To: The Chief Executive  
Environment Southland  
Private Bag 90116  
DX20175  
Invercargill

## SUBMISSION FORM

Submission on a Limited Notified Application for a Resource Consent

I: Roger G. Hamilton (Name(s))  
of: 202 Egerton Road East Winton (Address)  
at: 0274329042 (Phone)  (Fax) rghamilton@extra.co.nz (E-mail)

Wish to **SUPPORT** / **OPPOSE** / ~~submit a NEUTRAL submission~~ on (circle one) the application of:

Name: AB Lini Limited

And/or Organisation:

Application Number: APP-20202200 Location: APP 205862-01-V2

My reasons for my submission are: (State the nature of your submission and give clear reasons. Continue on attached pages if necessary)

I wish the Council to make the following decision *(Give precise details, including the nature of any conditions sought)*

*(Empty box for providing details of the decision sought)*

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 heard in support of my submission.

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

I have served a copy of my submission on the applicant.     Yes     No

**Note:** Your submission will become publicly available information.

Signed     R.G. Hamilton     Date     21-1-2021    

If you have any queries about this form or its purpose please contact the Consents Division of Environment Southland (03) 211 5115 or 0800 76 88 45.

Submission on AB Lime Limited at Kings Bend

1 Discharge Permit

I am against any Change to the consents for the land fill the discharge of solid waste onto or into land where it may enter ground water as a land owner I am opposed to .

2 The discharge of leachate onto the land fill footprint this could contain anything from chemicals to waste products where there is a risk that it could enter ground water is no acceptable.

3 Leachate leakage is unacceptable I run an agricultural business next to AB lime and use ground water for stock and housing I am not Prepared to put our selfs and others at risk .

4 I have no problem with drilling for water for agriculture use or human

5 The discharge of contaminants to air if monitored by ES To excepted industry levels.

6 If these contaminants are affecting air quality in any way I am against this increase when it will affect residences

7 If AB LIME have to and masking agents to disguise contaminants /odour released into air our air quality at 202 Egerton Road is quite good ,I would like to think we are improving it not adding masking agents to disguise odours .

8 Again if this is affecting air quality in any way I would not be in favour of this .Also any activity adversely affecting the environment I am opposed to .

Regards Roger Hamilton  
Cell 0274329042



10 FEB 2021

To: The Chief Executive  
Environment Southland  
Private Bag 90116  
DX20175  
Invercargill

**SUBMISSION FORM**

Submission on a Limited Notified Application for a Resource Consent

I: Lyndal and Murray Sinclair (Name(s))  
of: 147 Brown Road RD 2 Winton (Address)  
at: 03 2364-198 (Phone)  (Fax) murray.lyndal@xtra.co.nz (E-mail)

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

Name: AB Lime Limited Landfill Resource Consent

And/or Organisation: A

Application Number: 20202200 Location: -10-20 Kings Bend Road  
205862-01-V2 Winton

My reasons for my submission are: (State the nature of your submission and give clear reasons. Continue on attached pages if necessary)

As a neighbouring property, we are opposing this full resource consent for removal of the current 100,000 tonne limit landfill waste per year.

Air Quality is not managed efficiently now as all year round odour & gas emissions are effecting our quality of air, within a 3K radius of the landfill. Certain mornings I have allergies that set my eyes off streaming!

Leachate  
Toxicity of the Leaching through stormwater into natural springs of our waterways will be increased with neighbour boundaries. Why has n't the gas emissions been reduce of methane from 5% to .5% now, when all it takes is to reduce the working face 3625m<sup>2</sup> to 1000m<sup>2</sup>.

I wish the Council to make the following decision *(Give precise details, including the nature of any conditions sought)*

All these improvements that are suggest, why aren't they in place now to improve 100,000 tones of odour.

I disagree with a increase, as management are not controlling air quality contamination now, so they need to focus on improvement of what they are dealing with today, before any increase of waste to the landfill.

Instead of Air neighbours making this resource decision, local district e community have the right to their say on this resource consent, as when it effects everyone's air quality its imperative.

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 heard in support of my submission.

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

I have served a copy of my submission on the applicant.

Yes

No

**Note:** Your submission will become publicly available information.

Signed



Date

3/2/21

If you have any queries about this form or its purpose please contact the Consents Division of Environment Southland (03) 211 5115 or 0800 76 88 45.

To: The Chief Executive  
Environment Southland  
Private Bag 90116  
DX20175  
Invercargill

## SUBMISSION FORM

Submission on a Limited Notified Application for a Resource Consent

I: Ross & Janice McKerchar (Name(s))  
of: 479 Winton Hedgehope Hwy; RD2; Winton (Address)  
at: 0274 410 927 (T) (Phone) mckerchar479@gmail.com (E-mail)

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

Name: AB Line

And/or Organisation: \_\_\_\_\_

Application Number: 20202200 Location: 10-20 Kings Bend, Winton  
205 862-01-12

My reasons for my submission are: (State the nature of your submission and give clear reasons. Continue on attached pages if necessary)

See attached

# SUBMISSION

BY

ROSS BRYDON MCKERCHAR &  
JANICE LINDA MCKERCHAR

IN RESPECT OF

AN APPLICATION FOR RESOURCE CONSENTS

BY

AB LIME LIMITED

APPLICATION MADE TO  
ENVIRONMENT SOUTHLAND

We the submitters are owners of a property adjacent to and in close proximity of the applicant site.

Further to a letter from Environment Southland and AB Lime giving Limited notification of resource consent application we feel that this proposal will impact negatively on our own personal life and well being. You will appreciate that our view to this proposal is coloured somewhat by our previous experiences in relation to the establishment, changes made and the special waste deposited over the years.

Although ES have a formal procedure to follow in giving notice (Resource Management Act) we note that the proposal is 'limited' notification and feel that is grossly unfair that communication was only sent to a small number of neighbours within 2 kms of the site. Given postal issues more time was required to consider the application when the letter was not received by ES until week 15<sup>th</sup> January - submissions closing 9<sup>th</sup> February. The attached shows the number of households within 3 kms would also be included if they received notice.

During the establishment of the landfill an Environmental Impact Report was undertaken and given to all those affected parties. In our opinion, with the increase of the limit, change in open working face and provision for flexibility to respond to unforeseen events we would be grateful if you can confirm this has been undertaken.

We have concerns in relation to the following matters should the limit be increased:

1. Odour
2. Waste Material
3. Vehicle Movements
4. Impact on land values
5. Effect of evaporation and leachate spreading
6. Gas emission
7. Water Supply

By way of particular comment in respect of each of our abovementioned concerns we submit as follows:

#### 1. ODOUR

As the closest neighbours in the event of any changes to the site, increased and increased waste limit, we are likely to be particularly effected by emission of pungent and obnoxious odours from the landfill site. Our property is situated on the south east of the landfill site and in terms of prevailing winds have in the past been seriously effected by such odours.

As AB Lime acknowledge and are aware of, we have experienced over the years certain atmospheric conditions which override all the monitoring, management plans

etc in place. On a still, dewey/damp, calm morning/evening the odour is foul. Nature has a way of over-riding all the best intentions and protocols which AB Lime have,

Unfortunately odour is a nuisance to make a complaint on with ES. ES has calibrated staff which, if using the 0800 number, would come out and investigate the complaint. Given the timeframes to come eg 1.5 hours the smell could be gone. We have experienced, as have some motorists, that complaints have been made that were not recorded. This process may have improved at ES as during the "cow" experience this was a major concern.

As below the Queenstown Lakes District Council has currently a sign erected at their landfill acknowledging that with an upgrade odour is possible. This confirms that with any changes to the present system odour has the potential to escape and we would be one of the ones that will be affected.

## Opened



## 2. WASTE MATERIAL

We understand all rubbish to the site is compacted and covered on a daily basis. However we experience, with high winds, particularly from the north west or northerlies, material does escape and we as adjoining owners are effected not only from an aesthetic point of view but potentially by the effects on our farm operations.

We acknowledge AB Lime in previous years have been proactive and were prompt in picking up the rubbish however over recent years we have had to ring to get action. At the hearing I can provide examples.

Special Waste: This is of most concern to us due to the awful experience three years ago when the 'dead cows'/oysters were deposited at the landfill. The odour was horrendous and certainly affected our quality and enjoyment of home life. The fact that ES and AB Lime at the time were slow to react or even acknowledge 'what' was causing the smell impacted negatively on all the neighbourhood and Winton Township.

A meeting of the neighbours was held with all parties expressing concern and also AB Lime giving the process of why it was happening. A letter from AB Lime indicating six monthly meetings of neighbours to connect with this issue was proposed however this has not eventuated. To our knowledge, no other waste like this has been deposited.

## 3. VEHICLE MOVEMENTS

Clearly the movements of vehicles on and off the site will be substantially increased by this proposal. There appears to be no reference in the application in particular regard to the congestion or increased maintenance required to Southland District Council roads as well as to State Highway 96 at the bend.

In reference to AB Lime Landfill Air Quality Management Plan Transport of Waste to Site all waste arrives in vehicles that are covered. To improve this more and which would also benefit both Opus and Southland District Council roading is for all vehicles that leave the site MUST have their vehicle covered. The rubbish collected on roadsides from these vehicles that are not covered is considerable. Letters, paper all fly out the top that have either stuck to the sides and did not tip off with the other waste.

## 4. IMPACT ON LAND VALUES

As an adjoining owner our land values are detrimentally effected in terms of ability to sell at a level in terms of price which would otherwise be expected should a landfill not have been present.

Having been selling real estate for many years, I know the impact of having the landfill within close proximity/visually has on the value of property in the area. Therefore as previously mentioned a number of lifestyle property owners (within 3

km of the site) are seriously financially effected by this proposal particularly with odour and gas emissions.

#### 5. LEACHATE SPREADING

We have confidence that AB Lime and ES effectively monitor this. Originally when AB Lime applied for consent for the Landfill concern was to Winton Township residents that possible leakage would flow into the open Tothills Creek then to the Winton Stream and the Oreti River. With 'limited' notification other residents may also be concerned with increased waste levels.

#### 6. GAS EMISSION & WORKING FACE

We note the applicant's intentions to deal with gas emissions from the use of masking agents to disguise odour. Our property is already affected by resultant gas emissions and odourless gases from which we may already suffer side effects without being particularly aware that these things are occurring. We do smell from time to time the masking agents. We note AB Limes intention to improve this area of concern.

We support AB Lime's intentions for improvements in technology and overall environment management at the landfill including

- Landfill gas will be utilised in the coal fired kilns etc
- Open working face be reduced improving gas capture and reducing odour effects
- Improved temporary and permanent capping etc.
- Continually trying to reduce surface gas emissions
- Compliance with the National Standards of Air Quality
- Minimising leachate and reduce generation.

#### Summary

In respect to all of the above we submit that the application should be declined as the applicants are not in a position to guarantee without restriction or conditions that there will be no escape of the any of the abovementioned matters and no detrimental effect on our property at all.

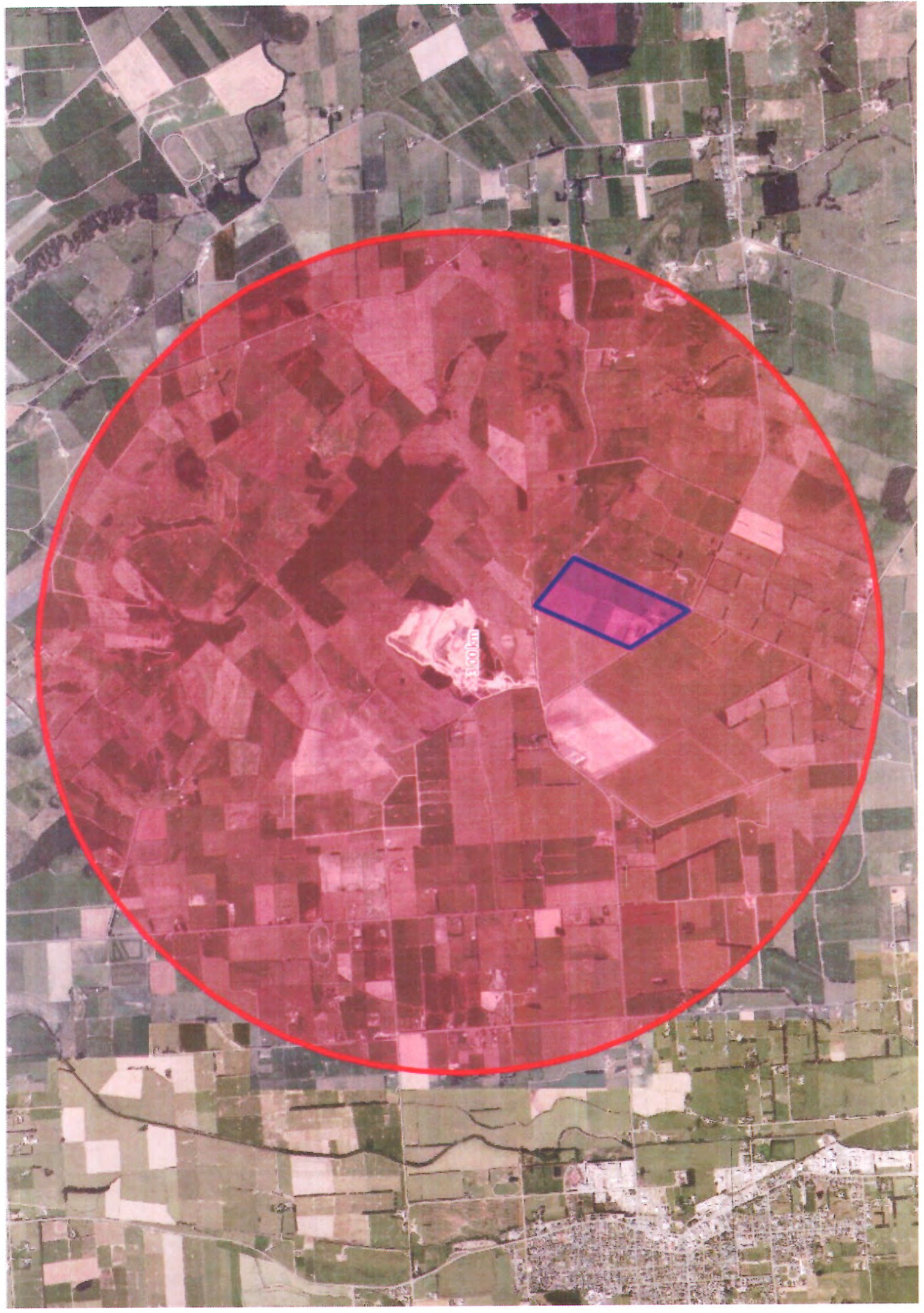
#### Recommendation

In our opinion a balanced recommendation to the seven new resource consents and 1 variation applied for going forward would be:

- Approve the open working face be reduced with AB Lime making changes as necessary



- Decline the facility to be greater than 100,000 cubic metres
- Decline the special waste condition as this still needs to be discretionary with no provision for offal, dead seafood products, asbestos, medical waste be accepted.
- In the event AB Lime has reduced the working face and all improvements have successfully been achieved a review can be undertaken



I wish the Council to make the following decision *(Give precise details, including the nature of any conditions sought)*

[Empty box for providing details of the decision sought]

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 heard in support of my submission.

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

I have served a copy of my submission on the applicant.  Yes  No

**Note:** Your submission will become publicly available information.

Signed Jamdecha Date 9-2-2021

If you have any queries about this form or its purpose please contact the Consents Division of Environment Southland (03) 211 5115 or 0800 76 88 45.

# Resource Consent submission

To: The Chief Executive  
Environment Southland  
Private Bag 90116  
DX20175  
Invercargill

<b>Date</b>	09/02/2021 09:36
<b>Online reference number</b>	RC210210446
<b>Full name of submitter</b>	Stephen Bruce Johnston and Tracey Kim Cavanagh
<b>Postal address</b>	26 Bennett Road, RD 2, Winton 9782
<b>Contact phone number</b>	0278234003
<b>Email</b>	tkcava@gmail.com

## Applicant details

<b>Name of applicant</b>	AB Lime Limited
<b>Activity location</b>	10 Bend Road, RD 2, Winton 9782
<b>Application number</b>	APP-20202200 and APP-205862-01-V2

## Submission details

<b>My submission relates to the whole application</b>	No, my submission only relates to parts of the application.
<b>Parts of the application my submission relates to</b>	The increase from 100,000 tonne of waste per year to unlimited
<b>Submission uploaded</b>	Yes
<b>I am a trade competitor of the applicant (for the purposes of section 308B of the Resource Management Act 1991)</b>	No

For now  
& our future



## Outcome sought

**I wish Environment Southland to make the following decision** To oppose the application.  
**Why I wish Environment Southland to make this decision** Please see attached Letter.

## Hearing details

**I wish to be heard in support of my submission** Yes  
**I would consider presenting a joint case if others make a similar submission** Yes  
**I wish to be involved in any pre-hearing meeting that may be held for this application** Yes

## Confirmation

I have served a copy of my submission on the applicant and I confirm all of the above information is correct

For **now**  
& **our future**



### Incident Listing

Incident from 01/01/2017 to 03/02/2021  
**Mrs Tracey Kim Cavanagh**

IRIS ID	Incident Date/Time
REQ-17187406	17/05/2018 03:35 PM
REQ-17187662	29/05/2018 07:59 PM
REQ-17187707	30/05/2018 07:12 PM
REQ-17187746	2/06/2018 05:35 PM
REQ-17187995	14/06/2018 06:17 PM
REQ-18191021	30/06/2018 04:52 PM
REQ-18191146	8/07/2018 09:45 AM
REQ-18191318	17/07/2018 08:30 AM
REQ-18191546	21/07/2018 09:50 AM
REQ-18191501	24/07/2018 06:08 PM
REQ-18191580	30/07/2018 08:29 AM
REQ-18191745	6/08/2018 08:17 PM
REQ-18191844	8/08/2018 05:30 PM
REQ-18191900	11/08/2018 05:46 PM
REQ-18191999	14/08/2018 06:06 PM
REQ-18192070	18/08/2018 06:06 PM
REQ-18192524	6/09/2018 10:43 PM
REQ-18192858	22/09/2018 09:20 PM

### Incident Listing

Incident from 01/01/2017 to 03/02/2021  
**Mrs Tracey Kim Cavanagh**

REQ-18193149	28/09/2018 07:55 PM
REQ-18195130	3/12/2018 10:38 PM
REQ-18195131	4/12/2018 10:20 AM
REQ-18197755	9/05/2019 06:13 AM
REQ-18198393	22/06/2019 06:10 PM

Count: 23

## Complaints Direct To AB Lime ( Fiona Smith )

2 <sup>nd</sup> June 2018 5.50pm	Phone call to Fiona Smith AB Lime
8 <sup>th</sup> June 2018 9.13pm	Text message to Fiona Smith
12 <sup>th</sup> June 2018 8.16pm	Text message to Fiona Smith
13 <sup>th</sup> June 2018 7.19pm	Text message Fiona Smith
14 <sup>th</sup> June 2018 6.06pm	Text message Fiona Smith
15 <sup>th</sup> June 2018 8.07pm	Text message Fiona Smith
28 <sup>th</sup> May 2019 11.11am	Text message Fiona Smith
13 <sup>th</sup> June 2019 8.24am	Text message Fiona Smith
6 <sup>th</sup> January 2021 12.10pm	Text message Fiona Smith

We wish to oppose the consent for AB Lime to lift the 100,000 tonne per year to unlimited.

One of our concerns are that if the tonnage of waste is increased so will the problem with Odour.

In 2018/2019 we had a real problem with odour, during this time the Landfill had accepted an increased tonnage of special waste from 6297 tonne in 2017 to 15561 tonne in 2018.

- Figures found in a report from AB Lime

Does this not indicate that an unlimited amount of waste will increase the odour problems that already exist.

We purchased our property with the expectation of enjoying living in a country environment of course with this we are well aware and accept comes the certain odours farming from time to time creates however offensive odour from the landfill was not something we were expecting to have to contend with.

\*Attached a list of complaints I have made both to Fiona Smith at AB Lime and to Environment Southland.

The process of getting someone out to assess the odour can be very trying at times for all involved as it can be incredible strong and within half an hour can also be completely undetectable.

The smell is very random as to times and weather conditions but it gets to the point that during the autumn/winter months we are unable to even have windows open because the smell gets into the house, I know this is enhanced by the eversion layer at this time of year keeping the odour trapped but this is no consolation to us as home owners living with it.

As you will see I made a complaint to AB Lime on 6th January 2021 because on the night of the 5<sup>th</sup> of January we were unable to sit outside due to the smell and of course with the hot weather and having windows open woke in the night to an over powering smell of gas all through the house.

I did get an explanation that they were waiting on parts so the gas flare wasn't operating but to us this is a huge concern as to what maybe instore coming up to the bad odour months and maybe a backup plan for break downs would be a good idea.

In June 2018 there was a meeting held so that we could all air our concerns and AB Lime could let us know what they were planning going forward and how they were addressing the odour issues they were having it was also stated that these meeting would be held 6 monthly this has never happened.

We were also told at the liaison meeting in June 2018 regarding complains that if they are made direct to AB Lime we will receive a copy of the report you will note I have made 9 complaints to AB Lime and I have received 3 written reports.

- Information found in the minutes from this meeting and the follow up letter from AB Lime.

We also would like to make the following comments.....

We have concern of what the effect of increased odour issues and the knowledge of being the dumping ground for all provinces special waste will have on the value of our property should we ever try to sell.



This affects more than just the few neighbours all of Winton should know and that we are going to be taking increased amounts of waste from other provinces.

“Winton Landfill no tonnage limits don’t need them” new slogan for the town.

With the increase in tonnage the rubbish must come from further afield how can this be good for the environment and with the government having declared a climate emergency carting rubbish 100s of km to dispose of it seems illogical.

On the road we travel daily within a 20km stretch there have been at least 3 accidents involving rubbish trucks, one with serious injury , one tipping over and spilling rubbish and diesel in the Makarewa river, and one truck carting waste from Oamaru tipped over only meters from a school bus park. What will it be like with an increase in loads coming in.

Increase in tonnage will also fill the landfill area at a much quicker rate than first intended so once we have filled up our landfill with other provinces rubbish where will southland rubbish go? Will we have to have our rubbish carted to another province?

We proposed that AB Lime Landfill stays with the tonnage limit it has in place of 100,000 tonne per year.

To date they don’t seem to be using the tonnage they are consented for so maybe use the maximum tonnage and if they are able to keep within the consent conditions which historically they have a poor track record in particular Air Discharge Permit of consent number 201351 , then look at reassessing an increase in 2038 when the consent runs out and this should be done in a tonnage capacity as the way they are asking for unlimited seems unrealistic as it gives no indication as to the amount of waste they intend to import from outside the province. We also strongly feel when done this should be up for public consultation allowing all affected parties to make submissions.

Thank you for your time.

Bruce Johnston & Tracey Cavanagh

26 Bennett Road Winton