

**FORM521: SUBMISSION ON
AN APPLICATION FOR A RESOURCE
CONSENT BY A PERSON ON WHOM
NOTICE OF THE APPLICATION HAS
BEEN SERVED**

SECTION 96 RESOURCE MANAGEMENT ACT 1991

TO: Consents Hearings
Environment Canterbury
PO Box 345
Christchurch 8140

Email: hearings@ecan.govt.nz

Ph: (03) 353 9007 Fax: (03) 365 3194

FOR OFFICE USE ONLY

File: CRC193743 CRC193745 CRC193748

Closing Date: 5pm Friday 17 January 2020

I/We have been limited notified for the consent applications listed below

Property Owned/Occupied:

Full Name of submitter:

Judith Alison Sachdeva / Pirveen Kumar Sachdeva.

Address For Service:

Contact Phone No(s):

Fax/Email Address:

☐ - Please tick this box if you do not want to receive communications on the process, and hearing via email

Contact Person:

Name of applicant:

Waste Management NZ Limited

Consent Application:

CRC194083

- ☐ I/We support the application ☒ I/We oppose the application
☐ I/We are neutral to the application (neither support or oppose)
- The reasons for making my submission are: (state in summary the nature of your submission, giving reasons)

Please see attached pages.

3. I wish the consent authority to make the following decision:
(give details, including the general nature of any conditions sought. Please attach additional pages if required)

Please see attached pages.

4. ☒ I/we do wish to be heard in support of my/our submission*

(Note: this means you wish to speak in support of your submission at the hearing)

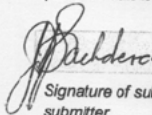
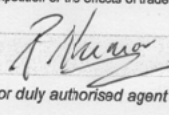
*If others make a similar submission, I will consider presenting a joint case with them at the hearing ☒ Yes ☐ No

- ☐ I/we do not wish to be heard in support of my/our submission

(Note: this means you cannot speak at the hearing, however you will retain your right to appeal any decision to the Environment Court on any decision made by the Council.)

5. ☐ I/we am a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

I/we am/am not directly affected by an effect of the subject matter of the submission that a) adversely affects the environment; and
b) does not relate to trade competition or the effects of trade competition.

 
Signature of submitter or duly authorised agent on behalf of submitter

14 January 2020.
Date

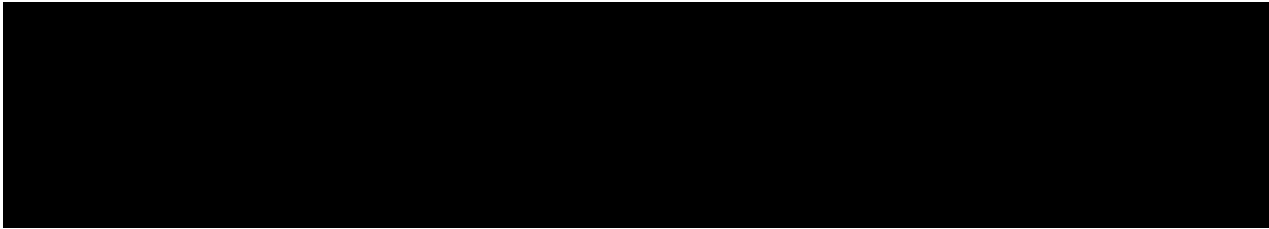
This submission is also on behalf of
Chandru Ramanurthy and Suganthi Chandru

1. The person making this submission must send a copy to the applicant as soon as reasonably practicable after serving Environment Canterbury
2. A list of all submissions received will be provided to the applicant
3. Privacy: Please note that submissions are public. Your name and submission (excluding your contact details) will be included in papers that are available to the media and public which may include publication on the Council website. Your submission will only be used for the purpose of the notified resource consent process.

Submission related to Resource Consent Application CRC194083 - to discharge contaminants to air

_On behalf of :

Judith and Parveen Sachdeva and Chandru Ramamurthy and Suganthi Chandru



Sachdeva statement

We live on a 4 hectare piece of land where we have just finished building a family home. I have 6 close neighbours each within easy walking distance of less than 300m. Our land has shelter belts and we have planted an orchard, a berry garden, a vegetable garden, woodland trees and bulbs and shrubs. we have sheep and chickens and beehives on the land. We will be planting more trees each year and aim to help provide more food and homes for the native birds who nest around us

Our home is 250m from the homes at the edge of the Prebbleton village. The local primary school which was opened in 1857 is 600m from home and the preschool is just beyond that at 700m away.

In the other direction 250m away there are market gardens where local people grow a wide range of vegetables and beyond that is an open water race (460m away) where eels swim and people collect watercress for food.

The centre of the village is 940m from our home. This village has a long history and the people who live here place great value on the surrounding environment.

We have been included in a limited notification to discharge contaminants to air by Waste Management. CRC194083

We oppose the application

The reasons for making our submission are:

Location

The proposed hazardous waste facility will be sited on the very edge of an industrial area and directly opposite land set aside as a green area. To site a hazardous waste treatment and handling centre immediately next to an area that is valued precisely for its provision of a buffer between the city and a township is the ultimate irony. The current site in Bromley is well inside a high Industry area with the closest residence more than 700m away. This is a more appropriate site for a facility that will be unable to ensure that odours and contaminants cannot be kept within their boundary

Separation from sensitive receptors

A distance of 500 metres was decided upon by unnamed experts as the area with the potential to feel the effects of the air contaminants. The Auckland Regional Plan uses a distance of 1000 metres for recycling, recovery, reuse or disposal: Hazardous materials storage or treatment. Surely using a New Zealand recommendation would have been a preferable procedure. Waste Management argued in a case in Auckland that having children within a 500m distance from its site presented too much risk in the event of an evacuation due to accidents or unexpected discharges. It is also concerning to us that the company said there were “ 11 credible scenarios posing risk of significant harm (defined as serious harm or fatality to 1-2 people) that would require a buffer of 800 metres as a result of toxic gas.”

We have concerns about the health and well being of our entire community. The Auckland report also noted in several instances that children are not expected to be in a heavy industrial zone and none of the air and health considerations have had them in mind. Using this New Zealand measurement means the township of Prebbleton, with a population of more than 4300 people and within 520 metres of the proposed facility will be within the zone of significant harm.

Odour

The part of the building closest to the road and therefore many of the notified sensitive receptors contains the biofilter which we are given to understand will be the source of an offensive sulphur smell from time to time. Keeping odours inside the boundary has been admitted by the company as beyond their ability. The smell of sulphur is very disagreeable and could prevent us using the outdoor areas of our home. We have children who love to play games outside. We garden and generally spend as much time as possible outdoors. Offensive odours would destroy for us the pleasurable aspects we so enjoy the about area we live in. The current operation which does not handle hazardous waste already has odour problems with nearby residents complaining repeatedly to the managers about the smell from rubbish collection trucks that are left with the back propped open to air them out when parked on site and not in use.

Insufficiency of Weather data

The most common prevailing winds in Christchurch are primarily from the North East and secondly from the North West. Both of these winds will direct any odours, and more importantly toxic particles or gases, towards places where families live, breathe, keep animals, and grow food. The North Easterly wind will blow contaminants onto our home and land. Wind data supplied by the applicants is from 8 kilometres away, much further from the Port Hills that influence

wind, and is notably outdated. With the dynamic nature of climate change, we believe the research into wind should be more localised and account for current conditions.

Accuracy of reports on cumulative effects

In the original application, when addressing cumulative effects of air contamination, the applicant stated there were no domestic fireplaces within “at least 750 metres” of the site. This is incorrect, as we are aware of at least five domestic fires at our place and our neighbours. We are sure that more accurate investigation will reveal many more. The report also omits to mention that the southern motorway will contribute, possibly significantly, to the PM10 levels. Niwa research indicates that *“on average, emissions from motorway traffic contribute to 10% higher concentrations of particulate matter and to a doubling in concentrations of nitrogen dioxide at a roadside site relative to a site away from the road. Though National Environmental Standards for air quality were not exceeded, the research shows that elevated concentrations close to the motorway need to be taken into account when assessing health risks in New Zealand.”*

Public use of recreational spaces and health effects

The recreational Christchurch to Little River cycle track that travels along the border of the site is used frequently by our community members to both cycle and walk for exercise. It is a very popular place for our locals to let children ride bikes in a safe environment away from the dangers of traffic. There seems to be a strong potential for the air contaminants to adversely affect these people’s health and wellbeing as they exercise and will probably remove the trail as an option for healthy exercise and community interaction that promotes wellbeing.

Scientific data on contaminants

Insufficient information on what contaminants will or could be released has been provided. The report from NZ Air states several times that the applicant has not provided adequate detail about what chemicals will be potentially processed, and the toxicity of what could be released.

Getting further information has been a struggle for us as submitters as well. Reports seem to indicate that ECan has repeatedly asked for further information that has not been supplied. This a major point and should alone be enough to stop the application dead, and at the very least the applicant should be required to fully explore and account for all possible chemicals and other contaminants they will bring into such a sensitive area. If they cannot or will not they should find a more suitable location for this facility.

Previous complaints about company behaviour

The applicant claims that no complaints about odour or dust have been received at the current Bromley site. As pointed out in the ECan response, this is not correct, even though the Bromley facility is much further from residential areas than the proposed site.

The NZ Air report also points out that there is a solid history of odour and dust complaints from similar facilities in New Zealand. Many valid complaints have also been received at the applicant’s East Tamaki site. This company has not been able to manage the odours and other emissions when surrounded by other industrial companies and they are disingenuous in their own reporting. They cannot be expected to be any better when operating in a much less forgiving environment with sensitive receptors much closer.

The report by NZ Air states: *“My observations of the operation at Bromley were that the applicant, in general, was undertaking good practice controls, and is seeking to improve the level of control over potential air discharges associated with the processes on-site. However, it is not possible to completely eliminate odour emissions from the site and therefore it is my opinion that there is a potential for off-site effects from an operation of this nature and scale.”*

This demonstrates that even when they are doing the best they can it just isn't good enough.

Trust in monitoring and compliance

We have little faith in the power of Ecan to monitor and force compliance on the operations. The location of the facility allows no room at all for error.

Ecan simply do not have the resources to monitor effectively or the power to force the company to comply.

Less than robust information gathering

The application is less than thorough. We live within the 500-metre notification area but are not listed as people who may suffer effects (referred to as “sensitive receptors”). Since the process of notification began more previously identified “sensitive receptors” have been found. The aerial photo that shows the location of residents who live inside the notification area is at least five years old. The almost finished Southern Motorway is not even hinted at. The lack of attention to important detail leaves us less than confident about the applicant.

Determination of level of effect

The planner at ECan declared in his opinion the effects of the odour and potential toxic dust were minor or less than minor. We have no understanding of how this decision could have been made. He does also state that there is currently uncertainty regarding the potential health effects.

The report from NZ Air stated the effects were more than minor. We think the expert should be listened to. In our opinion the effects will not be minor or less than minor.

Amenity values of the immediate surroundings

This proposed facility does not fit in with the spirit of the original decision to rezone the land for industrial use. When the land on Marshs Road was changed to Industrial, the Christchurch City Council determined that the setback along Marshs Road would be 40 metres because of the close proximity of rural (in fact, rural residential) land: *“In the Business 5 Zone on the land covered by the Outline Development Plan (Sir James Wattie Drive – Appendix 18 21), the minimum building setback from Shands Road shall range from 40m at the intersection with Marshs Road to 20m at the intersection with Sir James Wattie Drive and 40m along the frontage with Marshs Road, as provided for on the Outline Development Plan.”*

This acknowledgement of the amenity value of the land has been pared away in successive applications by the land owner. Along the way sight has been lost of the people who live nearby and the value they place on fresh air, clean water running down the water race, the food that is grown in this specific area, in short the environment.

In Auckland Waste Management objected to a preschool and fitness centre being built within 400 or so meters of their facility because of “reverse sensitivity” I fear that the downstream effect of permitting Waste Management to operate at this site will be the removal of neighbouring property owners rights to make use of their property.

Personal and community health- food

I grow fruit and vegetables on my land and keep sheep and chickens. I have beehives. I eat the fruit and vegetables , eggs, honey and meat from my endeavours. The effects of toxic emissions whether accidental or not could be disastrous for my health and also that of my friends and neighbours.

Personal and community health- mental health

I worked in Prebbleton,teaching at the local school,through the years when the smell from the mushroom business made people stressed and unhappy. I recall occasions when something went terribly wrong and the odour was so bad children at school dry retched.

We are in New Zealand far more aware now of the need to protect and monitor our communities wellbeing. Children have already expressed anxiety over having this facility near where they live. Our newer generations are growing up with the knowledge that bad decisions have been made and are still being made. This should not be added to that list.

Within 800 metres of the site Waste Management wishes to build on, my friends and neighbours live. They have not been notified that they may live in a projected evacuation zone. In Auckland Waste management talked of credible scenarios where 1-2 deaths could occur from toxic gas. The local school is approximately 1000 metres away and downwind of the site (most common NE wind). All of these factors will raise stress levels and lower our sense of well being.

Community health and wellbeing air contamination leading to soil contamination and water contamination.

We have concerns about both the stockpiling and the shredding of tyres. Tyre stockpiles are internationally a common source of fire and of vermin infestation. Research on the health effects of shredding are most often centred on workplace contamination but, note that there is a lack of research about the effects of the particles produced on human health. For example, [a 2011 research paper notes](#):

“For the last several years, tire recycling has been changing constantly to keep pace with legislative initiatives and to fully integrate sustainable development. While aimed at protecting the environment by limiting tire storage and thus fires, granulation processes are a significant source of particles, as shown by this study. Due to the complexity of the mixture, the toxicity of these particles for animals and humans is unknown. Certain chemical agents that are toxic for humans (carbon black) have been identified, but while the effects of each agent are well known, their synergistic effects have not been characterized.”

People who work with tyres and are exposed to Benzene, have serious health problems. If tyres are burned whether by accident or deliberate act the poisons released are terribly dangerous to health and the contamination of the soil in surrounding areas is prolonged.

Stockpiled tyres leach contaminants into the soil and water. This soil profile is absolutely the worst possible for storing tyres according to MfE advice .

Effects of business through real or perceived harm

We are involved in occupations that could mean we offer services that are home based.. If the Waste Management facility is permitted to operate I will be unable to offer any assurance that children or adults coming to my home will not have adverse health effects.

I grow vegetables for personal consumption and give away excess produce to friends and family. I have land that could be used to grow vegetables on a larger scale. This facility will remove my community's current ability and my potential ability to grow and market vegetables and other foods if the public perceive that being this close to a hazardous waste facility means our produce is not safe to eat.

Other matters relating to health and well being of selves and community

We currently have LGOIMA requests lodged and are waiting for responses to our requests for information from a wide range of sources. Information we learn from this may lead to further significant objections.

Waste Management has not supplied a management plan that would help us understand how this facility will operate.

In the extremely limited time available, when we had hundreds of pages to read and much to consider, we found it was all but impossible to contact people with relevant knowledge as many are still on holiday. Emails were being returned with "Sorry I am away from my desk and will be back on 13 January" or " Will get back to you when I am back at work 20 January."

It is interesting that the Ecan councillors who were contacted were almost all on holiday themselves during this period. 45 minutes before the submissions were due we received an email to say more time would be granted and a letter would follow. The letter extending the date to 31 January arrived some days later.

The ground swell of public opinion building in the Selwyn District indicates the Special Conditions that should have been taken into account with this consent.

The timing of the application seems intentionally timed to impede any effort on the part of "sensitive receptors" to gather evidence and respond effectively.

1. We wish the consent authority to make the following decision

Reject the application on the grounds that the site is unsuitable for a hazardous waste facility. Any facility that will produce offensive odours and possibly toxic gases and dust should be sited much further away from where families live and where food is grown.

We still need answers to the following questions

What chemicals will be accepted at the facility?

What chemicals will be classified as too toxic/hazardous to be dealt with at this facility? Where will they be sent? How will they be sent? How will the applicant ensure that contamination does not occur during transport?

Is Ecan satisfied that they have received all the information necessary to make sound decisions about potential effects .

How will the applicant ensure that no particles from tyre chipping or shredding will leave the site?

How will the applicant ensure that any fire in the tyre stockpiles or tyres being cut up can be immediately extinguished before catching hold?

How will the applicant ensure all people are evacuated in the event of an accidental discharge of toxic gas?

Will the community have access to the management plan?

How many tyres will be on site in stockpiles? How will they be stacked? How often will the shredder run?

How will the applicant deal with spills?

How will the applicant remediate the surrounding high quality agricultural land if it is contaminated with toxic particles?

Does the applicant have the means to pay for all harm in the event of spills and other accidental discharges?

How will the applicant ensure there are no fugitive emissions at every stage of the processes including transport?

How will the applicant monitor odour? How often will the applicant monitor odour? How will the applicant change processes to ensure they are up to date with best practice?

How will applicant cope with increased demand- there is no expansion option on this site?

How will Ecan monitor emissions?

Does Ecan feel confident that they have the resources to monitor this facility?

Does Ecan feel confident they have the power to force compliance if the applicant breaches consent conditions?

Does the applicant intend to increase the range of substances dealt with on this site?

Is the applicant willing to have their staff live in close proximity to the plant?