

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:

Address For Service:

Contact Phone No(s):

Fax/Email Address:

Hamish & Emily Prebble
HAMISH DAVID PREBBLE

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

Contact Person:

Hamish Prebble

Name of applicant:

Waste Management NZ Limited

Consent Application:

CRC194083

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

Please see attached Submission

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 Submission

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

13-01-2020

Date

Notes to the submitter:

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.

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

FOR OFFICE USE ONLY

File: CRC193743 CRC193745 CRC193748

Closing Date: 5pm Friday 17 January 2020

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

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

Property Owned/Occupied:	Foddercube Products Ltd			
Full Name of submitter:	Hamish DAVID PREBBLE			
Address For Service:	P.O. Box 111-86, Sockburn, CH-CH 8443			
Contact Phone No(s):	Private: 021 349 729	Work: 03 349 7296	Cell: 021 349 729	
Fax/Email Address:	hamish@textureplants.co.nz			
	<input checked="" type="checkbox"/> - Please tick this box if you do not want to receive communications on the process, and hearing via email			
Contact Person:	Hamish Prebble			

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 Submission

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 Submission

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

13-01-2020

Date

Notes to the submitter:

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.

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: TEXTURE GROUP LTD.

Full Name of submitter: HAMISH DAVID PREBBLE

Address For Service: P.O. Box 111-86, Sackbourn, CH CH 8443

Contact Phone No(s): Private: 021 349 729 Work: 03 349 7296 Cell: 021 349 729

Fax/Email Address: hamish@textureplants.co.nz

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

Contact Person: HAMISH PREBBLE

Name of applicant: Waste Management NZ Limited

Consent Application: CRC194083

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

Please see attached submission

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 Submission

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)

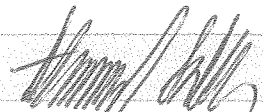
*If others make a similar submission, I will consider presenting a joint case with them at the hearing ☒ Yes ☐ No

☐ 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

13-01-2020

Date

Notes to the submitter:

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.

THIS SUBMISSION REPLACES OUR PREVIOUS SUBMISSION DATED 13 JANUARY 2020.

30 January 2020

To Canterbury Regional Council

DISCHARGE PERMIT APPLICATION CRC194083 – WASTE MANAGEMENT NZ LIMITED (the “Application”)

I wish the consent authority to make the following decision – decline the application. If the consent authority does not decline the application, we seek that stringent conditions are imposed to address all matters raised in this submission with regular assessments of these controls made by an independent party. We would request that it be mandatory for authorities and residents to have access to this independent data.

We wish to be heard in relation to this application.

OUR POSITION:

We are strongly opposed to this facility being allowed to be developed on the edge of an industrial zone literally across the road from residential and rural properties. Best practise would suggest that this type of facility should be well within an industrial zone with a 1000 metre buffer to protect residential properties from noxious and unpleasant odours and airborne toxic particulates. *See appendix 1*

I also believe that this application has not been properly notified, and that a Limited Notification decision was wrong. The consent cannot therefore be granted under the Resource Management Act.

INTRODUCTION:

1. My name is Hamish Prebble. My family has lived and worked in this area since the 1840's. Prebbleton is named after our family. Our family were the pioneers of this area and we have appreciated and enhanced the local amenity values and environment that surround us over many years. We now find ourselves in a costly battle for the fresh air our community should enjoy for free.
2. I live at 322 Marshs Road with my wife and three children and run three separate businesses from 315 and 322 Marshs Road:
3. Texture Group Ltd (incorporating Texture Plants, Lush Lawns and Texture Landscapes employing 27 staff)
4. Foliage Effects Ltd employing 3 onsite staff.
5. Foddercube Products Ltd. (the land owner of the Texture Plants site. 33 acres).
6. We as employers and our staff have the very real potential to have prolonged exposure to any toxic air discharges as the nature of the work necessitates being outside much of the time.

7. We live in a rural urban fringe zone, which for many decades has been favoured for market gardening, cut flowers and foliage production and our plant nursery.
8. There are many residences including ours, within 500m of this proposed development and Prebbleton township is only 750m from it.
9. There are seven affected residences within 310 meters of this site.

ADVERSE HEALTH EFFECTS/LAND CONTAMINATION:

10. We don't believe our health and the wellbeing of ourselves, our children, staff and our businesses has been seriously considered in this application due to the lack of credible information supplied.
11. We are also concerned that unknown but potentially toxic airborne particles could contaminate our land. This could affect the health of my family and staff. We are concerned about the immediate adverse health effects such as, but not limited to, irritation of eyes and respiratory system, headaches, nausea and other adverse reactions to the contaminants discharged. We are concerned about the long-term health risks such as those which may arise in conjunction with contaminants, carcinogenic properties, including effects of low probability but high potential impact. We are also concerned about the cumulative effects. (National Environmental Air, section 4, 13, 20, 21).

Even concentrations below those indicated as safe for working conditions for humans may still pose a threat to the soil and growing conditions and cause a threat to our business's reputation and/or our customer's perception of effects. This would seriously adversely affect our ability to sell plants and lawns nationwide due to contamination from these proposed activities.

12. We are concerned for the health and wellbeing of my staff and customers as I have the obligation to protect their health and safety while in my workplace. Some staff are already suffering from 'environmental anxiety' after receiving the news. I am very afraid we will struggle to retain and recruit staff if this facility was to proceed.
13. If this facility proceeds, it has the potential to have huge ramifications on my health as I both work and live within 280 meters of this site.

ODOUR:

14. We are very concerned with the likely smell that this plant will generate. The application proposes to deal with septic tank effluent and other organic matter just 70 metres from our open-air retail nursery (Texture Plants) and our home. We do not believe that odour will be contained and that this is likely to significantly adversely affect not only our various businesses, but also our right to an unaffected environment in which to live.

15. We note that Mr. van Kekem NZ Air Report and Mr. Joe Harrison's Memorandum both express concerns about the ability to contain odour and that industry best practise is 1000m set-back to residential properties. We support that view.
16. We believe that the prevailing easterly, nor'wester, southwest and south east winds will carry obnoxious particles at least as far as Prebbleton township, Halswell, Hornby and Templeton. I also have concerns for the very still days when the vile odours will concentrate and linger to a more than minor effect.
17. We ask for assurance of complete containment of odours and particulates within this proposed property.
18. Of concern is the extremely toxic and hazardous waste that will be decanted onsite then transported elsewhere to be processed as this facility can't handle it. These very harmful toxic substances should be going directly to where they can be processed properly and not allowed on this premises.

FOOD PRODUCTION:

19. We are also concerned for our immediate neighbours who are producing fresh vegetables for market and the safety of that food if contaminated by toxic air emissions.

OTHER AFFECTED PARTIES:

20. There are numerous other businesses, amenities and recreational facilities that are likely to be affected by this proposal, including the Little River Rail Trail, the Prebbleton School, Preschool and Kindergarten, Retirement Homes, southern motorway and Tothill's Maze.
21. I do not believe that all parties who should have been notified have been notified. I believe there are other parties outside the 500m "notification zone" who will be subjected to effects that are more than "less than minor".

CURRENT WASTE MANAGEMENT SITE:

22. We have specific concerns that there is no management plan included with the consent application. This was also noted by Van Kekem as a concern.
23. I attach photos of rubbish blowing away from the existing Waste Management site at 301 Marshs Road. *See appendix 2*
24. Continuous beeping sounds in the air from the trucks and loaders from 4am-midnight.
25. Waste Management have a smoking off site policy. This pollutes our air, causes a fire risk, littering, loitering and loss of amenity values.
26. We currently smell the odour from the dump trucks parked with their hoists up and tail gates open. In addition, the odours from the wet cardboard being stockpiled onsite at the current transfer station.
27. There is on-going non compliance with conditions of existing consents for activities at the site – see photos at *appendix 7*.

MONITORING OF PROPOSED SITE:

28. We are further concerned about how and to what degree, emissions will be monitored should this facility be allowed to go ahead with conditions. How can local residents be assured and have confidence that E-Can can improve how they enforce non-compliance of any conditions? *See appendix 3*
29. We are concerned that there is no limit on volumes of pesticides, herbicides, tyres and other particularly toxic waste that this plant is proposing to process.

AMENITY AND LAND VALUES:

30. Undoubtedly, there will be a loss of amenity and land values due to the real or perceived contamination from this plant. This facility would have an adverse ability for us to subdivide our 33 acres of land (Foddercube Products Ltd) into three ten-acre lifestyle blocks as per its zoning. Another considerable effect is the loss of business because of customers' perceptions of effects from this facility.
31. I am concerned about the negative financial ramifications on our businesses due to the perceived effects of this operation by our customers.

CONSENT:

32. We believe a 35 year consent period is entirely inappropriate such an operation. It is our belief that this consent should be audited for total compliance annually with strong and meaningful enforcement measures.
33. Of note is the lack of consultation with the Selwyn District Council and other parties on this matter.
34. Why were the CCC discharge consents and E-can applications not all notified and heard together for total transparency?
35. We note that Waste Management in East Tamaki successfully opposed the building of a pre-school within 430m of their facility because of the potential health risks to the children due to the 800 metre evacuation zone. What is the proposed evacuation zone for this site as there is no mention in the report?

TYRE SHREDDING FACILITY:

36. We are concerned about the likely toxic dust and micro particulates created by the proposed tyre shredding plant. Again we believe it is highly likely that this dust would

contaminate our land and be an unnecessary intrusion on our business and home life. Notwithstanding the noise created from this process. *See appendix 4*

37. We are concerned about the stockpiling of tyres onsite as they are a potential fire hazard and this has been evidenced by recent fires caused by stock piles of tyres. Such fires are almost impossible to put out and create noxious fumes which will pollute the air quality downwind for weeks. Stockpiled tyres are also a well-known breeding ground for pests such as mosquitoes. *See appendix 5*
38. We are worried about the open-air nature of the tyre shredding facility, sludge drying pools and bunds. These should be indoors to reduce the effects of particulate discharge to the air.
39. We would also insist on double doors at each access point to the building with a void in between to avoid particulates escaping during delivery and pickups.
40. The proposed walls and buildings have the potential to accelerate the wind speeds and cause eddies to distribute these particulates further afield. *See appendix 6*
41. There is no mention of where the tyres are to be stockpiled or the number of tyres to be stockpiled onsite. How many tyres are processed per hour? How is the water used in this process contained and decontaminated? Tonkin Taylor have been very cute and stylistic with the facts and detail in their application.
42. Tyre shredding and stockpiling. We need a detailed effects assessment detailing the effects of this proposal on affected parties and surrounding businesses.

WATER:

43. There is a stock water race that runs the length of Marshs Road that has the potential to be contaminated by airborne particulates. This contains Tuna, Galaxias, water cress and connects to the Halswell River and onto the Waihora/Lake Ellesmere. *See appendix 8*
44. I am also concerned about the effects on my well water that serves my business and my home and provides drinking water for both sites.

SUSTAINABLE PRACTICE:

45. Given the climate change emergency both the CCC and E Can have declared the method of processing organic waste and tyres seems very archaic. Have any alternatives been considered? We believe Waste Management should be running a sustainable, carbon neutral practice if given permission to work on this site.

WILDLIFE:

46. Potential to disrupt and pollute the habitat of many insects, endangered grass skinks, wildlife and stock.

RESOURCE MANAGEMENT ACT:

47. We are aware that sections 91,95,102 and 103 of the RMA acts have been overlooked.
48. Consents for the proposal have been sought and considered in a piecemeal way which has not enabled a comprehensive assessment of effects and affected parties for the

activity as a whole (it is good practice to identify all consents required and make applications for these at the same time to CCC and E-Can. The Councils' would then hold a single combined hearing to consider the proposal as a whole). Therefore, as affected neighbours, this has removed our democratic rights. Please refer to the RMA Sections 91,102 and103.

CANTERBURY REGIONAL POLICY and CATERBURY AIR REGIONAL PLAN:

49. The application by Waste Management NZ is contrary to objectives and policies of the Canterbury Regional Policy Statement and Canterbury Air Regional Plan, particularly those which direct that new activities seeking to discharge to air should be located away from sensitive receptors. This application is also contrary to the sustainable management purpose of the Resource Management Act 1991 given the proximity to sensitive land uses.
50. It also does not adequately take account of the cumulative effects on air quality of domestic fires (including my own), and the impact of emissions from the new Southern Motorway.

MAPUA CONTAMINATED SITE:

51. Of concern is the precedent that have affected the residents in Mapua who have been exposed to the cumulative effects from the residue of long-term contamination from the former Fruitgrowers Chemical Company site. Based on this, we would insist that one of the conditions be regular and free health checks for all affected parties and staff as a condition on this application. *See appendix 8.*

ADDITIONAL INFORMATION:

52. We wish to reserve the right to add to this submission once we receive further critical information requested from both E-can and the CCC by the way of a LIGOMA as this information has not been supplied to us prior to putting this submission forward.

I note the below are outside the scope of this application but would like to bring to your attention:

This is a very complex and concerning issue with many unknowns. We have many other concerns regarding consents already issued for storm water discharge, tyre shredding, noise, light spill etc. that we have been given no forum to have our democratic rights heard by the local

authorities. There has been consents granted with no consultation process with neighbouring properties by the CCC. We are meant to accept that these are permissible activities due to this being a Heavy Industrial Zone. We had no say in the rezoning of this site and again were never notified of these intentions or given a forum to object.

- We have very real concerns about the adverse effect this development will have on water quality in our shallow groundwater (confined aquifers), although I note that water contamination is outside the scope of this consent application. We drink this water. (National Environmental Standards Water, sections 7 and 12).
- We strongly disagree with the decision that the application should only be notified to a limited number of parties. Public notification is required given the nature of activity required and the lack of information and assessment provided as per the RMA section 95E.

We are concerned about the hours of operation as there were initially limits set on the Waste Management transfer station next door that have now been revoked or are not complied with.

There is a huge lack of information provided regarding the tyre shredding facility which seems to have been missed by the people who reviewed this application. I have requested more information from Colin Berkett based at WM Bromley (by email numerous times to no avail). What effect will the airborne particulates have? No information received to date.

Appendix 1: <https://www.scoop.co.nz/stories/AK1008/S00091/fine-for-illegal-burning.htm>

Appendix 2: Rubbish outside the current Waste Management transfer station.



Appendix 3: <https://www.stuff.co.nz/national/3216933/Councils-blamed-for-Christchurch-fire>
I add to this I have staff who live in Westlake, Halswell who were advised not to eat any vegetables from their garden for 12 months due to the toxic fall out from this deep-seated blaze.

Appendix 4: https://www3.epa.gov/ttnecat1/dir1/tire_eng.pdf

And <https://www.who.int/ipcs/features/benzene.pdf>

Appendix 5: <https://www.stuff.co.nz/national/110835486/tyre-pile-still-a-risk-a-year-after-huge-fire>

Appendix 6: J Swap operation 305 Marshs Rd Pics taken 29-01-2020 showing dust contamination from the building the palm kernel is stored and loaded from. It shows the spread that can be achieved by wind on this site. Do they need a consent for this activity?





Appendix 7: Non-compliance of Waste Management current transfer station leaving doors open with no vehicle activity when should be closed between deliveries. Photo taken 29-01-2020



Appendix 8: <https://www.naturespace.org.nz/news/skink-release>
And <https://ngaitahu.iwi.nz/environment/te-waihora/whakaora-te-waihora/>