

Organics Processing Plant Community Liaison Group Meeting Agenda

Monday 13th March 2023, 6:30pm to 8pm

Venue – Waitai Coastal-Burwood-Linwood Community Boardroom
180 Smith Street, Woolston, Christchurch 8062

Welcome to the Community Liaison Group, a community forum to discuss consent compliance for the Organics Processing Plant; discharging contaminants to air, discharging contaminants to water, and use of land to store organic matter and decaying organic matter.

Agenda

1. Welcome and introduction (5 minutes)
2. Confirm previous meeting's minutes (5 minutes)
3. Environment Canterbury Odour and Dust Report November 2022 – January 2023, and questions arising (15 minutes)
4. Living Earth's Organics Processing Plant Community Liaison Group Report- 13 March 2022, and questions arising (15 minutes)
5. Christchurch City Council Community Liaison Group update, including Ōtautahi Organics Processing Solution procurement update, and questions arising (15 minutes)
6. Further questions about consent compliance for the Organics Processing Plant (15 minutes)
7. Concluding remarks (5 minutes)

Attachments

- a. Previous Community Liaison Group meeting minutes, Tuesday 15th November 2022
- b. Environment Canterbury Community Liaison Group report
- c. Living Earth Community Liaison Group report

Any questions or feedback can be sent to Bromley@ccc.govt.nz

Organics Processing Plant Community Liaison Group Meeting

Tuesday 15th November 2022, 6:30pm to 8pm

Venue – Waitai Coastal-Burwood-Linwood Community Boardroom
180 Smith Street, Woolston, Christchurch 8062

Chair - Carl Pascoe

Christchurch City Council (CCC) - Ross Trotter, Keygan Clutterbuck, David McArdle, Yani Johanson (Linwood Councillor), Jackie Simons (Linwood Community Board)

Environment Canterbury (ECan) – Katherine Harbrow, Marty Mortiaux, Nathan Doherty, Tess Hindle-Daniels

Living Earth (LE) – Jaco Kleinhans

Community - Andy Walker, Bruce King, Carol Anderson, Don Gould, Geoffrey King, Margaret Macpherson, Margaret Williams, Michael Williams, Vickie Walker,

Minutes – Mary O’Leary

Apologies – Jane Davis (CCC), Kelly Barber (CCC, Burwood Councillor), Lynette Ellis (CCC)

1. Welcome and introduction

Carl Pascoe (Chair) - Opened the meeting and reminded the participants that although it was a public meeting, it was primarily for residents affected by the organics processing plant. **Bruce King** and **Geoffrey King** acknowledged that whilst meetings previously were for residents only, it had been agreed a number of meetings ago that non-residents/interested parties could attend.

Geoffrey King (Community) – Shared his opinion of at the last meeting he thought people were wasting time.

Carl Pascoe (Chair) – Acknowledged he understood Geoffrey’s point of view and requested his patience to continue with the meeting.

Three members of the community express frustrations with Geoffrey King.

Carl Pascoe (Chair) - Moved that due to time constraints residents should be given preference and this was agreed.

2. Confirm previous meeting's minutes

Minutes from the previous meeting were confirmed subject to a request from Bruce King to correct Don King to Don Gould.

3. Environment Canterbury Community Liaison Group report and questions arising

Marty Mortiaux (ECan) - Spoke to the report covering the period August to October 2022. From a total of 72 Smelt Its, 44 were reported as compost odours along with other characteristics. Of the 44 submissions, 24 were thought to have had unique compost characteristics. For the reporting period the number of Smelt Its had reduced dramatically from thousands a day, although it was acknowledged that previously there could have been some overlap from the Wastewater Treatment Plant.

The graph showed details that 23 assessments were carried out by warranted officers in Bromley and odour was substantiated at the boundary on six occasions at a very low level. These would only be considered offensive if they occurred on a regular basis.

In terms of dust, three reports of dust were received but none were reported as coming from Living Earth.

Q: Bruce King (Community) - How many complaints does it take to become frequent?

A: Marty Mortiaux (ECan) - There's no clear answer to that, if we get frequent substantiated complaints they form part of our ongoing investigation.

Q: Bruce King (Community) - I've reported on Smelt It 5 times within the last few days and I haven't seen anybody come to investigate. Why?

Carol Anderson (Community) - Same, I have reported to Smelt It every day for the last six days, but we are not getting anything. There is nothing to show where the plume is anymore.

Marty Mortiaux (ECan) - We don't report the plume data.

Q: Yani Johanson (CCC Councillor) - I'm trying to make sense of the report. So you've only received eight phone calls in the entire reporting period?

A: Marty Mortiaux (ECan) - Correct

Geoffrey King (Community) – Directed at Marty Mortiaux, commented that he thought that was “*absolute bullshit*”. The Smelt It app – we don't use it because it doesn't work. I've called about 60 times in the last three months, that's 60 days out of 90. Of the last nine days, I've called up six times and nothing gets done.

Yani Johanson (CCC Councillor) - For some reason it has been really bad in the last few months, vile, so it is really hard to correlate the reports with the reality of nothing being picked up. I am shocked at the low number of phone calls recorded. I've made three of the eight, so there is something wrong with the data.

Q: Marty Mortiaux (ECan) - Excuse me Yani, could I please clarify, you're talking about the last nine days, as the reporting period is through until the end of October.

Q: Yani Johanson (CCC Councillor) - Requested further information on the time of the complaint and the time of the response whilst expressing surprise that no Notices of Non-Compliance had been served given the stench at the roundabout over the last three weeks, noting the area was almost excluded from the reporting.

A: Marty Mortiaux (ECan) - Agreed to review the data and said that while there were dedicated officers, they did not respond after dark.

Q: Yani Johanson (CCC Councillor) - Asked for clarification of the hours the officers worked.

A: Marty Mortiaux (ECan) - Confirmed there were after hours officers rostered on, and reiterated they did not respond after dark.

Yani Johanson (CCC Councillor) - Commented that despite the return of the odours, the report did not reflect this.

Geoffrey King (Community) – Claimed when he called ECan at 3:50pm that afternoon the person he spoke with said *“What would you like me to do about it?”*.

Marty Mortiaux (ECan) – Responded he does not know the answer as he was not there.

Carl Pascoe (Chair) - Observed the following issues;

- A high level of doubt from the community regarding accurate reporting
- The need to return to supplying the public with detailed information on response rate to complaints made via the Smelt It app or a phone call. The reporting period did not cover the current spike in odour, highlighting the usefulness of providing a report at the end of each month enabling people to see more real time data

Action requested - *ECan to send out an interim statement for the period to date so that people could see what the numbers look like relative to their complaints and consideration of providing this information on a monthly basis.*

Geoffrey King (Community) – Shared his opinion he believes there is malfeasance from within of CCC and ECan.

Yani Johanson (CCC Councillor) - Suggested sending something to the community acknowledging the spike in odour, promoting the communications channels and assuring people their complaints were being addressed and that they would get action from them.

Nathan Dougherty (ECan) - I speak for the Monitoring Team and we will increase our daily monitoring activity, we will take action based on this information.

Action - ECan to increase daily monitoring activity

Michael Williams (Community) - Asked for ECan to step up and carry out their functional role to manage the environment, suggesting that the cumulative number of complaints over the years must surely warrant some immediate action.

Katherine Harbrow (ECan) - Gave assurances that ECan were doing everything possible to pull all the data together, however there wasn't enough data to go to court.

Michael Williams (Community) & Don Gould (Community) - Asked how much data was needed and how long would it take?

Geoffrey King (Community) - Asked for the 1991 Resource Management Act, the 2004 Clean Air Act, the Environment Act and the 2015 Work Safe Act to be upheld.

Katherine Harbrow (ECan) - Replied the law was being upheld but there wasn't enough data.

Q: Bruce King (Community) - Do you still ring Living Earth when you are going to investigate? ECan made every complaint a separate complaint a few years ago instead of grouping them. Let's go back to that please as that's when the figures become misleading.

A: Marty Mortiaux (ECan) - The answer to your first question is that no we don't. We count a number of incidents as one complaint, we are not going to change that, we are still going to record that we have x number of complaints regarding one incident, we record the number of incidents and we record the number of complaints against that incident, which are the numbers you see in our reporting, 74 in this case vs 44 incidents.

Q: Bruce King (Community) - What has happened to the information that ECan were supposed to be collating further to the statement given a year ago that I was prepared to swear to in court?

A: Katherine Harbrow (ECan) - Replied it is ongoing.

Q: Yani Johanson (CCC Councillor) - Have any Notices of Non-Compliance been given to Living Earth further to the 24 dust breaches detailed in the report and can we have an explanation of exactly what the 24 exceedances means in simple terms?

A: Marty Mortiaux (ECan) - Reiterated that it was a self-monitoring process and Living Earth were responsible to report any exceedances at the boundary.

A. David McArdle (CCC) - On a monthly basis Living Earth report the results of their dust monitors to CCC and this information is passed on to ECan. If there are any exceedances information explaining why is provided as well. As with the previous PDP report, under Section 6 in the second paragraph there is an explanation of these exceedances, which references the high volume of material moved off site as part of the Transitional Plan.

Q. Yani Johanson (CCC Councillor) – Those exceedances haven't occurred since?

A. David McArdle (CCC) – No, the dust monitoring results have been compliant since April 2022.

Jaco Kleinhans (LE) - Clarified that the 24 exceedances in the report included both on and off-site dust monitors.

Bruce King (Community) - Commented that this was the worst year of dust in 21 years since he'd been a resident and argued that of the 24 breaches listed on page 9 of the PDP report, none were on-site.

Jaco Kleinhans (LE) – Directed people to a map on page four. Then explained dust monitor #2 labelled Dog Watch is as close as possible to the Dog Watch boundary, but on the Living Earth site. Likewise for dust monitor #4 labelled Affordable Storage, that dust monitor is on Living Earth's site. Acknowledging #7 at the Pump Station, the breach there was an anomaly compared to other results for that dust monitor reported.

Geoffrey King (Community) – Commented he cleans his spouting out quarterly and last did two weeks ago. *“The black sludge was such in the guttering that I had to get Jif and a scrubbing brush to scrub my hands clean, white, so I am not mistaken for some coloured person.”*

Q: Carl Pascoe (Chair) - Asked whether the CCC and/or ECan could try to get a clear understanding of what the dust was and where it was coming from.

A: Marty Mortiaux (ECan) - Replied that a previous investigation performed by ESR (Institute of Environmental Science and Research) at Bruce's property and it was inconclusive and couldn't be seen to be compost. He acknowledged the residents' frustrations and said residents needed to call so that ECan could send officers to test, noting that ECan do not get complaints of dust.

Bruce King (Community) – Said he reports dust. Shared his concerns for dust in the yard of another member of the community on Maces Road. Claimed you cannot see the old Kiwi Bacon Factory.

Marty Mortiaux (ECan) - Agreed

Geoffrey King (Community) – Brings attention to the community breathing this in and states *“You lot in ivory tower couldn't give a shit.”*

Q: Jaco Kleinhans (LE) – Asked Bruce King to clarify that it was another facility he was referring to.

A: Bruce King (Community) – Yes, the Kevin Blair Quarry site on Maces Road.

Q: Andrew Walker (Community) - How often do ECan carry out random inspections of the dust collection sites?

A: Marty Mortiaux (ECan) - We don't carry out random inspections of dust.

David McArdle (CCC) - Commented Living Earth manage the dust monitors on site but the results are sent to and reviewed by an independent third parties, being Pattle Delamore Partners on an annual basis and Fulton Hogan on a monthly basis.

Geoffrey King (Community) - Asked Marty if he could investigate the roundabout of Bridge Street, Dyers Road, Anzac Drive.

Marty Mortiaux (ECan) - Agreed

Action - Marty Mortiaux to investigate odour at Bridge Street/Dyers Road/Anzac Drive

4. Living Earth Community Liaison Group report and questions arising

Jaco Kleinhans (LE) - Spoke to the report for the period August to October acknowledging a typo in the date on the title page (15th not 16th November 2022).

A significant amount of material had been cleared off the site and the dust mitigation equipment and water misters had been relocated. Boundary plantings were ongoing.

Whilst speaking to the Living Earth report Jaco Kleinhans is interrupted by Bruce King. Jaco was explaining he has “relocated the dust mitigation equipment”, but after the word dust Bruce interrupts and does not let Jaco finish his sentence.

Regarding ongoing odour assessments onsite, a lot of staff have been sent to Auckland for nose calibration certification after the lockdown.

Regarding onsite operations, the removal of tailings had been completed with the photographs in the report showing the changes since September 2021. There was a target to be below 3,000 tonnes of tailings on site and this was achieved by Monday 21st September 2022. The total material onsite is reported to CCC on a weekly basis.

Q: Bruce King (Community) - Has Living Earth or CCC applied for and been granted a consent to dump their tailings and excessive compost on the Bridge Street/Dyers Road/Breezes Road/QEII Drive? It's still been turned over down there, like windrows, so has there been a consent applied for ECan? It appears they have shifted the composting operation out of the consented area to the sewage farm land.

Q: Andrew McPherson (Community) - How can you undertake business at this site without resource consent?

A: Jaco Kleinhans (LE) - To clarify, we supply the compost to the Wastewater Treatment Plant, and they use that for their project. It's not my place to talk about the details around this operation but it's similar to myself supplying the compost to anyone else; what the customer does with it is not within my scope.

Q: Carl Pascoe (Chair) - For a community, it's important to know who holds the responsibility on a particular operating site. To be clear, the compost being turned over down the road is compost Living Earth has sold to CCC and no longer your responsibility?

Halfway through the above Carl Pascoe is interrupted by Geoffrey King, who directly asks Ross Trotter for an answer.

A: Jaco Kleinhans (LE) – Yes. Although we do work with them and help where possible.

Q: Yani Johanson (CCC Councillor) - Is there anything in the Transitional Plan that was approved by ECan that put any conditions on what was going to happen to the tailings in

the agreement with ECan and Living Earth? There is also odour coming from the organics plant so can any of the information be shared with the community?

A: Ross Trotter (CCC) - Regarding what's been going on at the Wastewater Treatment Plant, there is material going there but it's not the tailings. The tailings have been removed and have gone to another operation. Those remaining on site are required for the operation at the Living Earth site for porosity as part of the composting process.

At the Wastewater Treatment Plant it has been levelled out, it's not been turned. It's been spread once it's been delivered and it's been left there for planting. There are thousands of native trees that are going to be planted there. We did some initial testing around odour, we spoke to ECan about putting material there, and we also have an independent odour expert in PDP that does assessments there, so this is news to me. The feedback we have had is that there haven't been any issues around there so it's good that ECan can go and have a look.

Q: Vicki Walker (Community) - If we're all sending Smelt Its, where do these go?

Geoffrey King (Community) – Make another comment directed at Ross Trotter; *“You do not get out into the field, you are stuck in the ivory tower.”*

Andrew Williams (Community) - Commented that it had been discussed and agreed at a resident's meeting that the windrows would be relocated and expressed disbelief about being supplied to plant trees. The windrows had gone, but now there was another problem. The residents had put the pressure on and the problem appeared to have shifted to someone else which seemed completely unfair.

David McArdle (CCC) - Previously the windrows on site at Living Earth were outdoor maturation. That part of the operation no longer occurs. The Wastewater Treatment Plant planting programme in the paddocks surrounding oxidation tanks had been spoken about at the previous meeting. Living Earth are sending a product to the Wastewater Treatment Plant/CCC for soil rehabilitation as part of their native planting programme and this had been communicated publicly. Aside from returning the land back to native plantings, this is also to create a natural barrier between the ponds and the residential area to help block light and subsequently assist in mitigating the issues with midges. To clarify Living Earth are selling a product to CCC, specifically the Wastewater Treatment Plant.

Q: Yani Johanson (CCC Councillor) - Do ECan & Council still meet on a weekly basis to discuss what's happening in the Bromley area? Are there any joint meetings?

A: David McArdle (CCC) - ECan conduct their proactive monitoring on a weekly basis and share those results with CCC.

Q: Yani Johanson (CCC Councillor) - I was told that when stuff was moved, there would be an external odour expert conducting weekly proactive odour assessments in the paddocks of the Wastewater Treatment Plant is that still happening?

A: David McArdle (CCC) – Yes, as Ross spoke to this is being conducted by Pattle Delamore Partners

Q: Yani Johanson (CCC Councillor) - So that's still happening on a weekly basis but nothing has come through on any reports. The odour is so bad, is ECan aware of the

complaints? Has anyone passed this on to CCC? There seems to be no data. I've personally smelt it and its absolutely vile, 10 out of 10, off the charts. It is really, really bad.

Geoffrey King (Community) - They have exacerbated the problem by shifting the windrows and spreading it around the sewage ponds.

Q: Carl Pascoe (Chair) - You had tailings on the site that the residents identified as a major issue, you took them and moved them, where did you move them to?

A: Jaco Kleinhans (LE) - Outside the region to another processing facility.

Q: Carl Pascoe (Chair) - So they've gone. The compost that CCC is using for the tree planting around the sewerage ponds is a product that I could go and buy a bag of?

A: Jaco Kleinhans (LE) - Yes

Carl Pascoe (Chair) - Geoffrey, it's not the tailings that have been dumped down there, its compost.

Geoffrey King (Community) - They're spreading it round the ponds and it stinks.

Marty Mortiaux (ECan) - As part of our onsite and proactive monitoring, our officers have looked at the area around the oxidation ponds to eliminate it as a source, and to date they have, so this is new information to me. I've undertaken to see what's happening in November and I'll go out and have a look tomorrow, but in terms of our rules, that compost is a finished product and it should be non-odorous.

Geoffrey King (Community) - Excuse me, but the compost in the windrows is finished compost too and it stinks. That's only one part of the stench, we still get stench from the biofilter and from the doors being opened into the complex and it's supposed to be under negative pressure.

Yani Johanson (CCC Councillor) - I've been told there are Living Earth conduct regular site visits as part of an ongoing monitoring programme around the Wastewater Treatment Plant. I don't know what we can do, it is so bad, it is overbearing, overpowering and traumatic for people who live with it and it's unfathomable to think that this hasn't been picked up by anyone, we need to find a solution.

Geoffrey King interrupts Yani Johanson halfway through the above with an off topic comment directed at Ross Trotter regarding a dairy smell in Kaituna Valley.

Bruce King (Community) - Expressed concerns that the Community Liaison Group was supposed to listen to resident concerns but the same issues were being raised at each meeting.

He acknowledged the planting of trees along Cutlets Road and Breezes Road was working and looking really good, commenting he had noticed compost being spread there a year ago.

Carl Pascoe (Chair) - Summarised that the community group was frustrated with the impact on their lives and that there appeared to be a large gap between what the monitoring systems from ECan, Living Earth and CCC's data were saying and what the residents were experiencing.

Carl did acknowledge the community group had had some wins and sought confirmation from Bruce King, to which Bruce King agreed. Carl then detailed the plant had improved, to which Bruce King agreed. The removal of the tailings was acknowledged.

The other issue is that the Councils were facing was the lack of trust from the community. The regulatory and operating authorities of the public service agencies had a big task to rebuild trust and convince the communities that the information being presented was accurate.

Vicki Walker (Community) - Commented that residents were impacted every summer and asked for accountability for the impact on the area and the time taking to resolve it.

Yani Johanson (CCC Councillor) - Suggested that in order to build the trust of the community, there was a need to see how things were being measured and monitored at the Wastewater Treatment Plant where the compost was being spread as well as be provided with more information about the consent factor. It appeared that the good work had suddenly been undone due to an unconsented site where the monitoring is not reflecting what people are living with.

Q: Geoffrey King (Community) - Marty, eight years ago in 2014, Bruce and myself and David Caygill who was a Commissioner for ECan and in eight years, what have you done about it?

A: Marty Mortiaux (ECan) - I think we've pushed the CCC and Living Earth to commit to moving the site.

Bruce King (Community) - As we go through the consent conditions, it says the environment report will be given to the Regional Council no later than 30 June and in his answer, he says, it was given to them in July. If it was a legal document, it should be presented by the day it says in the consent. I've asked for those reports under OIA and I'm still waiting.

States there was only two meetings he never attended before he was "*banned for telling the truth about a certain person in this meeting who is here right now*" and believes he then missed four meetings. Believes the community's problems are never addressed.

Geoffrey King tries to interrupt Bruce King on a number of occasions. Carl Pascoe (Chair) and Bruce King along with other members of the community try to stop Geoffrey.

Katherine Harbrow (ECan) - Tells Geoffrey "*That is enough, thank you.*"

Geoffrey King (Community) - Continues to try and talk over Bruce, directing his comments at Katherine.

Katherine Harbrow (ECan) - Begins to pack up her belongings and addresses Geoffrey with the statement "*We do not have to be here if we do not want to be.*"

Geoffrey King (Community) – Responds to Katherine with "*well go.*"

Carl Pascoe (Chair) attempts to calm Geoffrey King acknowledging his frustrations.

Geoffrey King (Community) - *"We have had 13.9 years of this shit and nothing gets done."* Geoffrey then directs the following comment at Ross Trotter *"His wife complains about the cow smell out in Kaituna Valley, he doesn't give a stuff about us."*

Geoffrey then directs the following comment at Jaco Kleinhans *"Don't shake your head South African."*

Jaco Kleinhans (LE) - *Acknowledges this is unacceptable behaviour.*

Carl Pascoe (Chair) - Issued Geoffrey King with a final warning following on from some abusive comments, stating *"We do not attack individuals, the minute we start attacking each personally we will destroy ourselves"*.

Geoffrey King continues to try and interrupt Carl Pascoe (Chair). He makes the statement "Lies, deceit, deception. They are past masters at it." Other members of the community try to stop Geoffrey again.

Michael Williams (Community) - Commented that he understood Geoffrey's frustrations as despite years of complaints and many battles, ECan seemed powerless to do anything. There had been trust and faith in the regulatory authority to deliver basic human rights of fresh air and dust free air, so it was hard to understand why ECan couldn't enforce resource consent, the licence, and the authority for the Organics Processing Plant to operate within the rules to conduct their business.

Katherine Harbrow (ECan) - Commented that they did not have the right data.

Q: Carl Pascoe (Chair) - Has ECan made it clear, in understandable terms for the community, what is the data you need?

A: Marty Mortiaux (ECan) - We have said that we are investigating and we are still in that ongoing investigation but at this stage we don't consider we have sufficient evidence to take the matter to court.

Carl Pascoe (Chair) - Suggested that the public service agencies enlist their communities as their intelligence and summarised there was a need to provide the Community with a real understanding of what sort of data was required to help enforce consent requirements. It would be useful if the regulatory authority passed on information on a voluntary basis to take away the hurdle of the OIA.

Q: Michael Williams (Community) - We would also like to see a lawyer's review of the data you have to date and what the chances of that being successful in a court case. Has that been undertaken?

A: Katherine Harbrow (ECan) - We have an investigations team and they investigated it and said we don't have enough.

Bruce King (Community) – On 22 May 2022 we were told by then present chair of ECan that it had been past lawyers and they were not satisfied they could win. Vickie Walker confirmed this when asked by Bruce. Bruce makes a comment about staff sitting there looking dumb, Carl Pascoe (Chair) intervenes.

Q: Yani Johanson (CCC Councillor) – Acknowledges the huge amount of work ECan has done to ensure compliance is upheld and said people felt vindicated and grateful for

this. Proposes communication back to the community. What do the community have to do to help you do your job? I appreciate there are legal compliance hurdles, but it is difficult for the community to know that the investigation is ongoing without any results only to hear tonight that we don't have enough data, which is incredibly frustrating. Encourages people to continue to keep reporting.

A: Nathan Dougherty (ECan) - An awful lot of info comes in, investigators study it with a fine tooth comb so that any action is based on solid ground. But we can't pre-judge it, we have to be very careful with that information from hundreds of calls so that we are being fair to the person we are accusing and to the community. So it may look like a black hole, but we don't throw stuff around in these investigations without being able to back it up.

Q: Jackie Simons (Community) - When you are gathering your data, what weight does the public perception take?

A: Marty Mortiaux (ECan) - We go and do our investigation to see if we can substantiate what the community is experiencing.

Q: Jackie Simons (CCC Community Board) - I'm asking about the weight of the lived experience.

A: Kathrine Harbrow (ECan) - In court this doesn't stand up.

Q: Margaret Macpherson (Community) - At the end of the day, how many years is it going to take to get enough data and are we ever going to get rid of this plant or not?

A: Carl Pascoe (Chair) - As part of David's CCC update, you may recall that a tender process was in place and a timetable was given, can you update us please David?

5. Christchurch City Council Community Liaison Group update and questions arising

A: David McArdle (CCC) - Last time we met it was the first stage of the Request for Information. The Expression of Interest response stage has just closed, so we are at the evaluation process and we have put a panel together who are evaluating the submissions received. As part of that process we will be holding interactive workshops to develop the submissions over the next few weeks and then next month we will write to the shortlisted respondents and invite them to progress to the next stage.

Q: Carl Pascoe (Chair) - Is there a timeframe where you'll be able to say to the Community that you have found a preferred tender?

A: David McArdle (CCC) - The next phase will be putting a finalised shortlist of respondents to the CCC Elected Members in late February and then we will move to the tender phase and subsequently award a contract.

Q: Bruce King (Community) - A question for ECan, during the first year of lockdowns, people were coming down from Auckland to collect this data. Isn't that enough data to prove that the place is a vile stinky place? Isn't that enough to hold up in court? Why hasn't this been used in Court? As this is what we were told by Paul Hulse.

A: Marty Mortiaux (ECan) - We issued an Abatement Notice that gave them one year and at the end of that year we sent the team out again to investigate, in the interim, CCC put in mitigations. They removed the windrows and the tailings, so in terms of an investigation we are almost starting again. That information that led to the Abatement Notice being issued is information that is useful.

Q: Yani Johanson (CCC Councillor) - Is there a consent requirement for the compost that is being moved to the Wastewater Treatment Plant? It seems incredibly hard to take action against someone who doesn't have any parameters about what is acceptable.

A: Nathan Dougherty (ECan) - If the material at the Wastewater Treatment Plant is still actively composting, then it would require Resource Consent, but if it is finished compost, it doesn't really produce much more odour.

Q: Vicki Walker (Community) - If we can't find a remedy now, how can you make it so that it doesn't stink, make it go away? We talked about the bins, how can we educate people? So we can live with it, as we're obviously going to have to for a little bit longer.

A: Jaco Kleinhans (LE) - The north easterly is a predominant wind, there's nothing I can do about the wind direction. It is the dryer season and also when everyone cuts their grass, so there is a lot of grass and product composition, that's the nature of the beast. There are other things that could have been done, which is why CCC is going through this process asking for other proposals.

Bruce King (Community) - It's been interesting, we've had two admissions from the manager of Living Earth tonight. One - he's moved the dust; two, it's sited in the wrong place, which is what we've said all along.

Geoffrey King (Community) – Shares his opinion he does not believe the resource consent should have been granted.

Carl Pascoe (Chair) – Comments you're not going to be able to undo the resource consent of 14 years ago.

Michael Williams (Community) – When I last dropped off some green waste they separated my lawn clippings, so obviously it is a significant problem.

Jaco Kleinhans (LE) – We have adjusted our procedures to get that grass separate that is the reason why we do it, because it gives better quality tailings to use in the system for porosity. This is one of the things we constantly make changes to get better efficiency.

Michael Williams (Community) – You are aware this is a significant problem, the seasonal change?

Jaco Kleinhans (LE) – This season is nothing different to previous years. We always know November to January is peak season. We had a lot of rain this winter. The past three years lockdowns and people spending time in their gardens has been a factor.

Yani Johanson (CCC Councillor) - Commented it could be useful if ECan or CCC could create a flyer explaining the data required, the number to call, how to contribute. ECan used to follow up and call back after complaints were made. It might be a way of giving reassurance.

Carl Pascoe (Chair) – Commented if you are wanting to rebuild trust in communities those sort of actions, initiating communication rather than being reactive will be very helpful.

6. Conclusion

Carl Pascoe (Chair) - Concluded he had noticed an approach to find solutions within the constraints of what he suspected was a poorly designed plant, noting that in order to be a civil society, there was a need to be sure that the people in charge were doing things the right way round.

The meeting attendants were reminded of the need to be careful about the difference between dealing with the issue and attacking people, which was not constructive.

ECan had a number of challenges to resolve with the community who would be looking to them to provide more information.

Environment Canterbury Odour and Dust Report November 2022 – January 2023

(Prepared for the Community Liaison Group meeting 13 March 2023)

Bromley Reporting Area

The data used in this report relates to incidents received within the Bromley area, as outlined by the pink area in the map below. For consistency of reporting, only Smelt Its within the pink boundary are considered.

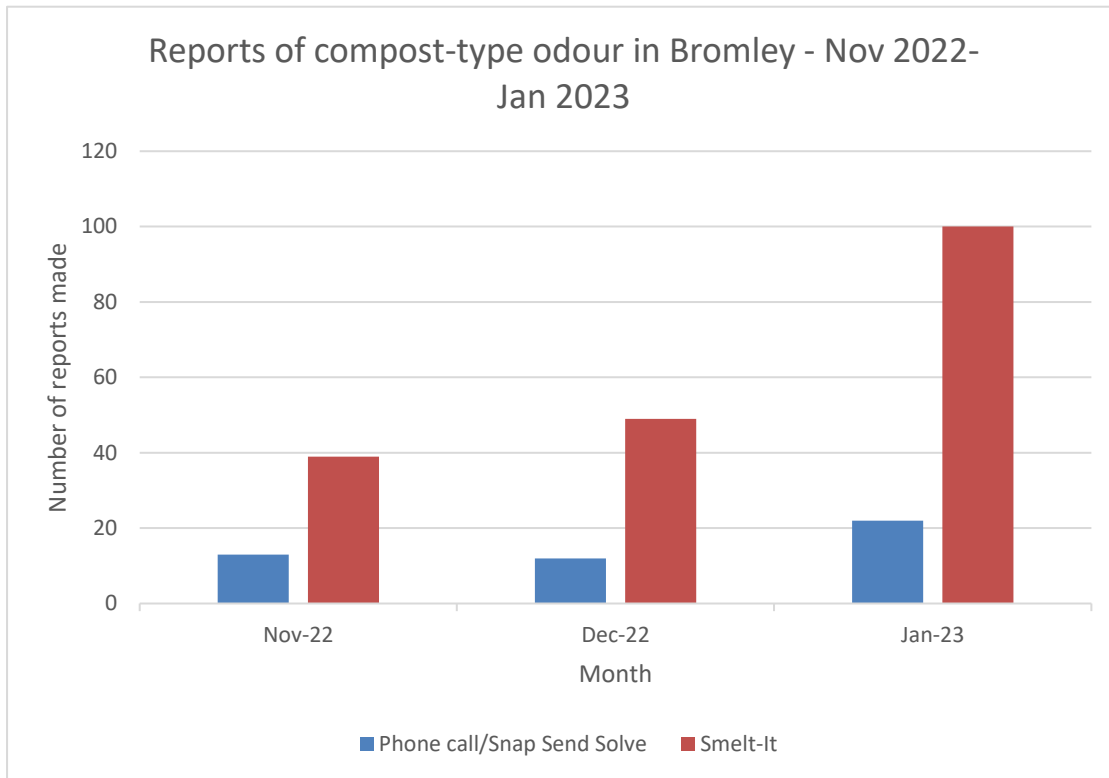


Odour Monitoring

A total of 65 incidents regarding compost odour were logged with Environment Canterbury during the reporting period. There may be multiple Smelt Its assigned to one incident for administration purposes.

In this reporting period, Environment Canterbury received a total of 268 Smelt It submissions. Of these 268 submissions, 188 reported a compost odour, along with other characteristics. Of these 188 submissions, 67 reported only compost-type characteristics.

The below chart shows all reports made relating to compost-type odour in the Bromley area for the reporting period.



During the reporting period, 31 assessments were carried out by Warranted Officers in Bromley. Odour from Living Earth was substantiated beyond the property boundary on 9 occasions. On 4 of these occasions, odour was substantiated at a low level. This means the odour would only be considered offensive and objectionable if it occurred on a regular or frequent basis. However, on 5 of these occasions, the odour beyond the property boundary was considered offensive and objectionable.

Resultingly, there were 5 Notices of Non-Compliances issued in Bromley during the reporting period. These were all issued to Waste Management Limited, and the Christchurch City Council. Waste Management Limited and the CCC are under investigation for the four most recent events that resulted in a Notice of Non-Compliance being issued.

Each time an officer substantiates an offensive and objectionable compost-type odour, a thorough 360-degree assessment is undertaken in accordance with Ministry for the Environment Guidelines. This allows the officer to rule out other potential odour emitters in the area, such as the estuary and the Wastewater Treatment Plant, and therefore confirm Living Earth as the source.

Dust Monitoring

There were no reports of dust received by Environment Canterbury during this reporting period.



Living Earth's
Organics Processing Plant
Community Liaison Group Report –
13 March 2022

November 2022- January 2023

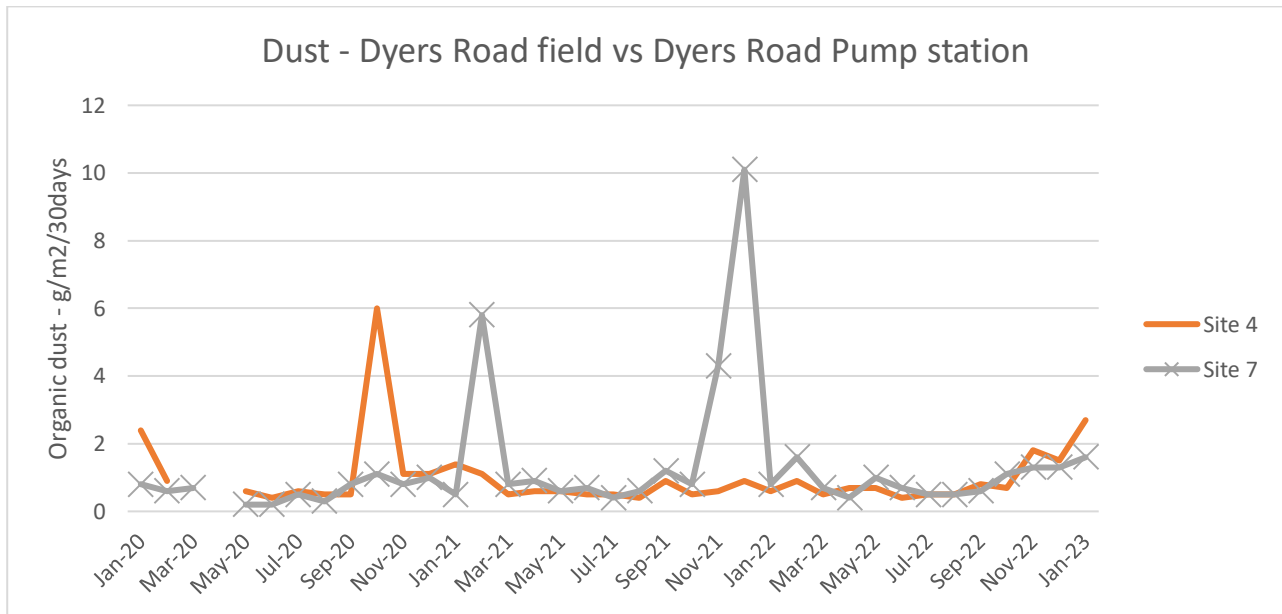
Prepared by: Jaco Kleinhans

1 February 2023

The consent conditions of CRC 080301.1 are detailed in this report and comments are provided on the status. Key matters are discussed below:

Dust (c25)

We have two deposition gauges located along Dyers Road. One is situated in a field North of Metro Place (Site 4, upwind of the Organics Processing Plant (OPP)) and the other is at the old pump station near the end of Maces Road (Site 7, downwind of the OPP and near the residential area of Bromley).



Offsite dust monitors 4 and 7 located along Dyers Road and downwind of the site. Drier weather contribute to an increase in atmospheric dust.

Dust monitors located closer to the site boundary and on site remained well below the 4g/m²/30 consent limit for the period.

Dust control procedures remains in place.

Boundary plantings (c25)

Clear buffer zone created and maintained on-site. Perimeter replacement trees planted and maintained.

Odour (c27/c14)

Ongoing site odour assessment conducted by staff and proactive odour assessments completed by external environmental specialists Pattle Delamore Partners.

On-site operations

The first peak season operating within the reduced footprint.

Screening direct from the tunnels with daily loadouts of compost fines.

Extra screening capacity in place to manage the outside volume of material.

Description		Compliance (Y/N)	Findings, Comments & Problems
1	The discharges shall be only odour and dust from an organics processing plant and green waste composting facility located at 40 Metro Place, Bromley, Christchurch at map reference NZMS 260 M35: 8627-4087 and indicated as "Applicant's Site" on plan CRC080301A attached as part of this consent.	Yes	No discharge except odour and dust occurs from the facility other than storm and wastewater that are covered under different consents.
2	The organics processing plant shall process not more than 90,000 tonnes of organic material per year.	Yes	The plant operates under the set limit.
3	The discharges of odour and dust shall only occur from the following sources: <ul style="list-style-type: none"> a. From construction activities associated with the establishment of the organics processing plant; b. From an odour extraction system on the process building that discharges to air via biofilters; c. From composting of organic material in managed windrows; and d. From screening, blending, packaging and stockpiling of matured compost. 	Yes	<ul style="list-style-type: none"> a. n/a during this period b. Activity was undertaken during this period c. Outdoor windrow process stopped on 15 November 2021. d. Activity was undertaken during this period
Construction of Organics Processing Plant			
4	The consent holder shall provide to the Canterbury Regional Council a Construction Management Plan to be submitted for approval before commencement of the works on site that includes but is not limited to the following requirements: <ul style="list-style-type: none"> a. Regular watering of dusty surfaces during dry windy conditions; b. Restricting traffic speed within the site to less than 15 kilometres per hour; c. Covering loads of excavated soil whenever visible dust occurs from this source; d. Locating stockpiles in areas that are less likely to be affected by prevailing winds and at least 50 metres from boundaries; and e. Stabilisation of exposed areas as soon as possible after work is completed. 	Yes	No construction during this period
Organics Processing Plant			
5	The consent holder shall provide to the satisfaction of the Canterbury Regional Council a Facilities Operation Manual before operating the organics processing plant.	Yes	A copy was provided in 2012 as required under the consent.
6	The material processed shall only include the following: <ul style="list-style-type: none"> a. Green waste; b. Food waste; and 	Yes	No other items are accepted.

	c. River weed.		
7	Organic waste containing putrescible material {food waste} shall be processed in a tunnel compost system contained within the process building.	Yes	All kerbside organics and food waste collection vehicles are emptied inside the processing hall and processed in the tunnels.
8	Organic waste not containing putrescible material may be composted in managed windrows.	Yes	No more windrows being processed on site.
	Tunnel Compost System		
9	The tunnel compost system shall consist of a process building, outdoor uncovered windrows and screening and stockpiling.	Yes	No more windrows being processed on site.
10	The process building shall: <ul style="list-style-type: none"> a. House all receiving, shredding and blending of organic waste that is to be composted in the tunnel composting process; and b. Be operated under a negative pressure system with all discharges to air being treated via a biofilter. 	Yes	<ul style="list-style-type: none"> a. All receipting, shredding, and blending of materials is completed in the process hall before being loaded into tunnels. b. The negative pressure of the biofilter fan (tunnel exit) is typically maintained at -100Pa and monitored via a computer control system.
11	The incoming organic material shall be placed into the tunnel composting system on a daily basis within 24 hours of receipt.	Yes	This is completed. OPP operates on public holidays in line with the kerbside collection trucks. We are open and processing on all days that collection occurs.
12	The tunnel composting process shall have a duration of not less than seven days, which includes an allowance of up to half a day for tunnel emptying, cleaning and filling. During the tunnel composting process, the temperature of all the compost shall be maintained at greater than 55 degrees Celsius for a minimum of three continuous days or less at higher temperatures, so that pathogen destruction has occurred in compliance with New Zealand Composting Standard NZ4454. At the same time or after the tunnel composting process, the compost shall be aerobically treated for 14 days or longer, during which time the temperature must always be over 40 degrees Celsius and the average temperature must be higher than 45 degrees Celsius.	Yes	During this period typical time was 14 days in the tunnel.
13	Records shall be maintained showing compliance with Condition (12). Such records shall be available to Canterbury Regional Council on request.	Yes	Reports were recorded via a computer control system recording time and temperature.
14	The maturation composting stage shall be an uncovered windrow system that allows the process to meet Condition (27) of this consent.	Yes	No more windrows being processed on site.

Greenwaste Windrow Compost System			
15	Organic wastes not containing putrescibles are to be shredded, blended and formed into windrows within 24 hours of receipt.	Yes	No more windrows being processed on site. All Green waste is processed through the tunnels.
16	Any organic waste which contains putrescible material is to be redirected into the tunnel composting system.	Yes	All green waste is processed through the tunnels.
17	Not more than 30,000 tonnes per annum of green waste shall be composted in full in the outdoors windrows.	Yes	We receive less than this. All Green waste is processed through the tunnels.
18	The uncovered windrows shall meet the following criteria: <ul style="list-style-type: none"> a. The windrow shall be maintained in an aerobic state throughout; and b. The state of the windrows shall be monitored for oxygen, temperature and moisture as follows (and records retained): <ul style="list-style-type: none"> a. Oxygen: Weekly for the first four weeks after the row is constructed and thereafter if the row is suspected of turning anaerobic; b. Temperature: Weekly; c. Moisture Content: Every second day 	Yes	No more windrows being processed on site.
Odour Extraction System – Organics Processing Plant			
19	The odour extraction system on the process building shall be designed by a person competent in this area of technology to industry best practices.	Yes	n/a during the period
20	The odour extraction system shall be of sufficient capacity to prevent any fugitive discharge of odours from the process building under all operating conditions.	Yes	n/a during the period
21	The discharge shall exhaust via a biofilter with an average loading of not greater than 80 cubic metres of air per hour per cubic metre of bed material	Yes	Biofilter size 20.7m x 42.5m size. Maximum airflow ex fan is 90,000m ³ /hr. If media is > 1.17m deep, then 80m ³ /hr/m ³ of media cannot be exceeded. Bed depth is typically 1.3 – 1.5m. fan speed typically <90% of max. The fan can be limited in the control system to maximum speed as required. Fan operation is measured, controlled, and monitored by a computer control system.
22	The odour extraction systems shall operate at all times during processing of raw materials or products.	Yes	Operates 24/7 and is monitored by a computer system.

23	<p>The bio filters shall be maintained in such a way as to effectively reduce odours from the organics processing plant so Condition (27) is met. This shall include but not be limited to:</p> <ul style="list-style-type: none"> a. Maintaining satisfactory moisture levels in the biofilter. b. Maintaining an appropriate pH range, typically 4 to 8. c. Maintain aerobic conditions at all times. d. Replace the biofilter media at an appropriate time, determined when any of the above operating parameters, odour levels, or, airflow backpressure are unable to be maintained within their operating limits. 	Yes	<ul style="list-style-type: none"> a. Humidifier operates at the inlet to the biofilter. Moisture tested June 2022 as 68% b. pH recorded in July 2022 as 6.7 c. Oxygen levels >n20% d. Back pressure monitored for bed media condition. Media last changed in May 2021.
Dust Control			
24	<p>The consent holder shall implement the following measures to minimise the generation and discharge of dust:</p> <ul style="list-style-type: none"> a. Use water sprays with any mechanical handling of compost when conditions are likely to generate dust. b. Provide an impervious base to all outdoor composting areas. c. Limit the height and slope of outdoor piles to less than five metres in height. d. Bulk carriers removing material from site shall be covered. e. Use water tankers and/or sprinklers to dampen down areas of heavy vehicle access when wind speed exceeds five metres per second (five minute average) during dry conditions. f. Suspend all product load-out and windrow turning operations during dry conditions when the wind speed measured by the on-site meteorological station, blowing from between 10 degrees and 130 degrees, exceeds 10 metres per second for two consecutive five-minute averages. Recommencement of load-out and windrow turning operations may occur if recorded wind speeds from that sector are less than 10 metres per second for two consecutive five minute averages. 	Yes	<ul style="list-style-type: none"> a. Misters and water trucks are used b. Site is asphalt sealed c. Input piles are under 5m in height d. Bulk loads covered e. Monitored on-site, data reported each minute.

25	<p>a. Within 12 months of this consent coming into effect the consent holder shall establish and maintain suitable tree windbreaks around all areas where compost is stored.</p> <p>b. Notwithstanding condition 25(a), a further line of tree shelter shall be established along the boundary with Affordable Storage Limited and the boundary with Dogwatch Sanctuary Trust, to fill in gaps in the existing tree shelter plantings where establishment or growth has been poor such that a continuous shelter belt more than 1.8 metres high has not been formed. These additional shelter trees shall be planted within six months of commencement of the change to conditions. All shelter trees shall have a minimum height of 1.8 metres and shall be maintained and irrigated until they reach a height of at least five metres. Any dead, diseased or damaged trees shall be replaced immediately. The trees shall be protected from the prevailing wind during at least the initial three years of establishment of the trees by wind cloth fencing or similar in order to optimise tree growth.</p> <p>c. A plan showing planting and landscaping works to be undertaken to comply with Condition 25(b) shall be prepared by a suitably qualified person and shall be submitted to the Canterbury Regional Council within three months of commencement of the change to conditions.</p>	Yes	The open area is regularly cleaned.
26	On-site vehicle speeds in the outside windrow, compost storage and compost screening areas shall be restricted to not more than 15 kilometres per hour. A sign, capable of being read at a distance of five metres, shall be erected at the main vehicle entrance to the outside storage area to inform all drivers of this requirement.	Yes	Signs in place, all drivers, and contractors inducted with specific mention made of consent compliance.
27	The discharges to air shall not cause odour or dust which is offensive or objectionable beyond the boundary of the site on which this consent is exercised.	Yes	Transition plan in place.
28	Notwithstanding Conditions 24 and 27, all product load-out, heavy vehicle operation and windrow turning activities shall cease at any time when these activities cause visible suspended particulate matter beyond the western site boundary, including at properties occupied by Affordable Storage Limited, Dogwatch Sanctuary Trust or their successors.	Yes	Monitored daily. Reduced operational area, lined with water cannons and misters.
29	<p>The consent holder shall maintain records of any odour or dust complaints received by the consent holder. These records shall include:</p> <p>a. Location of complainant when odour or dust was detected;</p> <p>b. Date and time of odour or dust detection;</p> <p>c. Weather conditions, including wind direction, at the composting facility when odour or dust was detected;</p> <p>d. Strength of the odour complained of, assessed on a scale of 1 to 5 by the complainant with the following rating system: 1 odour noticeable but not persistent; 2 odour clear and persistent; 3 odour unpleasant and persistent; 4 odour strong, offensive and persistent; 5 odour very strong and offensive.</p>	Yes	Complaints made to Environment Canterbury are recorded by Environment Canterbury.

	<p>e. The amount of dust complained of, assessed on a description of the visible quantities and extent of dust deposits on a scale of 1 to 5 by the complainant with the following rating system: 1 noticeable and not extensive; 2 clear and minor coverage; 3 nuisance and moderate coverage; 4 objectionable and extensive coverage; 5 significant extensive deposits, offensive. A description of the appearance of the dust shall also be recorded;</p> <p>f. Any possible cause for the odour or dust complained of; and</p> <p>g. Any corrective action taken.</p> <p>Records demonstrating compliance with the above condition shall be provided to the Canterbury Regional Council on request and shall be summarised as part of the Annual Environmental Report required under Condition 36.</p>		
	Monitoring		
30	<p>The consent holder shall undertake site-boundary odour assessments at least once per day, in a manner consistent with Work Instruction WI30 Issue 6, dated 1 September 2010, submitted with the application, or an equivalent later document. These assessments shall occur at no fewer than eight locations around the site boundary, including at least one location downwind of the composting tunnels and the maturation windrows. In the event of strong odours being detected, that may create adverse effects beyond the site boundary, then the consent holder shall take all practicable efforts to mitigate the odour using measures that may include the use of masking agents, capping the source, and returning odorous material to the tunnels. Records shall be kept that include the date and time of the assessment, meteorological parameters at the time, odour descriptions and odour intensities at each monitoring location. Staff members responsible for these assessments shall have calibrated noses, determined by suitably qualified persons at an accredited laboratory. These staff members shall be recalibrated for odour sensitivity at least once every three years.</p>	Yes	Completed.
31	<p>The consent holder shall, prior to unloading a tunnel, undertake an odour assessment of the compost material, in a manner consistent with Work Instruction WI4 Issue 6, dated 1 September 2010, submitted with the application, or an equivalent later document. In the event of strong odours being detected, that may create adverse effects beyond the site boundary, then the consent holder shall return the assessed material to the tunnel and shall not empty the tunnel until it has been determined that the material is no longer odorous to the point where it may create an adverse effect beyond the site boundary. Staff members responsible for these assessments shall have calibrated noses, determined by suitably qualified persons at an accredited laboratory. These staff members shall be recalibrated for odour sensitivity at least once every three years.</p>	Yes	Odour assessments are completed on a continuous basis when tunnels are being emptied.
32	<p>a. At all times during exercise of this consent, wind speed and wind direction shall be measured by an anemometer established on the site.</p>	Yes	Weather station located on site.

	<ul style="list-style-type: none"> b. The anemometer shall be installed at a height of at least five metres above ground level at a location free from any obstruction that has potential to significantly affect wind flow. c. Wind speed resolution of measurement shall be not more than 0.1 metres per second and wind speed accuracy of measurement shall be at least within +/-0.2 metres per second. d. The anemometer shall be established, located and operated to the satisfaction of the Canterbury Regional Council. e. Wind speed and direction shall be continuously recorded with an averaging time for each parameter of not more than five minutes. f. These data shall be: <ul style="list-style-type: none"> (i) recorded using an electronic data logging system; and (ii) provided to the Canterbury Regional Council upon request. 		
33	<ul style="list-style-type: none"> a. Dust deposition monitoring shall occur in at least two dust gauges sited near to the boundary with Affordable Storage Limited or successor and the boundary with Dogwatch Sanctuary Trust or successor and at least one further control dust gauge. The location of the dust deposition gauges shall be determined by a suitably qualified person and shall be provided in writing to the Canterbury Regional Council. The method of monitoring shall be ISO DIS-4222.2 or a similar method to the satisfaction of the Canterbury Regional Council. Samples shall be collected monthly and the monitoring results shall be included and summarised in the Annual Environmental Report required under Condition 36. b. Dust control measures shall be implemented to maintain the rate of dust deposition at the consent holder's boundary, measured in accordance with Condition 33(a), at less than 4g/m²/30 days above the background concentration measured at the control site. Any exceedance of this trigger level shall be reported to the Canterbury Regional Council, including the likely reasons for exceedance and any remedial action undertaken. 	Yes	A total of eight dust gauges are used as controls (2), onsite (3) and offsite (3). Offsite gauges are in the immediate neighboring properties, and these are used to monitor compliance against this consent.
	Management Plan		
34	<ul style="list-style-type: none"> (a) The consent holder shall prepare and implement an Environmental Management Plan (EMP) that addresses the control of discharges to air from the site. (b) The EMP shall be prepared and provided to the Canterbury Regional Council: attention: RMA Compliance and Enforcement Manager, within three months of the granting of this consent variation and within one month of the completion of annual reviews. (c) The EMP shall be reviewed annually. (d) The EMP and any revisions shall include all measures necessary to achieve compliance with the conditions of this consent. (e) The EMP shall include, but not be limited to: <ul style="list-style-type: none"> a. A description of the dust and odour sources on-site; 	Yes	

	<ul style="list-style-type: none"> b. The methods to be used for controlling dust and odour at each source; c. A description of consent and monitoring requirements; d. A system of training for employees and contractors to make them aware of the requirements of the EMP; and e. Identifying staff responsible for implementing and reviewing the EMP. 		
	Community Liaison Group		
35	<ul style="list-style-type: none"> a. Within one month of the commencement of the change of conditions, the consent holder shall invite local residents and interested people to attend a meeting to establish a Community Liaison Group. The invitation to attend and establish a Community Liaison Group shall be extended to include: <ul style="list-style-type: none"> (i) all property owners and occupiers with boundaries adjoining, or but for the presence of roads, with boundaries immediately next to the site; and (ii) all parties who made a submission on the application to change consent conditions. b. A representative of the consent holder shall attend all meetings of the Community Liaison Group. The Canterbury Regional Council shall be invited to send a representative to attend all meetings. c. The consent holder shall ensure that members of the Community Liaison Group are provided with the opportunity and facilities to meet at least once every three months. d. The main purposes of the Community Liaison Group shall be to: <ul style="list-style-type: none"> a. Identify and address any adverse effects of discharges to air from the site, including possible remedial action; and b. Discuss the results of all monitoring and reporting required under this consent. 	Yes	Ongoing Community Liaison Group meetings are held as required, including this meeting.
	Reporting		
36	The consent holder shall, no later than the 30 th of June of each year, provide an Annual Environmental Report to the Canterbury Regional Council setting out all monitoring and reporting results required by conditions of consent and their interpretation by an appropriately qualified person, including dust deposition monitoring and complaints recording undertaken in relation to this consent over the previous period. Where the result of any test or monitoring undertaken in relation to this consent exceeds the relevant limit/trigger level or does not comply with the relevant condition, then the steps that were taken to rectify the non-compliance shall be specified.	Yes	The Annual Environmental Report (AER) report was provided to Environment Canterbury in July 2022.

	Administration		
37	This consent shall not be exercised concurrently with CRC930514.	Yes	
38	<p>The Canterbury Regional Council may annually, on or about the last working day of March each year, serve notice of its intention to review the conditions of this consent for the purposes of:</p> <ul style="list-style-type: none"> a. Dealing with any adverse effect on the environment which may arise from the exercise of the consent; or b. Requiring the adoption of the best practicable option to remove or reduce any adverse effect on the environment; or c. Complying with the requirements of an operative regional plan. 	Yes	Upgrade or relocation options being considered.