

UNDER the Resource Mangement Act 1991 ("RMA")
IN THE MATTER of a resource consent application to the Taranaki Regional Council for the application by Remediation (NZ) Limited

STATEMENT OF SUPPLEMENTARY EVIDENCE OF ANDREW FERGUSON CURTIS ON BEHALF OF REMEDIATION LIMITED

1. INTRODUCTION

1.1 My full name is Andrew Ferguson Curtis. I am Technical Director Air Quality at Pattle Delamore Partners (**PDP**). My qualifications and experience are set out in my Evidence in Chief (EiC) dated 5 March 2021.

Scope of Evidence

1.2 I have been asked by Remediation NZ (RNZ) to prepare this statement of supplementary evidence to address some matters raised in the evidence of Mr Backshall the air quality expert acting on behalf of the Dawn and Glen Bendall and Jennifer Baker.

Code of Conduct

1.3 I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2014. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence. Except where I state that I am relying on another person's evidence, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

2. COMMENTS

2.1 In paragraph 3.2 of Mr Backshall's evidence when discussing the site, he mentions that composting operations are more than 1.2 km from the road with irrigation close to the road. Based on my measurements the closest part of Pad 3 is about 1.4 km from the road with the activities on Pad 1 approximately 1.7 km from the road. The closest grass area that will be irrigated is approximately 400 metres from the road, southeast of the office and weighbridge.

- 2.2 These are significant distances and I consider that in most meteorological conditions they will be sufficient to minimise the potential for odour from RNZ's activities to result in some form of off-site effects.
- 2.3 With the mitigation I have proposed, I consider that any potential that may exist is reduced significantly.
- 2.4 I agree that 1540 Mokau Road was not specifically assessed in the AECOM report. In air quality assessments such as this it is not normal practice to assess all potential receptors, and we typically select representative receptors that are closest to the site, or are for some other reason more likely to experience some form of effects.
- 2.5 In this case 1530 Mokau Road (R4 on Figure 3 in the AECOM report), was considered as it was closer to the site than 1540 Mokau Road, and therefore has a greater potential to experience odour effects.
- 2.6 In paragraph 4.16 Mr Backshall mentions the Odour Management Plan (OMP). RNZ has developed a draft OMP which I was asked to provide some comments on. However, as I noted in my EiC, in order to meet the requirements of the proposed consent, there are additional matters that require inclusion, and therefore a copy of the draft OMP has not been provided.
- 2.7 In paragraph 4.17, after stating that he considers that the control measures set out in my EiC should "*significantly reduce the potential for off-site intermittent odours*" Mr Backshall states that he has some concerns about continuous odours from Pad 3, as well as the composting of certain waste streams such as poultry industry waste.
- 2.8 I disagree with Mr Backshall and consider that the control measures that I have set out in paragraphs 5.12 to 5.17 (Pad 1) and paragraphs 5.27 to 5.29 (Pad 3) of my EiC when fully implemented, should control the odours from these sources and significantly reduce the potential for off-site odours.
- 2.9 I agree with Mr Backshall's comment in paragraph 4.18 that it is unusual that Taranaki Regional Council's (TRC) proposed conditions do not specify some of the key parameters as consent conditions, and consider that including some of the key parameters would be consistent with the odour control approach described in paragraph 295 of the Officer's report.

While proposed condition 30 covers the various sources of odour and requires the development of mitigation measures and procedures for implementing them, I would be comfortable if some of the key recommendations set out in my EiC were included as consent conditions, for example setting a minimum dissolved oxygen content in the treatment ponds.

- 2.10 In paragraphs 5.7 to 5.19 Mr Backshall discusses katabatic or cold air drainage flows. I agree with Mr Backshall's description of this phenomenon and the fact that it will generally follow the terrain. In essence it can be likened to a water flow.
- 2.11 Consequently, I am not surprised that Mr Backshall was able to detect odour at the mouth of the Haehanga Valley at Mokau Road in the conditions he describes.
- 2.12 However, as the Haehanga Valley opens in to the Mimitangiatua Valley, which ultimately flows out into the Tasman Sea, I would expect any katabatic flows out of the Haehanga Valley to follow this path, rather than a portion flowing to the north towards Uruti as suggested by Mr Backshall. This is because in those same meteorological conditions there will be katabatic flows from further up the Mimitangiatua Valley which will flow past the mouth of the Haehanga Valley towards the sea incorporating any flows from this source.
- 2.13 Figure 1 provides some information on the local terrain which demonstrates the general downward gradient through that section of the Mimitangiatua Valley towards the sea.
- 2.14 In any event, as I have already stated, the implementation of the mitigation I have discussed will significantly reduce the potential for odours from on-site activities and consequently the potential for off-site odours to occur.
- 2.15 In paragraph 5.23 Mr Backshall indicates that the odour survey presented in the AECOM report was undertaken in June which is a time when odours would be expected to be at a minimum, and consequently may have underrepresented the odours.
- 2.16 However as noted in paragraph 1.5 of my EiC, I have undertaken a further site visit in February 2021 and consider that the assessment presented in the AECOM report is representative of what I observed on site.

- 2.17 Notwithstanding that the odours on-site were not considered offensive or objectionable, I have, as already stated, recommended a range of mitigation measures which I considered should be implemented on the site to minimise the potential for off-site odours in the katabatic conditions which are most likely to give rise to some form of effect.
- 2.18 In paragraphs 5.24 and 5.31, Mr Backshall comments that I have not investigated the cause of increased odour complaints since June 2020, and that consequently there is the potential (paragraph 5.32) that there may be a specific cause or source which has not been identified.
- 2.19 While I accept that this may be the case, I am confident that my staff and I have undertaken a comprehensive assessment of site activities and developed mitigation measures for the various sources. If, following the implementation of these measures, there are still odours, then the requirements of condition 31 (to update the OMP) and condition 30 (a, b and f in particular), together with the monitoring I have proposed, provides an appropriate mechanism to identify and control any odour sources.
- 2.20 Finally, I note that I disagree with Mr Backshall (paragraph 6.4) about the need to exclude some waste streams from the compost process. These waste streams have been successfully composted on site in the past and not resulted in off-site odours or complaints.
- 2.21 I consider that if all of the mitigation measures I have proposed are fully implemented on site, then composting of the materials of concern to Mr Backshall can be successfully undertaken without resulting in off-site odour nuisance.

Andrew Ferguson Curtis

23 March 2020

Figure 1 Terrain Elevations near Uruti

