

# Bromley Community Liaison Group

## Minutes

17 August 2021, 6:30pm

Venue: Environment Canterbury, Tuam Street office

Facilitator: Ian Whitehouse (Whit)

Presenters: Christchurch City Council (CCC) – Josh Wilson Ross, Trotter and Jane Davis

Environment Canterbury (ECan) – Ruth Sarson, Marty Mortiaux and Judith Earl-Goulet

Living Earth - Daniel O'Carroll

Minutes: Nichola Ainslie

Apologies - Janet Stokes and Jean Adams

### Introductions and Welcome

- The facilitator welcomed everyone and reminded the group to remain respectful, ensuring that only one person speaking is at a time.
- Permission for recording of the meeting was then confirmed with all those in attendance.
- The facilitator outlined that as a COVID19 Alert Level change announcement had been made by the Prime Minister this would be a brief meeting to allow all in attendance to prepare for the 11.59pm deadline.

### Purpose and structure of Meeting

- The community gave approval for the meeting and recording to continue.
- The facilitator re-outlined that the purpose of the meeting and that it would be a brief meeting with possibly another at a later date due to change in Alert Levels this evening.

Josh advised that when Friday's newsletter came out, the Council intended to have tender for the upgrade completed and a contract in place. However in June the tender prices received were higher than anticipated, which means staff are required now to go back to the elected Council for a decision as the budget is no longer sufficient for the upgrades planned.

It was discussed that the elected Council have asked staff to look at other options, one of which includes looking at other locations for an organics processing facility. Josh confirmed that every option was being looked at in order to take a paper to Council in September for a decision to either proceed with the upgrade, although at a higher budget, review whether tender submissions be finessed to reduce the budget or investigate building a new facility at another location.

By September when this goes to Council further information will be available.

- Q) **Community Question:** At the meeting in November with Council workers there was an urgency to have all this information by 17/12/20. 9 Months has now passed so why has it not yet been finalised. It has taken so long to get to this stage why do we now we have to start again?
- A) **CCC:** The process is not starting again, essentially in November last year a paper was put to the elected Council with some cost estimates attached. Most of the people at the meeting this evening were in attendance and this had a few options to consider. Estimates were from different reports that had been done by different consultants. Following that the budget was approved to go ahead with the upgrades and to enact that, you have to go out to tender. We then released a notice for

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companies that were interest in this piece of work to submit their tenders. Submissions and some of them were really good, but all over the budget that we initially estimated. It takes time to get through that process. We now have to go back to council to ask for an additional budget or to look at other options, which is where we are at now.

Q) **Community Question:** Why it was way over when we were using the information from the Melbourne experience. They would have known how much it was to put theirs together why was ours so much more?

A) **CCC:** We weren't using the Melbourne Experience, there is some similar technology that is being used, however there are a few things a bit different.

They were building it fresh whereas we are upgrading an existing facility. The prices that we used for the estimates came from a couple of reports. Assumptions were made when consultants were writing those reports, and when we went out to tender some things changed.

E.g. the size of the building, it was assumed would be a certain size and during the tender process the companies when having to put money on it said it wasn't big enough.

The key thing is, that the Council in December made it pretty clear that they wanted an all enclosed solution and a guaranteed outcome. When a contractor is considering this they have to be confident financially and also with putting something to their name so they will come up with solutions that they can guarantee.

Q) **Community Question:** One of the options was to have a lesser facility, but obviously the odour to comply with the resources in process, one of the mail outs said that it was to reduce the cost to the tenders by allowing them to not upgrade to the same standard as residents expectations.

A) **CCC:** It is about finessing the scope, some of which will result in less. It is being looked at how the cost can be reduced without changing anything significant in the output product. So the end goal is the same, just how it gets there might be a bit different to reduce costs.

There is another stream of work, which we are looking at whether we can change the scope and this may change the output product. That is something that will be presented to the councillors and they will decide if this is something they want to proceed with.

Q) **Community Question:** So they may chose not to cover it?

A) **CCC:** It is possible that they may choose not to cover it. Council will be given different options/solutions, and will make the decision on what information they have.

Q) **Community Question:** In the opening paragraph in the presentation to the City Council at the end of last year it was said that the \$21.7million improvement will not eliminate the odour it will reduce the odour.

A) **CCC:** The facility is odour producing and it always will be to some extent, however the question is how to you treat the odour and what the odour is.

It was quoted by Community Group member that the resource consent states that the odour must not be detectable past the boundary line of OPP.

In answer to this it was confirmed by Ruth Sarson that the Resource Consent and the Resource Management Act talks around about odour that is offensive and objectionable, so the consent does not say that there has

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to be no odour, it says there is to be no offensive or objectionable odour so it is unrealistic or not possible for there to be no odour.

The odour is objectionable it is agreed.

Josh spoke about a fully enclosed facility where there is confidence that the odour at the boundary would not be detectable and not in the Bromley area. It was discussed that the only source of discharge in that solution is a biofilter where you can measure the rate of discharge. Modelling can be done and there is confidence that this is a controlled contained discharge into the air and it would be managed with no impact to the environment.

Q) **Community Question:** It was said in June that you had an indication that this would not be within the \$21m. In the initial expression of interest that you put out in September, was there any indication that it was not going to meet the budget?-

A) **CCC:** NO

Q) **Community Question:** Aside from adjusting the requirements for that specific upgrade, what other changes are there going to be from the December paper to the one you are presenting in September?

A) **CCC:** The only changes are the options being produced by the top ranked tenderer and i) the different ways we can refine and ii) To look at a new facility.

All options were put forward and with the information gained from the market so far, whether we can refine these options to make them more viable as a solution to the problem and within the time frames that we need, as obviously we are working to a tight time frame.

Q) **Community Question:** The only odour coming out will be via the bio-filter? Now there are people in the room that went to the open day last year and one of them was virtually sick on the spot from the fumes coming from the biofilter. In the upgrade you are going to increase the size of the biofilter and increase the airflow through the biofilter, then if it's totally useless now, how are you going to be any better when you are increasing the airflow by over twice the flow even if you are increasing the size because it's not going to work if it's not working now and when we can get print outs of the sources of the odour. The biofilter always comes up as one of the major sources of odour, you couldn't always smell the biofilter when you were standing on top of it because the airflow was so far past you but you can smell it at my property and ECANS projections showed it at the meeting at the end of last year.

A) **CCC:** With all the analysis the conclusion was that the biofilter was not the source of odour and the odour that ECAN assessed to be offensive and objectionable beyond the boundary has come from the windrows onsite and not from the biofilter.

The biofilter can be assessed and there is a rate of discharge and you can do assessments on the odour units at the point of discharge which is very difficult to do with windrows because there are so many of them and essentially it's not a controlled discharge. We can and we have a performance requirement on the contractor for the discharge of the biofilter to a point where there is a confidence with international experience at the distance we are from the boundary it will not be detectable and will not be offensive at that point. There is confidence that the biofilter will not be an issue and hasn't been historically.

Community Group member referred to a plume model showing that this will not work, however it was pointed out that when you have a plume model the science is of odour strength and odour intensity **not** just colour, having blue and a lot of blue just means that is a lot of low level odour.

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It was suggested by the Community Group that it was the worst idea to put a composting plant so close to a town.

- Q) **Community Question:** The odour goes up, what happens to it then, does it stay there?
- A) Living Earth: No it disperses but the strength of the odour will decrease as it disperses. It was confirmed that Josh is correct in that what is going to be the only emission source is an upgraded biofilter, and yes there will be a higher airflow but the bio filter will be much larger than what is there at the moment. Standing on top of a biofilter is not going to be a problem at what is proposed by the City Council.

It was brought up that one of last odour meter filter reports where the brighter areas shown are the areas of the odour reducing. It shows the windrow areas and one of which is above the biofilter. It was then clarified that if the emissions were turned off from the windrows and only have the biofilter showing on the map it would show that it is not causing a problem in the community.

- Q) **Community Question:** ECAN presentation showed it comes right over the Bayswater reserve, all reports are different so which one is correct?
- A) **ECan:** Ruth answered that the background information came from Smelt It and each time you were entering an odour report, information from a nearby wind station was used to work out what the weather was doing for an hour beforehand, it was pure modelling there was no hard data, it was purely used as a model to get an idea of what the wind direction was at the time you reported your smelt it.
- Q) **Community Question:** New report coming to the Council and we need to be really clear on how the community can see that report and if they can make submissions or deputations and what the process is for a community engagement given what the circumstances that have changed. It would be good to give a bit of an overview of that if possible.

It was noted that complaints had been received by ECan and notices of non-compliance issued in June and July 2021, meaning the site is still in breach of its resource consent. It was asked how this compares to previous winter periods.

- A) **ECan:** Some work has been done on this and it has been noticed there is a massive drop in odour in the winter months and this has been noted over the last three months also. It can't really be compared to last year, as this time last year it was still in the middle of the Bromley pilot and more people were engaged and more reports would have been coming in. However when looking back at previous years there have been roughly about the same number of reports of odour as this year.
- Q) **Community Question:** If the plan that was put forward to the Council to look at the \$21.7m, how was this amount so far away.
- A) **CCC:** Figures were taken from two different reports, one was taken from BECA and one was from CEA Limited. It was found that the cost of the new enclosure had the largest amount of error in it and there are some clear changes that have happened.

One is that the enclosure that we anticipated was smaller than the shed that the contractor has proposed and they have added some more efficiency gaining equipment which helps increase your retention time in the way of hours and reduces the amount of time spent outside.

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There are some additional elements added that was not accounted for and there is also an ongoing issue with the significant impact that COVID has had on freight and raw material costs. Possibly some residual issue with what was put forward was lower than should have been.

The facilitator then went back to the question of a Process for keeping the community involved.

This question was answered by Josh who had taken advice regarding this subject.

A decision was made by council in December last year and this decision is regarding the budget first and foremost and whether that should be increased or not. The report is going to be considered in private by the councillors due to the information that is included in the tenders with regard to commercial information. This information is not allowed to be shared publicly as it would be breaching the agreement with the tenderers.

The residents are unhappy about this and feel that they should have a say in what is being put on the table and what the alternatives are. They feel that they should be part of the meeting.

It was advised that at this meeting the councillors will be able to decide whether to progress with the current project, which can't be disclosed at this time.

OR

It will be to investigate relocating the facility or other options. That will need to go back to Council with further recommendations for them to approve a budget for a new facility if that is what they choose to do, and in that process there will be consultation undertaken but at this stage consultation is not possible due to the commercial nature.

It was proposed to have another meeting at a later date and even though there is commercial sensitivity every effort will be made to release as much information as possible.

It was brought up about dead animals and the odour caused by going into the green bin.

It was confirmed that dead animals are not accepted in green bin and all pre consumer commercial food waste has not be taken to the organics plant since 23/12/2020 and will continue while progressing with the upgrades and when completed or new facility goes ahead then Council is confident that there will be no risk of odour.

Q) **Community Question:** When are things going to begin as the weather is going to get warmer and were doing it all over again? We need to know when things will change.

A) **CCC:** It was advised that the meeting in September should shed some light on this.

If proceeding with upgrades there is a contract as good as in place that can be signed with the contractor if the budget is approved. If this is the case then progression and construction can start within the next few months.

If, however it is moved, then another site would need to be found and consent approved.

There is a collaboration with ECAN at the moment and a transitional plan, by reducing the amount of compost on site and in what ways we can enhance that to reduce odour further. This will form a big part of how meet abatement notice conditions whilst we progress in looking for another location if this is the decision by council.

Q) **Community Question:** Do ratepayers have to pay for this to be complied with and who pays for the abatement notice?

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Why do the ratepayers have to pay for a private business?

- A) **CCC:** Council owns the organics pressing plant and is contracted to Living Earth to operate. Different things fall on different parties within the contract and any upgrade would be the responsibility of the owner (Council). It would depend on action for non-compliance with the abatement notice. We don't expect to be in a position where ECAN will be looking to take further action following the abatement notice.

At the December meeting one Community Group Member pointed out that it was very disappointing to see that as the meeting progressed, that other agenda items came up that had less budget but had much more community engagement, and she would hope with this project moving forward this would be rectified and there would be more focus on community engagement and consultation in forming recommendations that are presented to council.

**Point of Clarification** was made, that the community does not pay for the enforcement. The monitoring of a Resource Consent, the time spent monitoring of consents and formulating an abatement notice and issuing it is charged to the consent holder.

It was brought up by the Community Group that, that in 2009 when ECAN signed off on the plant it did not comply to the original plans that stated that anything producing odour should be covered and filtered correctly. Community Groups feeling are ECAN should have enforced the consent conditions that they put down in the plans in the beginning.

In a proposed Question to community from City Councillors (Cr Johanson and Cr Cotter) - Would you be prepared to tolerate the kind of ongoing transitional plan a bit longer if there was as an option/commitment made to have it moved?

It was said that it is a challenge and it needs to be fronted head on and make sure the local community has input in to the options being put forward so that Council can hear the views of the local community when decisions are made.

Q) **Community Question:** Geoffrey asked why vote on \$27mil when all options weren't available?

A) **Cr Cotter** answered that it was responding to the request of the community to stop the odour, it was the best and fastest option. Because of budget blow out we are looking at other sites and options. If a new site were to emerge, how long would you wait?

- A) **Community:** Before making any decisions on that the Community would want mitigation in place if this were to go ahead due to all the variables.

**ACTION – Jane** from **CCC** to arrange for the Council to supply additional information to Community Group before the meeting of the elected Council to consider the upcoming report. Noting that sections of this report are commercially sensitive and cannot be shared at this stage.