

# **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 16<sup>th</sup> 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 out 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 makes 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.