

APPENDIX 3

Before the Selwyn District Council

under: the Resource Management Act 1991

in the matter of: Proposed Private Plan Change 73 to the Operative
District Plan: Dunns Crossing Road, Rolleston

and: **Rolleston West Residential Limited**
Applicant

Evidence in reply of Cathy Nieuwenhuijsen (Odour)

Dated: 1 November 2021

Reference: JM Appleyard (jo.appleyard@chapmantripp.com)
LMN Forrester (lucy.forrester@chapmantripp.com)

chapmantripp.com
T +64 4 499 5999
F +64 4 472 7111

PO Box 993
Wellington 6140
New Zealand

Auckland
Wellington
Christchurch



EVIDENCE IN REPLY OF CATHY NIEUWENHUIJSSEN

INTRODUCTION

- 1 My name is Cathy Nieuwenhuijsen and I presented evidence on Tuesday 28 September 2021 at the hearing for Plan Change 73 (PC73).
- 2 My expertise and other relevant information are set out in my brief of evidence dated 13 September 2021. This brief of evidence provides comments in reply to matters which arose since my appearance at PC73, having now heard the evidence of others (and in particular Mr Bender, Mr Boyd, and Mr Murray for the Council.)

REPLY ON 600M BUFFER

- 3 I am aware that during the evidence of Mr Bender there was discussion between Mr Bender and, the Commissioner where the comment was made that I seemed unsure about the appropriate buffer distance required to appropriately mitigate effects from the Pines Resource Recovery Park (PRRP).
- 4 I would like to reconfirm that as per my evidence, I consider that a buffer distance of 600 metres from the active composting area is an appropriate setback, bearing in mind the volume of materials authorised to be processed at the PRRP under its most recent resource consent and the existing receiving environment.
- 5 I note that during my evidence the Commissioner did ask me a question about what I considered the change in the sensitivity of the environment would be if there were no houses in proximity to the PRRP (i.e. ignoring the underlying zoning), and in a subsequent question, whether the 600m would be appropriate in this situation. I had not considered the second question previously as I had understood the existing environment against which I had to assess change in effects to include the houses allowed by the existing zoning and therefore I took some time in responding.
- 6 In the event the underlying zoning was not already in place (i.e the Holmes Block was not currently able to have any houses build on it), the sensitivity of the receiving environment would obviously increase as a result of the PC73 proposal. However, I understand from Mr Phillips that the underlying zoning is considered part of the receiving environment, prior to the question by the Commissioner I had not considered this as part of my assessment. My assessment is based on the current zoning (including the permitted number of houses) being part of the receiving environment.
- 7 I further note that Mr Van Kekem is more familiar with the operations and odour management at the PRRP. Based on his evidence, which is based on his analysis and site experience over several months, I understand he supports a 600 m setback to avoid offsite effects. As I stated above, my review was desktop based,

and this reduced level of assessment is a contributing factor to my lower confidence in the 600m being appropriate to avoid offsite effects.

- 8 However, I am confident that the 600m buffer for this proposal is appropriate to avoid reverse sensitivity effects given the current zoning being part of the receiving environment.

COMMENT ON EVIDENCE OF MR MURRAY

- 9 I understand from the evidence of Mr Murray that there have been a number of recent odour complaints that could not be attributed to sources other than the Pines WWTP. I understand from his responses to Commissioner questions that these have been from up to 1,500m away from the Pines WWTP. Based on these previous complaints, I understand Mr Murray to consider that additional dwellings on the Holmes block within that distance are expected to increase the number of complaints and therefore result in a reverse sensitivity effect.
- 10 I do not have access to any Pines WWTP investigations into the complaints. Based on my previous discussions with Mr Murray¹, I understand that it is considered that a number of complaints were associated with the drying hall operation, and it being operated beyond design capacity.
- 11 Complaints can occur for a number of reasons and independent investigation into odour is required prior to determining the level of offsite effects. However, if the Pines WWTP operation is resulting in frequent odour effects at distances up to 1,500 m away, this could be indicative of current mitigation being insufficient to avoid offsite effects, irrespective of PC73.
- 12 The setback distances that I have recommended from the various components of the Pines WWTP operation were based on the plant design and with a capacity of 120,000 Population Equivalent (PE) throughput and I note Mr Bender and Mr van Kekem also agreed these distances were appropriate
- 13 As set out in Vic EPA (2013)² the separation distances take into account the upset conditions expected as part of good practice operation. It is also noted that the separation distances are not an alternative to mitigating source emissions. Therefore if there are odour effects beyond these distances, further mitigation may need to be considered by Pines WWTP.

¹ Golder Letter (ref 20438027_7403-003-L-Rev0). Dated 1 February 2021, Responding to further information request

² Vic EPA (2013) "Recommended separation Guideline distances for industrial residual air emissions" (see section 6) Available at: <https://www.epa.vic.gov.au/about-epa/publications/1518>

Dated: 1 November 2021

Cathy Nieuwenhuijsen