

UNDER the Resource Mangement Act 1991 ("RMA")
IN THE MATTER of Proposed Waikato District Plan (Stage 1) Hearing 25 –
Zone Extents

**SUMMARY STATEMENT OF EVIDENCE OF ANDREW FERGUSON CURTIS
ON BEHALF OF KIRRIEMUIR TRUSTEE LTD**

[Submission 182]

AIR QUALITY

1. INTRODUCTION

1.1 My full name is Andrew Ferguson Curtis. I am a Technical Director at Pattle Delamore Partners specialising in Air Quality. I am providing evidence on behalf of Kirriemuir Trustee Ltd ("**KTL**") in relation to its submission on the Proposed Waikato District Plan (Stage 1) ("**PWDP**"). My qualifications and experience are set out in paragraphs 1.2 and 1.3 of my Evidence in Chief dated 15 February 2021 ("**EIC**"). The purpose of this statement is to summarise my EIC and provide general commentary in respect of matters arising in the section 42A reports prepared by Council.

2. EXECUTIVE SUMMARY

2.1 One of the primary issues with respect to the relief sought by the Submitters is reverse sensitivity, which is not defined in the PDP. There are definitions in the Franklin section of the Operative Plan and Waikato Regional Plan ("**WRP**").

2.2 In general, these definitions are acceptable, but it is important to note that where a discharge that gives rise to some form of effect is not lawfully established, or is greater than that consented, then any effects associated with it cannot be considered reverse sensitivity effects.

2.3 In addition, any complaints that might occur in relation to discharges where activities are lawfully established and operating within their

consents, while they may be annoying do not of themselves constitute a reverse sensitivity effect.

- 2.4 KTL is proposing that additional land to that proposed in the PWDP is zoned as Residential, for the reasons set out in the Submission. This would result in Residential land at its closest, approximately 380 metres from Envirofert which is located in land zoned Rural and more than 500 metres from the active composting areas on that site.
- 2.5 Chapter 22 in the PWDP sets out the rules for the Rural zone, and while it contains no specific setback requirements for industrial activities, as they are not permitted, does include in Section 22.3.7.2 set back requirements for sensitive land use from a range of sources, including:
- (vii) 300 metres from the boundary of another site containing an intensive farming activity; and*
 - (viii) 300 metres from oxidation ponds that are part of a municipal wastewater treatment facility on another site.*
- 2.6 As distance proposed by KTL is greater than that proposed by the WDC I consider that it is sufficient to deal with any residual odours that might occur from Envirofert, if it is operating in accordance with its resource consent and the general permitted standards in Chapter 6 of the Waikato Regional Council's **(WRC)** Waikato Regional Plan **(WRP)**.
- 2.7 Tuakau Protein is located approximately 1,000m from the Properties and made a submission (1353) opposing the Rezoning Request because it would encroach on the 1,000 metre separation distance it is seeking.
- 2.8 Based on measurements that I have taken the distance between Tuakau Proteins site boundary and the closest residence is approximately 950 metres and the difference between 950 metres and 1,000 meters is immaterial from an odour perspective, and therefore the small encroachment will make no difference to the potential for reverse sensitivity effects.
- 2.9 In any event if Tuakau Protein is meeting the requirements of its resource consent and not resulting in offensive or objectionable odours, there is no potential for reverse sensitivity effects to occur.

- 2.10 In my opinion the only air quality related effects that might occur from the proposed rezoning of rural land to residential are reverse sensitivity effects from odour or dust.
- 2.11 I do not consider that the potential for reverse sensitivity effects from dust will be any different to that which might occur as a result of the far more extensive rezoning proposed by WDC in the PWDP in the area around Buckland Road.
- 2.12 With respect to the potential for reverse sensitivity effects from odour, the rezoning proposed by WDC in the PWDP in the area southwest of Buckland Road will potentially result in residences being built just over 300 metres from the ponds associated with the Pukekohe wastewater treatment plant (PWWTP).
- 2.13 While I am not aware of any specific odour issues with the PWWTP, WWTP's in general do have potential to generate a very characteristic odour off-site even when they are well run, and therefore a separation distance around the PWWTP is considered appropriate, and I consider 300 metres is reasonable based on my experience. I note that in the event of a process upset on the PWWTP, it is likely that odours could be experienced beyond this separation distance.
- 2.14 Consequently, if WDC is comfortable that moving the residential areas significantly closer to the PWWTP will not give rise to the potential for reverse sensitivity effects then there is no reason to believe that the rezoning proposed by KTL will give rise to reverse sensitivity effects, when it is located further from the only potential source of odour (Envirofert).

Andrew Ferguson Curtis

10 June 2021