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21 August 2023

Waipa District Council

Attn: Quentin Budd

Via Email: quentin.budd@waipadc.govt.nz

Waikato Regional Council

Attn: Rachael O'Donnell

Via Email: rachael.o'donnell@waikatoregion.govt.nz

Dear Quentin and Rachael,

RE: APPLICATION FOR RESOURCE CONSENT FOR A WASTE-TO-ENERGY FACILITY AT 401 RACECOURSE ROAD, TE AWAMUTU - WAIPA DISTRICT COUNCIL REF – LU/0323/21; WAIKATO REGIONAL COUNCIL REF – APP143988 – PROVISION OF SUPPLEMENTARY INFORMATION

Further to our recent meetings and subsequent discussions, you have been advised that the applicant has been making their final preparations in anticipation of full notification of the resource consent applications to both the Waikato Regional Council (“WRC”) and Waipa District Council (“WDC”). This has included the applicant undertaking the preparation of further supplementary information in support of the two resource consent applications. Simply, the additional information is intended to further reinforce the application in several key areas prior to its impending public notification.

The scope of the additional information has been guided by the s95 assessments prepared by each respective Council. In these assessments, there was a suggestion that the Councils did not have sufficient confidence to make definitive conclusions as to the degree of adverse effects in some key areas, based on the information submitted.

The following is the list of the further information that the applicant has determined appropriate to provide to Council to be included in the notification package:

1) Air quality

The Waikato Regional Council (“WRC”) notification report included a brief evaluation of the Air Quality Assessment, prepared by Dr Terry Brady, with reference to some additional information needed by the author to provide a more rounded opinion on the potential adverse effects. This information included a comparison of the proposal to an existing operational facility, a specific assessment of the likely discharge temperatures from the stacks, consideration of potential air quality changes using alternative stack heights and more consideration of mitigations for other than normal operating conditions (“OTNOC”), among other matters.

The applicant engaged Dr Brady to undertake further assessment and prepare a directed response to these comments within the WRC s95 report. During the preparation of this additional information, Dr Brady also had some direct engagement with WRC’s own air quality expert, Tracy Freeman.

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Dr Brady's further response to these matters is enclosed as Appendix A to this letter. Note that the numbered headings within Dr Brady's response correspond to the bullet points at the bottom of Page 13 of the WRC notification report.

The applicant has also provided a response to the concerns regarding the pre-sorting and exclusion of putrescible materials from the feedstock and how odours are managed outside normal operating conditions, set out within the seventh bullet point of the aforementioned WRC report. This response is included as Appendix B.

2) Groundwater

WRC, through its consultant hydrogeologist Greg Sheppard, was concerned about the potential for the proposed flood mitigation basins to be below the water table. Under these circumstances, the flood basins would fill with ground water, reducing their effectiveness for offsetting any displacement associated with filling partly within the flood plain.

In response to this concern, the applicant has obtained a detailed groundwater assessment, prepared by WGA. The groundwater assessment confirms that there will be little interaction between the monitored water table and proposed building platform and flood mitigation basins, with the only recommendation to ensure the ponds have an outlet to ensure any groundwater seepage is not held within the ponds. Further to this, WGA does not consider the proposal triggers WRC consent for GW diversion/take.

A copy of the WGA report is included as Appendix C.

3) Flooding

WRC's flooding expert, Kristin Stokes, had raised a concern around the presentation of the flood level information within the Flood Assessment report prepared by Golovin. Golovin has subsequently provided some more intuitive and user-friendly presentation images within a revision to this report.

The revised images are enclosed as Appendix D.

4) Visual effects

The Waipa District Council ("WDC") notification report included an assessment of the potential landscape and visual effects of the proposal. This assessment of effects prepared by Council's consultant planner, Todd Whitaker, which was, admittedly, prepared in the absence of a detailed landscape and visual assessment ("LVA"), concluded a level of landscape and visual effects that would be more than minor. In the circumstances, the applicant has since engaged Mansergh Graham to complete a detailed LVA for the proposal. After weighing up all relevant matters, Mansergh Graham has concluded, overall, that the potential visual effects of the proposal will be less than minor.

A copy of the LVA is enclosed as Appendix E.

5) Hazardous facilities

WDC had raised a query relating to the hazardous substances assessment, submitted during the processing of the application. Specifically, there was a concern raised in terms of whether the 'fly ash' bi-product of combustion might comprise a hazardous substance.

Upon receipt of this query, the applicant engaged HDGeo to prepare an addendum to their original hazardous substances assessment, with a specific assessment in relation to fly ash. HDGeo maintains that fly ash is not a regulated hazardous substance requiring assessment against the Hazardous Facilities chapter of the Waipa District Plan. However, if it was a regulated hazardous substance HDGeo considers the permitted activity thresholds could still be readily met by the proposal.

A copy of this hazardous facilities addendum prepared by HDGeo is included as Appendix F.

General

It is accepted that the further information enclosed will not be of equal interest to each Council. We will leave it to your discretion to make this determination.

For the avoidance of doubt, we do not seek any detailed peer review by Council, or its experts, of this further information prior to notification. We simply ask that the information be included in the notification documents that will be made publicly available.

Post-notification, and into the s42 report preparation, we appreciate you may require peer review of this additional information, which may require some clarification, and we are happy to work through this with you at this time.

At this point, on behalf of the applicant, I wish to formally request that the application be publicly notified by both Councils. I appreciate that this will first require payment of deposits, so I request that these be confirmed at your earliest convenience, so that I can arrange payment of these.

I will look forward to your confirmation of receipt of this further information and for your commencement of the notification process without delay.

Yours sincerely,



Richard Falconer
Director
Terra Consultants

APPENDIX A

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