

**AFFCO New Zealand - Pre-Hearing Meeting held at The Orchard Church,
20 MacLoughlin Drive, Te Puke on Tuesday, 22 February at 1:15 pm**

Present:

Bay of Plenty Regional Council: Marlene Bosch (Chair) and Mel Jones/
Rachael Musgrave (Note takers)

Processing Planner for BOPRC Todd Whittaker, Planning Works

Applicant: AFFCO NZ

Submitters:

1. Welcome and introductions

Opening Karakia – Dean Flavell.

Introduction and welcome from Marlene Bosch, Marlene advised Bay of Plenty Regional Council (BOPRC) was in attendance to facilitate the pre-hearing meeting, and that BOPRC would be taking notes from the discussion to summarise in a report for the Hearing Commissioners.

Marlene introduced Todd Whittaker, Consent Processing Consultant for BOPRC.

2. Todd Whittaker

Todd introduced himself, explained his role in the Hearing process advising he will be providing a report to the Hearing Commissioners on behalf of BOPRC and that AFFCO have a presentation to deliver to address Submitters' issues.

Todd outlined the consent application process and where in that process the applications are at to date.

Todd stated no Hearing date has been set as yet and this would depend on the outcome of today's pre-hearing meeting. Scheduling a Hearing would be revisited after the pre-hearing meeting and Todd gave an outline of what the process would be in terms of documentation circulation.

Todd advised Submitters he is available to discuss process matters only with the Applicant and Submitters, however, is unable to give any advice on AFFCO's proposal or submission points at this time.

3. AFFCO – Presentation

Garry, AFFCO, introduced himself, the AFFCO team and AFFCO's Legal Counsel.

AFFCO gave an outline of what will be covered in the presentation and advised they are keen to hear from the Submitters on what their issues are. It is important to AFFCO to hear the points Submitters would like AFFCO to answer with the hope of covering off technical issues raised with the experts in the room today. Talking today about all the river related consents.

Hardcopies of the presentation were circulated among pre-hearing participants.

An explanation of the site layout and where the wastes are generated from and what the wastes generated are made up of. The key function of the plant is to pre-treat the waste before it enters the ponds prior to discharge to the Kaituna River. Solids left over are stabilised and composted and taken off site. Ponds are anaerobic, natural bacteria breaks down the waste. Over 90% of solids are removed before it goes through this process. Prior to discharging to the river, wastewater flows through two wetlands, the plants in the wetlands act like a filter. Iwi encouraged the use of wetlands, a trial was successful, AFFCO implemented the use of wetlands in their operation.

Questions and answers raised during the AFFCO presentation:

S: How big are the wetlands?

A: ~1 hectare in size per wetland. AFFCO have four wetlands, ~four hectares of wetlands. This is the largest wetland area at any meat processing company in New Zealand, that AFFCO are aware of.

S: Is there any reason why you don't clear the ponds and let more grass grow?

A: Having plant cover is beneficial as it blocks the light and helps stop algae growth. AFFCO want to avoid algae growing as they don't want to release algae to the Kaituna River. It is hard to maintain total cover as ducks eat the plants, etc. This is why the system has partial and fully covered areas, it doesn't have to be 100% covered.

S: Question about intake and discharge (in audible)?

A: The amount of water taken is a lot more than what is discharged. The water take is potentially 5% more. Water taken is used for cooling in the refrigeration plant with only a small proportion of this water going through the wastewater system.

S: Is there a flow meter?

A: Yes, the total volume of water discharged is measured with this data sent automatically to BOPRC daily. Luke will talk to the quality of the water.

S: Is the grass Glyceria?

A: It is Sweetgrass, it produces a good cover in wastewater.

S: Are you aware of its (in audible)?

A: We are aware and don't have a significant amount.

S: Are you aware of what you are potentially introducing, it is causing problems with the development of Glyceria in the Kaituna River and is a fairly serious issue?

A: The wetlands have been in place since the 80's. To get rid of the plant from the catchment it would take a lot of work.

S: Normally you would use a native species/locally sourced plants, are curious why AFFCO have chosen to use an introduced exotic species.

A: You would use native species at the end of a process.

S: AFFCO employs a lot of people, what is AFFCO doing to convince us that their operation is not detrimental to our Awa? What are AFFCO doing to make the plant (operation) better (scientifically and technically) to make sure everything is being protected properly?

A: The system is monitored very closely, with samples taken each week at the intake and downstream, so know how it performs. Operation complies with all resource consent conditions. This is using natural resources to treat the wastewater. A whole range of technology options out there to use to monitor wastewater – using best practicable option, there are opportunities for improvement, we will talk about the effects and the science later on and give a better in-depth look at the science behind it.

It is important for AFFCO to understand the quality of the water before they take it. AFFCO know what the water quality is upstream and downstream of the site. Results show Ammonia, e-coli and enterococcal.

S: Do you have a test for the smell from AFFCO's discharge into the river? It is a different smell to Ammonia and is stronger in summer.

A: The affects you are noting are worse when the river is at low flow/low tide and there is not the volume of water to dilute the discharge. The volume taken from the river all goes back into the river.

S: The solid pits, are they to create fertiliser? What is the quality of the fertiliser? Secondly, the taking of water from the river, has AFFCO got a plan for secondary use of water if the solids are that good? AFFCO could use the water again. AFFCO could be collecting water from the roof, it's a huge building. It's about capitalising on secondary use water.

A: Is unaware of any plan to use roof water, however, the volume of water from the roof would not be enough for the operation.

S: You need to be using secondary water to minimise your take. Use secondary water to avoid using water from the river.

A: The water needed for the plant needs to be of a high quality. It is a very costly process to convert wastewater into safe water to use in meat processing.

S: Exactly the point, if you can't use the secondary water, why are you discharging it into the river? If it's that clean and you're not afraid of your science then it should be easy? Would have thought with all the science and technology the water quality in the river would have improved. In 35 years what is the quality of our river going to be like?

A: Continuous improvements are being made all the time to help improve the quality of the discharge water and it has improved significantly over the past 30 years have been involved in the project/site.

S: Degradation of health of locals. What am hearing is that AFFCO are putting cost before human health.

A: Health is an important issue. What have seen, graphs showing improvement of discharge to the river over the last 30 years. All that the technical expert could bring to this discussion.

S: The treatment system was upgraded in 2005-2006, 17 years ago. Want to know if the operation complies with current freshwater management regulations. This will give some reassurance around taking fresh water and discharging wastewater to the river.

A: In terms of the quality of the discharge, AFFCO confirm the water quality complies with the current health guidelines and other human health policy guidelines. There are issues around total nitrogen, the river has an issue with nitrogen. AFFCO can look at options to improve the quality of their discharge to the river but are currently complying.

S: Every summer we have children come into our health practice with scabies after swimming in the river. That's the evidence we've got. How can you reassure us that the science you are using is credible and there isn't risk to public health?

A: AFFCO's Consultant, Argo, have done significant investigations into pathogens and bacteria present in the discharge water. AFFCO have collected data over 3-4 years, a specialist looks at the data and assesses the risk to downstream river users – swimming, food gathering, etc. Results from this data shows there is low risk to human health. AFFCO are interested in what the operations discharge is and its impact on human health.

S: Have any surveys been undertaken on any of the locals and their health? I.e. contraction of scabies, particularly in summer. This has been our experience over the last 5 years.

Would you be prepared to drink the water?

A: No.

S: Here for a Hui and people are being disrespectful, interrupting.

S: The Chairman of the Kaituna Freshwaters Group and the Wastewater Advisory Group stated they have a mandate to improve the discharge to the river. AFFCO is one of the contributors, everyone has to step forward to improve their discharges.

Have a plan, science has moved on a long way, looking to the future and improving the quality of the discharges year by year. Want to see a plan of how AFFCO are going to do that. This will help people to see that AFFCO are actively making changes and improvements.

The wetland and ponds are very close to the river, is there any monitoring of seepage and the structural integrity of the ponds etc.?

A: AFFCO monitor the groundwater quality, 2-3 metres below the ground surface. Test 4 times per year. The ponds are relatively well sealed, what is not evaporated goes through the pond. Small amount of seepage, and is not going to affect anyone's groundwater anywhere else. It's quite clear groundwater outside the plant area will not be contaminated.

S: Invitation to AFFCO staff to bring their children to swim in the river with the locals since you are really happy with your technologies and science. Request for AFFCO to extend access to the locals to come to the plant to see the whole process and potentially undertake some independent testing (our own testing)?

A: Yes, AFFCO is more than happy for this to happen and welcome everyone to the site visit following this meeting; there are procedures to follow (i.e. H&S, COVID-19). If you can't make it today, you can contact AFFCO (Paul Rolleston) at any time to make arrangements for visiting the site.

S: I think that we should have an ongoing site visit to AFCO going forward.

A: This is something that came through in the submissions, AFFCO will address later.

S: You have an excuse of not using alternatives because you don't have enough land? It has been shared that there is a Wastewater group, have you had any korero with WBOPDC? There is action there that could help AFFCO with a solution. In your fourth point, there is no change in the nature of the consent being applied for. This is what we are talking about, you need to convince people who live there that there is change. We want you to go beyond the proposed limits, we want better practice. Think there is a lot more thinking to do around this. Using the native species etc. What we are suggesting is that AFFCO is giving a good display of what they do, but aren't hitting the mark of what the people want you to do. If we are going to find mitigation, then it is this space we need to have the korero to come to common thinking. The times we live in now, we need to use the technology we have, be caring for our environment. Would like to attend the site visit to see the process.

A: AFFCO have been undertaking water quality, treated effluent mixing and dispersion studies. AFFCO have done a number of studies both upstream and downstream of the discharge on freshwater ecology (macroinvertebrates and fish).

Decision made by AFFCO to quickly go through the next couple of slides then proceed to last slides.

Main issue with wastewater consent to put it in context, hear concerns, important for Submitters to get an understanding of the technical aspects.

AFFCO have gone beyond conditions as they want to understand the wider effect. They have been able to demonstrate with statistical data upstream and downstream of the discharge, looking at nutrients and bacteria. There has been an increase in Ammonia, e-coli and enterococcal. Levels below the discharge to the river comply with current guidelines around water quality guidance. The other point would like to make is that nitrogen is organic, it cannot manifest itself. A dispersion study to understand the discharge to the Kaituna River receiving water undertaken in 2019 to understand the dilution of the discharge with the river water. Undertaken in the worst scenario (very low flow, low tide), the study showed that within 100m the discharge is completely/fully mixed.

To understand the ecology, AFFCO have done a number of studies between 2005-2019, didn't find a difference between upstream and downstream of the animals that habitat the river.

In 2018 a study on fish showed a wide range of fish species common in the catchment. Didn't show any difference between upstream and downstream of the discharge to the river.

4. Main issues of the wastewater consents and environmental effects Q & As:

S: AFFCO says there is no difference in the number or type of species, have there been any checks on the quality of those fish like eels and watercress? We haven't been able to take Tuna (Eel) from the river for the last 10 years, it's no good if they are of poor quality. Are they healthy enough to eat?

Goes back to the earlier comment about people being unwell. Would you eat an Eel from the river?

A: Not sure that would. AFFCO undertook a study around pathogens that can affect human health (i.e. swimming, eating and gathering from the river). The results show they are so low that there is no risk. We can only be confident in tests done in relation to AFFCO's discharge.

S: What about the discharge over time – have you looked at the effects over many years? How long does it take for the discharge to go through treatment and reach the river? Maybe a contaminant was overlooked?

A: The wastewater when it leaves the plant and goes into the system, is treated for 30-60 days (depending on rainfall and other conditions) before being discharged to the river. Pathogens at the start of the process and at the discharge point – little to no risk.

S: Are copies of the reports available? Fish Survey.

A: Yes, can be provided upon request. QMR specifically?

The fish survey and microbiological form part of the application, appendices to AEE. This was confirmed by Todd, Planner processing the applications.

Question raised earlier about the quality of groundwater, monitoring has been done on what is in the seepage water – quarterly testing is conducted at three bores. The monitoring we do captures the discharge from the seepage and discharge from the ponds. Groundwater is in the direction of the river, other groundwater are not affected by pond seepage. Treatment, as mentioned, groundwater passes through the soil. Overall that seepage counts for a small percentage of contaminant discharged to the river.

S: Would AFFCO consider installing a UV plant?

A: There are merits of a UV treatment, however, studies show this is not warranted or necessary in this case.

S: Whanau have been on the river for 700-800 years. We are not happy with the consent process. It has been well over a year (15-18 months) before we got what was like a cold call to advise us this event (pre-hearing) was happening.

You should treat our Awa like you treat your staff.

February last year read an article on industry who pollute. We are sick of the excuses why it can't be cleaned up. You can't test things that aren't living in there anymore. What concerns us is the Whanau can't go down there and use the river like our ancestors used to. BOPRC and your industry have stripped us of this and allowed it to happen. All industries need to clean up their act, we are worried about our future and the future for our people. Remembers in youth the river turning red on an occasion, when thinks back to that, realises in adulthood how disgusting that was. What other things have AFFCO done that we don't know about? The smell from AFFCO. Grew up with the smell so just accept it, shouldn't have to. Want AFFCO to clean up the Awa, are worried about the future and future for Mokopona.

Talley's Group revenue of 968 million per annum, 23 million on wages, have the revenue to invest in the environment.

At a Hui for the Te Puke Wastewater Treatment Plant (WWTP) a comment was made about how AFFCO's wastewater is not accepted at the WWTP because the discharge is not meeting the WWTP standard for acceptance through their system. What makes AFFCO think it is acceptable to go into our Awa? We won't accept AFFCO's wastewater going into the Awa.

Mokopona swim directly where AFFCO discharges. You haven't convinced us! We blame BOPRC and industry for polluting the Awa and environment.

Water recycling, we are an island with resources, we can't abuse these resources. There is something happening with our water, climate change?

A report came out of Denmark last year, a study on nitrates, anything over 1.2 showing a link between that and colon cancer, you are poisoning our people. The number of people who have suffered from cancer, makes me wonder if it was the river water.

Report commissioned for Te Maru o Kaituna, interesting comment from Terry Long that he wouldn't let his moko swim there.

S: AFFCO are referencing old reports (2017), this is 2022.

The presentation looks like a marketing report. Came here today to find some common ground and work to identify the issues with the focus on the most pressing issues. The process isn't working. If we want to avoid going to a full Hearing, need to finish here and discuss points that we can agree on and find some workable solutions.

Like the idea of AFFCO working with the Wastewater group. Would be good to finish the presentation and discuss points that we can agree on.

A: Albert responded about the UV treatment: it looks that there is an opportunity to treat effluent via UV, the technology is difficult. There are recent developments to possibly use this method for this type of site, it is still in trial and costs a lot of money.

S: It's not a lot of money if you look it long term. It's approximately the cost of 1.5 houses in today's market. If you want real investment, spend the money once, spend it well.

A: That's not quite the case, it's about looking at what is affordable, and the ball park figure would be ~ 30M.

S: Economic development has to take in to account social capital, this will add value to your capital value.

A: Very true statement.

5. Technical issues raised by submitters:

Wastewater discharge:

[See list on last slide of AFFCO's presentation]

Last slide, key issues identified from Submitters, AFFCO made it clear this was their interpretation of the issues and were not speaking on behalf of the Submitters.

Increased aeration capacity (currently have one aerator) - if AFFCO were to increase the aeration in the system there is potential to reduce the Ammonia and Nitrogen levels which would be a significant improvement. Something worth considering, something additional AFFCO are looking at.

S: No changes seen today from what was applied for 18 months ago. No progress. AFFCO need to put these ideas in a plan, don't come back with the same package. If further aeration is going to help, then do it. Thought 18 months was for AFFCO to come back to the table with improvements.

Since AFFCO were first granted consents, the water that has gone into the Maketu Harbour has increased, polluting the Maketu Harbour – would like to discuss the bacteria issues with AFFCO.

If you want to please this community we need to see action and change from AFFCO.

A: Ponds are quite deep, need to consider that land treatment still has some discharges that eventually go back in to the river. Recommendation to AFFCO would be to invest, improve the quality of the water going in to the Kaituna River. Recommendation to do sludge surveys of the ponds. Sludge is of benefit to the treatment process. Will take on board, every 5 years, check the levels.

All monitoring data is public information and is sent to BOPRC.

S: Who sets up the monitors that collect the data?

A: Samples are collected by AFFCO staff in compliance with conditions of consent and additional data not required by the consent. There is over 20 years of data on file.

S: What laboratory does AFFCO use?

A: Eurofins in Wellington.

S: Why did AFFCO not put these responses into the updated application? Can see that AFFCO are listening and are picking up on the key issues. It isn't just about the technical aspect, but the health and wellbeing of the river. Are AFFCO being genuine? Can we explore further? Or is it about ticking a box?

A: Tried to identify the technical issues as we understood them and were hoping to get from input from the floor today other issues. AFFCO's presentation was trying to give a brief summary. Have received frank feedback, which is useful.

AFFCO intend to come back with a response and perhaps come back to Submitters with some resolutions to the issues and an action plan.

S: AFFCO make millions, what are the offsets as a Koha to the Awa?

A: Good question, something AFFCO need to think about.

S: You need to bring the water quality in the river up to a drinkable standard – that's it, if you wouldn't drink it, it isn't good enough for the Awa.

Think AFFCO can achieve this, believe the science is there. If AFFCO want to be leaders in the world and fix the Awa at the same time.

Iwi need to be around the table on the inside, appoint someone who can trust and is an expert. Give some consideration to – AFFCO would need to pick up the tab for this with a Koha.

AFFCO thanked everyone for their attendance and input at the pre-hearing meeting.

It was raised that during the notification process some relevant Iwi had been left out (Ngati Whakaue). Would like to be included, tautoko Tapuika.

Marlene thanked everyone for attending and confirmed there are no set timeframes. BOPRC will await AFFCO's direction on how much time they require to respond to the issues raised today. BOPRC will communicate this with Submitters. BOPRC will not be rushing AFFCO into going to a Hearing to allow for them to properly consider all issues raised and potential solutions. BOPRC encouraged all in attendance to attend the site visit to better understand the operation.

A: Will consider how to respond to comments from today. There is the potential for another meeting, won't rush to a Hearing.

S: Explained to AFFCO representatives that culturally Maunga, Awa and Waka come before selves. Advised they do wish to come to a conclusion and asked AFFCO to take their time to get to a point where both parties respect each other again.

Closing Karakia.

Meeting closed: 3:10pm

A site visit took place after the pre-hearing meeting. Those who wished to attend met Paul Rolleston, AFFCO to undertake a site induction prior to the visit.