
Wednesday, 28 October 2020

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Administered by Hastings District Council

HDC : Tangata Whenua Wastewater Joint Committee Meeting

Kaupapataka

Open Agenda

Te Rā Hui:
Meeting date: **Wednesday, 28 October 2020**

Te Wā:
Time: **10.00am**

Te Wāhi:
Venue: **Council Chamber
Ground Floor
Civic Administration Building
Lyndon Road East
Hastings**

Te Hoapā:
Contact: **Democracy and Governance Services
P: 06 871 5000 | E: democracy@hdc.govt.nz**

Te Āpiha Matua:
Responsible
Officer: **3 Waters Manager - Brett Chapman**

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Hastings District Council : Tangata Whenua Wastewater Joint Committee - Terms of Reference

This Joint Committee is established between Hastings District Council and representation of Tangata Whenua.

Fields of Activity

To be actively involved in developing and monitoring Council's;

- Wastewater treatment and disposal system policies.
- Receiving, reviewing and recommending action on reports concerning the operation and performance of the Council's wastewater disposal system.
- Ocean discharge including alternative treatment and disposal options.
- Provision of advice in regard to the Trends, Technology, Discharge, Environmental and Monitoring Nine Yearly Review, in accordance with the Resource Management Act 1991 and Policies and Plans under the Act.
- To recognise and respect the role of Tangata Whenua as Kaitiaki, and, to satisfy their cultural concerns.

To receive, review and recommend action on wastewater reports.

To recommend the commissioning of reports and future Council actions on wastewater issues including;

- Options for further treatments.
- Options for methods of disposal.
- Monitoring effects on the environment.

To co-ordinate and oversee education of the community on wastewater issues.

Membership

- Chair appointed annually by the Joint Committee from its members. The Chair position is to alternate annually between the Council and Tangata Whenua representatives.
- 5 Councillors.
- 5 Tangata Whenua representatives, appointed by Council.

Quorum – 6 members including not less than 3 Councillor Representatives.

DELEGATED POWERS

Recommendation to Operations & Monitoring Committee on matters within the Fields of Activity.

The Chair shall not have a casting vote.

Wednesday, 28 October 2020

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council

HDC : Tangata Whenua Wastewater Joint Committee Meeting

Kaupapataka

Open Agenda

Heamana

To be appointed (Chair)

To be appointed (Deputy Chair)

Ngā mema o te Komiti

Committee

Members:

Ngā KaiKaunihera

Councillors: Councillors Simon Nixon, Henare O’Keefe, Peleti Oli, Sophie Siers and Kevin Watkins

Evelyn Ratima, Tania Huata-Kupa, Marei Apatu and Beverley Te Huia

1 Vacancy

Tokamatuā:

6 - not less than 3 Councillors

Quorum:

Apiha Matua

Officer Responsible:

3 Waters Manager - Brett Chapman

Te Rōpū Manapori me te

Kāwanatanga

Democracy &

Governance Services:

Lynne Cox (Ext 5632)

Te Rārangi Take

Order of Business

Apologies & Leave of Absence – Ngā Whakapāhatanga me te Wehenga ā-Hui

1.0 At the close of the agenda no apologies had been received.

At the close of the agenda no requests for leave of absence had been received.

2.0 Conflict of Interest – He Ngākau Kōnatunatu

Members need to be vigilant to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to scan the agenda and assess their own private interests and identify where they may have a pecuniary or other conflict of interest, or where there may be perceptions of conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the relevant item of business and withdraw from participating in the meeting. If a Member thinks they may have a conflict of interest, they can seek advice from the General Counsel or the Manager: Democracy and Governance (preferably before the meeting).

It is noted that while Members can seek advice and discuss these matters, the final decision as to whether a conflict exists rests with the member.

Confirmation of Minutes – Te Whakamana i Ngā Minitī

3.0 Minutes of the HDC : Tangata Whenua Wastewater Joint Committee Meeting held Friday 2 August 2019.

(Previously circulated)

4.0 Election of Chair to HDC : Tangata Whenua Wastewater Joint Committee 7

5.0 Annual Report 2020 9

6.0 Minor Items – Ngā Take Iti

7.0 Urgent Items – Ngā Take Whakahihir

Wednesday, 28 October 2020

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council: HDC : Tangata Whenua
Wastewater Joint Committee Meeting

Item 4

Te Rārangi Take

Report to HDC : Tangata Whenua Wastewater Joint Committee

Nā:
From: **Lynne Cox, Democracy and Governance Advisor**

Te Take:
Subject: **Election of Chair to HDC : Tangata Whenua Wastewater Joint
Committee**

1.0 PURPOSE AND SUMMARY - TE KAUPAPA ME TE WHAKARĀPOPOTOTANGA

- 1.1 The purpose of this report is for the HDC : Tangata Whenua Wastewater Joint Committee (Joint Committee) to elect an appointed Joint Committee member as Chair of the Joint Committee in accordance with the Joint Committee's Terms of Reference from the four appointed Tangata Whenua members of the Committee.
- 1.2 This issue arises from the Joint Committee's Terms of Reference requiring that the Chair position be appointed annually by the Joint Committee to alternate between the Council and Tangata Whenua representatives.

2.0 BACKGROUND – Te Horopaki

- 2.1 The Joint Committee was established as a result of a judicial direction by the Environment Court, further to proceedings by the New Zealand Māori Council: Heretaunga Māori Executive and Ahuriri Māori Executive.
- 2.2 The Terms of Reference for the HDC: Tangata Whenua Wastewater Joint Committee provide that the Chair shall be elected annually and alternate between the Hastings District Council and Tangata Whenua members.

2.3 The last election for a Chair was in December 2018 at which time Councillor Rod Heaps was elected to the position. It is therefore appropriate that an appointed representative now be elected to the position.

2.4 The appointed Deputy chair will be elected from the Councillors of the Joint Committee.

OPTIONS IN THE CASE OF AN ELECTION

2.5 The Local Government Act 2002 provides that where an election is necessary in respect of the election of the Chair of a Committee one of two systems may be used, either system A or system B. If only one person is nominated of course no election will be necessary, and this section can be ignored.

2.6 System A provides that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority present and voting where:

- (i) there is a first round of voting for all candidates; and
- (ii) if no candidate is successful in getting a majority in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
- (iii) if no candidate is successful in the second round there is a third, and if necessary subsequent round of voting in the previous round is excluded; and
- (iv) in any round of voting if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

2.7 System B provides that a person is elected or appointed if he or she receives more votes than any other candidate where:

- 2.8 (i) there is only 1 round of voting; and
- (ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.

System A provides greater scope for members to express their preferences and is the one preferred by the Council.

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3.0 RECOMMENDATIONS - NGĀ TŪTOHUNGA

- A) That the Committee receives the report titled Election of Chair to HDC : Tangata Whenua Wastewater Joint Committee.
- B) That Tangata Whenua member be appointed as Chair of the HDC : Tangata Whenua Wastewater Joint Committee, effective from the 28 October 2020 meeting.
- C) That Councillor be appointed as Deputy Chair of the HDC : Tangata Whenua Wastewater Joint Committee, effective from the 28 October 2020 meeting.
- D) That the Chair role be reviewed annually in accordance with the HDC : Tangata Whenua Wastewater Joint Committee’s terms of Reference.

Attachments:
There are no attachments for this report.

Wednesday, 28 October 2020

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council: HDC : Tangata Whenua
Wastewater Joint Committee Meeting

Item 5

Te Rārangi Take

Report to HDC : Tangata Whenua Wastewater Joint Committee

Nā:
From: **David Mackenzie, Wastewater Manager**

Te Take:
Subject: **Annual Report 2020**

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to present the 2019-2020 Annual Wastewater Compliance Report required by the wastewater discharge consent (CD130214W) to the Committee and to update the Committee on key wastewater activities.
- 1.2 This report has been prepared as a result of the ongoing operation of Council's East Clive Wastewater Treatment Plant and the need to comply with consent requirements of the wastewater discharge consent CD130214W under the Resource Management Act 1991.
- 1.3 This report concludes by recommending that the Committee receive the report.

2.0 Recommendations – *Ngā Tūtohunga*

- A) That the report of the Wastewater Manager titled Annual Report 2020 dated 28 October 2020 be received.

3.0 Background – *Te Horopaki*

- 3.1 In June 2014 Hastings District Council (HDC) was granted a new 35 year long-term consent for the discharge of treated Domestic and Non-Separable Industry (DNSI) wastewater and treated Separated Industrial wastewater from the East Clive Wastewater Treatment Plant, through the long ocean outfall into Hawke Bay (discharge consent CD130214W). The consent expires on 31 May 2049.
- 3.2 A requirement of the wastewater discharge consent (Condition 29) is that HDC to establishes, and retains the Tangata Whenua Wastewater Joint Committee, as a committee of the Hastings District Council under Clause 31, Schedule 7, Local Government Act 2002, a Council Committee, half of the members of which shall be Tangata Whenua representatives, whose functions include but are not limited to the receiving, reviewing and recommending action on reports such as the Annual Wastewater Compliance Report, involvement in the Nine Yearly Consent Review and more.
- 3.3 HDC's wastewater system has been operating under the wastewater discharge consent (CD130214W) for six years. In accordance with the consent conditions the Annual Wastewater Compliance Report was completed, peer reviewed and submitted to the Hawkes Bay Regional Council.

4.0 Discussion – *Te Matapakitanga*

ANNUAL COMPLIANCE REPORT

- 4.1 A requirement of the wastewater discharge consent is the preparation of the Annual Wastewater Compliance Report (Condition 24). The purpose of the Annual Wastewater Compliance Report is to assess compliance with the conditions of the wastewater discharge consent (CD130214W).
- 4.2 The wastewater discharge consent conditions cover a range of performance and quality parameters that need to be adhered to.

Consent Performance Overview

- 4.3 The Domestic and Non-Separable Industry (DNSI) treatment system's Biological Trickling Filter (BTF) continues to operate well and meet treatment expectations.
- 4.4 The Final Combined Wastewater (FCW) that is being discharged complies with the consent and the ANZECC 2000 & ANZG 2018 guidelines for fresh and marine quality water. The Final Combined Wastewater is of low toxicological risk when discharged into the marine environment of Hawke Bay.
- 4.5 The receiving water within the mixing zone shows some effects from the outfall discharge, the effects are only minor. Outside of the mixing zone the receiving waters characteristics are very similar to those of the surrounding marine waters.
- 4.6 The sediments show minor effects in the vicinity of the outfall which is reflected in higher concentrations close to the outfall diffuser. All sediment results were below the ANZECC 2000 ISQG-Low trigger levels. There is no indications of accumulation of metals around the outfall.
- 4.7 The Annual Wastewater Compliance Report concludes that the current treatment and discharge through the long ocean outfall is compliant with the wastewater discharge consent conditions and provides a culturally and environmentally acceptable solution for wastewater treatment for the Hastings District.
- 4.8 The 2019-2020 Annual Wastewater Compliance Report has been submitted to Hawkes Bay Regional Council (HBRC) and we are awaiting HBRC's consent compliance assessment report.
- 4.9 A powerpoint presentation will cover aspects of the Annual Compliance Report and the ongoing performance of the treatment systems and the outfall discharge.

CONSENT CONDITIONS REVIEW

- 4.10 HDC has the opportunity under section 127 of the Resource Management Act (RMA) to instigate revisions of the wastewater discharge consent documentation.
- 4.11 There are a number of minor consent conditions revisions that HDC is working through with HBRC. The revisions focus on improvements to the conditions based on the past six year's operation under the wastewater discharge consent.
- 4.12 The consent revisions under consideration are:
- Condition 6: Amendment to wording – “Ammonia” to “Total Ammoniacal” nitrogen
 - Condition 13: Removal of condition – This condition was used to ascertain the composition of the biomass flushing cycles as well as normal operation during the first 12 months of operation from the start of this consent.
 - Condition 15: Amendment to toxicity testing frequency from quarterly to annually
 - Condition 24 (d): Requests the footnote is written in full
 - Condition 25: Amendment of wording to better reflect the availability of the Annual Wastewater Compliance Report in a timely manner to the wider public
 - Condition 26: Amendment of wording to better reflect the choice of a Regional Council Compliance Officer to attend, or not, the open day at the East Clive Wastewater Treatment Plant

NINE YEARLY CONSENT REVIEW

- 4.13 A requirement of the wastewater discharge consent is the Trends, Technology, Discharge, Environmental and Monitoring Nine Yearly Review (Condition 27). We are currently in the sixth year of the consent and will start the review next financial year (2021/22) with the completion of the report by June 2023.

The review will consider the following;

- Population and industry trends assessment
- Wastewater flows and loads trends assessment
- Trade waste profile assessment
- Assessment of environmental guidelines and standards for the discharge of treated wastewater
- Assessment of operational aspects and changes in wastewater treatment technology and potential opportunities for beneficial reuse
- Undertake benthic review, hydrodynamic study and public health impacts assessments
- Consultation with Tangata Whenua and the community

TREATMENT PLANT OPERATIONS UPDATE

- 4.14 The East Clive Wastewater Treatment Plant continues to operate effectively with no major issues being experience. Routine maintenance and renewals planning continues to be a big part of the ongoing operation of the wastewater treatment plant. Routine monitoring and sampling is being undertaken on a quarterly basis.
- 4.15 The following projects have been completed recently or are currently underway at the wastewater treatment;

- Replacement of the 3 domestic screens that remove gross solids prior to the BTF's – 2nd screen replacement is underway
- Replacement of key components of the domestic and industrial screening equipment – solids removal processes
- Replacement of the Programmable Logic Controller (PLC) system that controls many key plant processes
- Emergency Beach Outfall Gate installation to ensure the operability of the emergency beach outfall
- Outfall pump station steel manifold renewal planning is underway with construction planned for 2021/2022
- Replenishment of groyne rock structure (revetment) that protects the outfall structures – construction planned for 2021

TRADE WASTE UPDATE

- 4.16 The trade waste management processes under the Council Consolidated Bylaw is running well. HDC's Trade Waste Officer and the trade waste industries continue to work together to ensure Trade Waste Approval compliance is maintained at high levels. Industries continue to adhere to the conditions for discharges to the separate trade waste network and for those industries that discharge to the domestic system.

Attachments:

There are no attachments for this report.

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-Rohe*

The Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.

Link to the Council's Community Outcomes – *Ngā Hononga ki Ngā Putanga ā-Hapori*

The purpose of this report is relevant to the provision of good quality wastewater infrastructure that is efficient, effective and appropriate which relates to the ongoing consideration of the environmental, cultural, and economic wellbeing of communities in the present and future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

A requirement of the wastewater discharge consent (Condition 29) is that HDC to establishes, and retains the Tangata Whenua Wastewater Joint Committee, as a committee of the Hastings District Council under Clause 31, Schedule 7, Local Government Act 2002, a Council Committee,

half of the members of which shall be Tangata Whenua representatives, whose functions include but are not limited to the receiving, reviewing and recommending action on reports such as the Annual Wastewater Compliance Report, involvement in the Nine Yearly Consent Review and more.

Sustainability - Te Toitūtanga

N/A:

Financial considerations - Ngā Whakaarohanga Ahumoni

N/A:

Significance and Engagement - Te Hiranga me te Tūhonotanga

This decision/report has been assessed under the Council's Significance and Engagement Policy as being of low significance.

Consultation – internal and/or external - Whakawhiti Whakaaro-ā-roto / ā-waho

The Annual Report presentation to the TWWJC is a requirement of the conditions and the recommendations of this Committee are reported to the Council.

Risks

Opportunity:

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
Tangata Whenua relationships are maintained through their involvement and direction in regard to wastewater treatment and disposal initiatives that deliver improved health, environmental and cultural outcomes.	The Committee is not updated on key aspects of the treatment plant and its performance and are unable to influence and direct Maori aspirations in respect of the treatment and disposal of the District’s wastewater.

Rural Community Board – Te Poari Tuawhenua-ā-Hapori

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