

Monday, 5 December 2022

He hui e whakahaeretia nei e Te Kaunihera ā-Rohe o Heretaunga

Administered by HDC - I whakahaeretia e te Kaunihera ā-Rohe o Heretaunga

HDC : Tangata Whenua Wastewater Joint Committee Meeting

Kaupapataka

Agenda

Te Rā Hui:
Meeting date: **Monday, 5 December 2022**

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
207 Lyndon Road East, Hastings 4122 | Private Bag 9002, Hastings 4156
Phone 06 871 5000 | www.hastingsdc.govt.nz
TE KAUNIHERA Ā-ROHE O HERETAUNGA

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.

Monday, 5 December 2022

Te Hui o Te Kaunihara ā-Rohe o Heretaunga

Hastings District Council

HDC : Tangata Whenua Wastewater Joint Committee Meeting

Kaupapataka

Agenda

Heamana

Marei Apatu (Chair)

Councillor Simon Nixon (Deputy Chair)

Ngā Mema o te Komiti

Committee

Members:

Ngā KaiKaunihara

Councillors: Ana Apatu, Alwyn Corban, Michael Fowler and Kevin Watkins

Evelyn Ratima and Beverley Te Huia

Tokamatua:

Quorum:

6 - not less than 3 Councillors

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 – Ngā Whakapāhatanga

- 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 Miniti

- 3.0** There are no minutes to confirm.
-

- 4.0** **Annual Monitoring Report 2021/2022** **7**
-

- 5.0** **Scope of the Nine Year Review Report** **13**
-

- 6.0** *Minor Items – Ngā Take Iti*
-

- 7.0** *Urgent Items – Ngā Take Whakahihiri*
-

Monday, 5 December 2022

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: David Mackenzie, Wastewater Manager

Te Take:
Subject: Annual Monitoring Report 2021/2022

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to present the 2021-2022 Annual Monitoring 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*

That the HDC : Tangata Whenua Wastewater Joint Committee receives the report titled Annual Monitoring Report 2021/2022 dated 5 December 2022.

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 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 eight years. In accordance with the consent conditions the Annual Wastewater Compliance Report was completed, peer reviewed and submitted to the Hawke's 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 adverse effects from the outfall discharge. However, these 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. There is no indication of significant accumulation of metals around the outfall.
- 4.7 The current treatment and discharge through the long ocean outfall are compliant with the Consent Conditions and provides a culturally and environmentally acceptable solution for Hastings District's East Clive Wastewater Treatment Plant and Offshore Ocean Outfall Scheme.
- 4.8 There was a non-compliance with Condition 5b on 23 June 2022. While resolving a wastewater overflow on SH51 near Whakatū, approximately 140m³ of domestic wastewater passed through the industrial wastewater treatment process bypassing the domestic treatment process at the WWTP. HBRC are yet to issue any infringement/abatement notice in relation to this overflow and non-compliance.
- 4.9 The 2021-2022 Annual Report has been submitted to Hawkes Bay Regional Council (HBRC) and we are awaiting HBRC's consent compliance assessment report.

- 4.10 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

- 4.11 HDC has the opportunity under section 127 of the Resource Management Act (RMA) to instigate revisions of the wastewater discharge consent documentation.
- 4.12 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 years' operation under the wastewater discharge consent.
- 4.13 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

- 4.14 A requirement of the wastewater discharge consent is the Trends, Technology, Discharge, Environmental and Monitoring Nine Yearly Review (Condition 27).
- A number of workshops have been undertaken with the committee to determine the scope of the Review Report.
 - The committee will have the opportunity to review the Report prior to it being submitted to the Hawkes Bay Regional Council in June 2023.

TREATMENT PLANT OPERATIONS UPDATE

- 4.15 The East Clive Wastewater Treatment Plant continues to operate effectively.
- 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.
- 4.16 The following projects have been completed recently or are currently underway at the wastewater treatment;
- Replacement of the Programmable Logic Controller (PLC) system that controls many key plant processes – underway
 - Replacement and upgrade of key components of the domestic and industrial screening equipment – underway

- Replacement of key components of the Biological Trickling Filters (BTFs) is due to start early 2023 – underway
- Replacement of the Outfall Pumps to be completed in 2023 – underway
- Outfall pump station steel manifold renewal planning is underway with construction planned to start in 2023/2024

TRADE WASTE UPDATE

- 4.17 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 establishes and retains the HDC : 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 HDC : Tangata Whenua Wastewater Joint Committee 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 Māori aspirations in respect of the treatment and disposal of the District’s wastewater.

Rural Community Board – Te Poari Tuawhenua-ā-Hapori

N/A

Monday, 5 December 2022

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: David Mackenzie, Wastewater Manager
From:

Te Take: Scope of the Nine Year Review Report
Subject:

1.0 Executive Summary – Te Kaupapa Me Te Whakarāpopototanga

- 1.1 The purpose of this report is to present the draft scope of the *Trends, Technology, Discharge, Environmental and Monitoring Review Report* (Nine Year Review Report) required by condition 27 of the wastewater discharge consent (CD130214W) to the committee.
- 1.2 The draft scope of the Nine Year Review Report has been prepared as a result of ongoing workshops with this Committee and the need to comply with the consent requirements of the wastewater discharge consent (CD130214W) under the Resource Management Act 1991.
 - Condition 27 requires a *Trends, Technology, Discharge, Environmental and Monitoring Review Report* (Nine Year Review Report) on the 9th, 18th and 27th year anniversaries. Conditions 27a-j states what is required to be included in the report as a minimum.
 - Condition 29e states that a function of the Tangata Whenua Wastewater Joint Committee be that they provide any further suggested input in respect to the scope of the review.
 - Condition 29f states that a function of the Tangata Whenua Wastewater Joint Committee be that they advise on the Nine Year Review Report before it is finalised and submitted.

2.0 Recommendations - Ngā Tūtohunga

- A) That the HDC : Tangata Whenua Wastewater Joint Committee receives the report titled Nine Year Review Report dated 5 December 2022.
- B) That the Committee approve the scope of the Nine Year Review Report.

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 (WWTP), 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 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.

Condition 29 – In accordance with the principles of the Treaty of Waitangi (especially those of partnership and consultation) and recognising the role of Tangata Whenua as kaitiaki, the Consent Holder shall establish, and retain, 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 the functions of which shall include:

- a) Developing the Hastings District Council's wastewater treatment and disposal system policies;*
- b) Receiving, reviewing and recommending action on reports concerning the operation and performance of the Council's wastewater disposal system, treatment plant and ocean discharge;*
- c) Receiving, reviewing and recommending from time to time the commissioning of reports and future Hastings District Council actions on wastewater issues including:

 - i) Options for further or other treatments;*
 - ii) Options for alternative methods of disposal; and*
 - iii) Monitoring effects on the environment;**
- d) Co-ordinating and overseeing education of the community including tangata whenua and trade waste dischargers on wastewater issues;*
- e) Not less than three months before each of the Trends, Technology, Discharge, Environmental and Monitoring Nine Yearly Review as required in accordance with Condition 27 is commenced by the Consent Holder, providing to the Consent Holder any further suggested input in respect to the scope of the review;*
- f) Advising the Consent Holder on the Condition 27 Trends, Technology, Discharge, Environmental and Monitoring Nine Yearly Review before it is finalised and submitted to the Regional Council (Manager Resource Use) (See Advice Note 6); and*
- g) Recognising the role of tangata whenua as kaitiaki and the need to recognise and seek to satisfy the cultural concerns of tangata whenua.*

- 3.3 Condition 27 which requires the consent holder to undertake a thorough review every nine years was one of the reasons on which a 35 year consent duration could be justified. It is important that at this interval the consent holder reviews the performance of the WWTP, and also engages with the community, and the Tangata Whenua Wastewater Joint Committee to ensure that they are

comfortable with the continuation of the current level of treatment, or whether there is a desire to increase the level of treatment the plant provides. Condition 27 requires a Trends, Technology, Discharge, Environmental and Monitoring Review Report (Nine Year Review Report) on the 9th, 18th and 27th year anniversaries. Conditions 27a-j states what is required to be included in the report as a minimum.

Condition 27 – The Consent Holder shall submit to the Regional Council (Manager Resource Use) a Trends, Technology, Discharge, Environmental and Monitoring Review Report not later than the 9th, 18th and 27th year anniversaries of the issue of this discharge permit. Each Review Report shall be made publicly available on the Consent Holder’s website within one month of being lodged with the Regional Council. Notification of the availability of this Report shall be included in the Consent Holder’s next public newspaper general ratepayers’ notice and also the next ratepayer newsletter.

The Review Report shall address as a minimum, but not be limited to, the following matters for the nine year period since the last review:

- a) Comparisons of population and industrial changes and possible trends as compared to the Heretaunga Plains Urban Development Strategy (2010) (HPUDS), and then latest reports on the Hastings Urban Development Strategy and the Hastings Industrial Strategy;*
- b) Volumes, flows and loads profile and changes assessed against future projections and wastewater projections as set out in section 4.3 of the Hastings Wastewater Resource Consents Project: Assessment of Effects on the Environment and Resource Consent Applications copy dated June 2013;*
- c) Trade waste profiles, trends and any significant changes in the Consent Holder’s trade waste management practices and the trade waste contaminant profile;*
- d) Any new changes to environmental guidelines and / or standards applicable to the discharge of treated wastewater into Hawke Bay;*
- e) Changes in asset management and operational matters that may have relevance to the on-going operation and development of the Consent Holder’s Wastewater Scheme from the perspective of the treated wastewater discharge, water conservation and efficient energy management;*
- f) Changes in wastewater treatment technologies that may be relevant to the Hastings Wastewater Scheme for either the domestic and non-separable waste stream and /or the industrial waste stream;*
- g) The results of a recreational usage survey undertaken during the nine year period, which is comparable to the survey undertaken between the summers of 2011 and 2013 (See Advice Note 4), and comparison of those results with previous surveys;*
- h) Options for treated wastewater disposal / discharge and beneficial reuses that may be appropriate to the Wastewater Scheme;*
- i) Effects of the treated wastewater discharge into Hawke Bay as evident from the resource consent monitoring; and*
- j) Details of consultation undertaken with the community to ascertain their views of the effects of the current wastewater discharge (see Advice Note 5).*

Consideration of this existing Resource Consents Project objectives, opportunities for improvement and Best Practicable Option (BPO) in terms of the interpretation of this term in the Resource Management Act 1991.

4.0 Next steps – Te Anga Whakamua

4.1 Progress with the Nine Year Review Report:

- Keep the Committee updated along the way
- Present the final Report to the Committee May 2023, prior to submitting to HBRC

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 the Nine Year Review 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 establishes, and retains the HDC : 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*

Budget was allocated in the LTP for this project.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

This decision/report has been assessed under the Council's Significance and Engagement Policy as being not of significance.

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

N/A

Risks

Opportunity:

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
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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 provided the opportunity to have input into the scope of the Report and are unable to influence and direct Maori aspirations in respect of the treatment and disposal of the District's wastewater.
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Rural Community Board – Te Poari Tuawhenua-ā-Hapori

N/A:
