

Monday, 15 July 2024

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, 15 July 2024**

Te Wā:
Time: **1.00pm**

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 - Steve Cave**

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, Plans and Standards 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 (10 Members)

- 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 and one Councillor Member (Alternate).
- 5 Tangata Whenua representatives, appointed by Council.

Quorum – 6 members including not less than 3 Councillor representatives

DELEGATED POWERS

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

The Chair shall not have a casting vote.

Monday, 15 July 2024

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council

HDC : Tangata Whenua Wastewater Joint Committee Meeting

Kaupapataka

Agenda

Heamana

Chair: Councillor Ana Apatu

Deputy Chair: Marei Apatu

Ngā Mema o te Komiti

Committee

Members:

Ngā KaiKaunihera

Councillors: Henry Heke, Kellie Jessup, Simon Nixon and Kevin Watkins and Heather Te Au-Skipworth (Alternate)

Tangata Whenua members (up to 5 members - currently one vacancy)

Evelyn Ratima, Albie Baker, Beverly Te Huia, and Darlene Carroll

Tokamatua:

Quorum:

6 – including not less than 3 Councillors

Apiha Matua

Officer Responsible:

3 Waters Manager – Steve Cave

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.
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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** Minutes of the HDC : Tangata Whenua Wastewater Joint Committee Meeting held Monday 11 December 2023.
(Previously circulated)
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4.0 *Nine Year Review Report*

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5.0 *Minor Items – Ngā Take Iti*

6.0 *Urgent Items – Ngā Take Whakahihiri*

Monday, 15 July 2024

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council: HDC : Tangata Whenua Wastewater Joint Committee Meeting

Te Rārangi Take

Report to HDC : Tangata Whenua Wastewater Joint Committee

Nā: David Mackenzie, Wastewater Manager
From: Steve Cave, 3 Waters Manager

Te Take:
Subject: Nine Year Review Report

1.0 Executive Summary – Te Kaupapa Me Te Whakarāpopototanga

- 1.1 The purpose of this report is to present the ‘*Nine Year Review Report*’ (Report) (attached as Attachment 1) to the Hastings District Council, ‘Tangata Whenua Wastewater Joint Committee’ (Committee) for endorsement prior to submission to the Hawke’s Bay Regional Council. The Report is required by condition 27 of the Council Resource Consent (AUTH-120712-01) to discharge treated wastewater into Hawke Bay via an offshore outfall from the East Clive Wastewater Treatment Plant.
- 1.2 A peer review of the Report was undertaken by Good Earth Matters to provide an additional layer of transparency and to provide Council officers and the Committee confidence that the Report meets all the requirements of the Consent and the Report scope. The peer review of the Report confirms it meets the requirements of the consent and Report scope, including additional inputs from the Committee.
- 1.3 The Report identifies several recommendations which require further investigation and assessment. The results will inform the delivery of wastewater services for Council over the next nine years and beyond.

2.0 Recommendations - Ngā Tūtohunga

- A) That the Hastings District Council Tangata Whenua Wastewater Joint Committee receive the report titled Nine Year Review Report dated 15 July 2024.
- B) That the Committee endorse the draft 'Nine Year Review Report' to be finalised and submitted to the Hawke's Bay Regional Council. (The draft Nine Year Review Report is attached as Attachment 1).
- C) That the Committee notes that any editing of the 'Nine Year Review Report' will be non-material to the draft Report in Recommendation B).
- D) That the Committee notes the Cultural Review to understand the effects on cultural values of the treatment and discharge of treated wastewater to Hawke Bay, is to be completed and incorporated into the Report in Recommendation B).

3.0 Background – Te Horopaki

Wastewater Discharge Consent AUTH-120712-01

- 3.1 In June 2014 Council was granted a 35-year 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 (wastewater discharge consent AUTH-120712-01). The consent expires on 31 May 2049.
- 3.2 Consent Condition 27 requires a Trends, Technology, Discharge, Environmental and Monitoring Review Report (the *Nine-Year Review Report*) is completed every nine years for the duration of the Consent term. Consent Conditions 27a-j state what is required to be included in the Report.
- 3.3 Consent Condition 29 requires Council to appoint and retain the Committee as a committee of Council under Clause 31, Schedule 7, Local Government Act 2002. Half of the Committee members shall be Tangata Whenua representatives.

Independent Peer Review

- 3.4 Consent Condition 29f requires the Committee to review the draft Report prior to finalisation of the Report and submission to Hawke's Bay Regional Council.
- 3.5 Council officers have commissioned a peer review of the Report as an extra level of quality assurance. Good Earth Matters completed the peer review and confirmed the Report meets all the requirements of the Consent and the Report scope.

Input from the Committee

- 3.6 Consent Condition 29e requires the Committee be involved in development of the Report. The Committee has been engaged in development of the Report as detailed below.
 - 1st Workshop 11th July 2022
 - 2nd Workshop 17th August 2022
 - 3rd Workshop 12th September 2022
 - Committee meeting 6th June 2023
 - Committee meeting 15th September 2023

Cultural Review

- 3.7 The Committee confirmed the Report needed to incorporate a 'Cultural Review', to better understand the effects on cultural values of the treatment and discharge of treated wastewater to Hawke Bay via an offshore outfall over the past nine years.
- 3.8 Previously the cultural concerns of Tangata Whenua were a key driver of the significant upgrade to the East Clive WWTP which included the construction of the Biological Trickling Filters, separation of the DNSI wastewater treatment process, and treated Separated Industrial Wastewater Treatment process prior to discharge to Hawke Bay.
- 3.9 Due to the time constraints to complete the Report, the Committee resolved at its meeting on 6th June 2023 that the Cultural Review, would subsequently be incorporated into the Report when completed. The Cultural Review seeks to ensure there is synthesis and integration between the technical and cultural aspects of wastewater treatment and discharge of treated wastewater to Hawke Bay from the East Clive WWTP.
- 3.10 The Committee is providing input into the scope of the Cultural Review and advice on the Cultural Review Report before it is finalised and incorporated into the Report per Consent Conditions 29e and 29f.

4.0 Discussion – *Te Matapakitanga*

- 4.1 The Report concludes the East Clive WWTP continues to and is projected to operate within the design capacity and envelope of effects approved in the Resource Consent.
- 4.2 The current method for wastewater treatment and discharge of treated wastewater remains the Best Practicable Option.
- 4.3 The Report identified several recommendations that require further investigation and assessment. These recommendations have the potential to impact how wastewater services are delivered in the future.
- 4.4 The Cultural Review may also have an impact on how wastewater services are delivered to the community and the priority of the recommendations in the Report.

5.0 Next steps – *Te Anga Whakamua*

- 5.1 Finalise the Report and submit to Hawke's Bay Regional Council.
- 5.2 Complete the Cultural Review with oversight from the Committee.

Attachments:

1 	Nine Year Review Report	CG-17-18-00027	Under Separate Cover
2 	Executive summary	CG-17-18-00028	Under Separate Cover

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 Report contributes to ensuring the provision of good quality wastewater infrastructure that is efficient, effective, and appropriate to the environmental, cultural, social and economic wellbeing of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

A requirement of the Consent is Council appoints a Tangata Whenua Wastewater Joint Committee, as a committee of the Hastings District Council under Clause 31, Schedule 7, Local Government Act 2002. Half the Committee members shall be Tangata Whenua to represent Tangata Whenua interests.

Sustainability - *Te Toitūtanga*

The Report addresses sustainability and resilience issues and includes recommendations for further action.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

Report costs are included in operational budgets.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

This decision has been assessed under the Council's Significance and Engagement Policy as being of low significance. It relates to Council meeting the conditions of an existing Resource Consent.

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

Consultation and Engagement is undertaken as required to meet Consent Conditions and as advised by the Committee.

Risks

The Report identifies opportunities for improvement for Council delivery of wastewater services to the community that are culturally appropriate and environmentally effective.

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
Compliance with Resource Consent conditions and identification of opportunities for improvement in Council delivery of wastewater services.	No risks identified.

Rural Community Board – *Te Poari Tuawhenua-ā-Hapori*

N/A