



# **AGENDA**

## **Wastewater Management Review Committee Meeting Wednesday, 1 June 2022**

**I hereby give notice that a Wastewater Management Review Committee Meeting will be held on:**

**Date: Wednesday, 1 June 2022**

**Time: 1pm**

**Location: Ground Floor - Meeting Room 1  
306 Cameron Road  
Tauranga**

*Please note that this meeting will be livestreamed and the recording will be publicly available on Tauranga City Council's website: [www.tauranga.govt.nz](http://www.tauranga.govt.nz).*

**Marty Grenfell  
Chief Executive**

# Terms of reference – Wastewater Management Review Committee

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## Membership

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<b>Chairperson</b>	To be appointed
<b>Deputy chairperson</b>	To be appointed
<b>Members</b>	Commissioner Stephen Selwood – Tauranga City Council Commissioner Bill Wasley – Tauranga City Council Commissioner Shadrach Rolleston (alternate member – Tauranga City Council  Ms Lara Burkhardt – Ngā Pōtiki Ms Te Rangimārie Williams – Ngā Pōtiki Mr Whitiora McLeod - Ngāai Te Rangi Mr Des Heke - Ngāti Ranginui Ms Destiny Leaf (alternate member – Ngāti Ranginui)
<b>Quorum</b>	Four members with at least one member representing Tauranga City Council and one member representing Ngā Pōtiki
<b>Meeting frequency</b>	A minimum of twice yearly

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The Committee previously has a membership of eight, four elected members from TCC and four iwi. Currently the membership will be reduced to six, two Commissioners appointed to represent the TCC and four who are appointed as representatives of the Ngati Ranginui and Te Runanga o Ngai Te Rangi Iwi Trust and two members as representatives of the Nga Potiki Kaitiaki Resource Management Unit.

The quorum has been reduced from 5 to 4.

The Wastewater Management Review Committee is established as a committee of Council by the Mayor under section 41A of the Local Government Act 2002 and conditions imposed on Bay of Plenty Regional Council Coastal Permit # 62878.

## Role

- To ensure Wastewater operations are in accordance with the Wastewater Management Review Committee Management Plan.

## Scope

- (a) To receive reports on the operation of the Wastewater Scheme, including reports in relation to monitoring and permit compliance, and to make recommendations to the Permit Holder on the development of Tauranga City Council's policies in relation to wastewater management, treatment and disposal, particularly following the review of wastewater treatment in light of new technologies and standards addressed in the Monitoring, Upgrade and Technology Review Report required by Condition 20 of Coastal Permit N° 62878.
- (b) To make decisions about the application of the Environmental Mitigation and Enhancement Fund established in accordance with Condition 19 of Coastal Permit N° 62878.

- (c) To make recommendations to the Permit Holder as to physical measures and initiatives to address or compensate for actual or potential effects of the Tauranga City Wastewater Scheme (in the broadest environmental sense).
- (d) Without limiting the generality of function (c) above, to make recommendations to the Permit Holder as to the implementation of the works to be undertaken in accordance with Permit N° 62881, namely:
  - (i) Decommissioning of the Te Maunga Sludge Pond and the future use of the pond.
  - (ii) Conversion of the Te Maunga Oxidation Ponds to wetlands.
- (e) To make recommendations to the Permit Holder in relation to the independent consultant to be appointed to undertake the Monitoring, Upgrade and Technology Review Report required by Condition 20 of Coastal Permit N° 62878.
- (f) To make recommendations to the Permit Holder as to enhancing the involvement of tangata whenua in sampling, testing and monitoring.
- (g) Assessment of the scope and adequacy of sampling and monitoring.
- (h) Notification to appropriate parties of activities that may have adverse effects.
- (i) To receive, review and recommend action following receipt of wastewater reports.
- (j) To recommend the commissioning of reports and future Tauranga City Council actions on wastewater management, treatment and disposal issues and options, including:
  - (i) Development of alternatives to waterborne wastewater systems;
  - (ii) Options for further treatments;
  - (iii) Options for methods of disposal;
  - (iv) Monitoring effects on the environment.
- (k) To co-ordinate and oversee education of the community on wastewater management, treatment and disposal issues.
- (l) To identify and make recommendations to the Permit Holder as to sources of funding which may be available to supplement the Environmental Mitigation and Enhancement Fund established pursuant to Condition 19 of Coastal Permit N° 62878 hereof and to be applied for the purposes specified in that condition.
- (m) To make recommendations to the Permit Holder as to changes to conditions of these permits pursuant to section 127 of the Resource Management Act 1991, in light of the exercise of the Review Committee's functions, including reports received and information received as a result of monitoring, etc. or to avoid, remedy or mitigate actual or potential adverse effects associated with the operation of the Wastewater Scheme.
- (n) To foster robust relationships and dialogue between the Review Committee, the Permit Holder, the Western Bay of Plenty District Council and Bay of Plenty Regional Council in relation to wastewater management, treatment and disposal, particularly following the review of wastewater treatment in light of new technologies.
- (o) To make recommendations to Bay of Plenty Regional Council as to amendments to the conditions of these permits which could be implemented via a review under section 128 of the Act in accordance with Condition 22 of Coastal Permit N° 62878.
- (p) Prior to making any:
  - (i) Decisions as to the allocation of the Environmental Mitigation and Enhancement Fund in accordance with Condition 18.3(b) of Coastal Permit N° 62878 hereof or,
  - (ii) Recommendations to the Permit Holder in relation to physical environmental mitigation or enhancement or mitigation works in accordance with Condition 18.3(c) of Coastal Permit N° 62878 hereof; -

the Review Committee will exercise its best endeavours to ascertain the existence of any persons or bodies who may have a particular interest or stake in the ecological health of the Tauranga Harbour (particularly the Upper Harbour/Rangataua Bay area) and to consult with those bodies or persons as to appropriate initiatives and measures to be so recommended

(in accordance with Condition 18.3(b) of Coastal Permit N° 62878) or undertaken (in accordance with Condition 18.3(c) of Coastal Permit N° 62878). As a minimum, the Review Committee shall consult with

- Nga Potiki Kaitiaki Resource Management Unit hapu and iwi of Te Runanga o Ngaiterangi Iwi Trust, Ngati Ranginui and Ngati Pukenga and Te Arawa and their respective hapu which hold kaitiaki status over the wider Tauranga Moana district, including any Working Group established by those hapu or iwi;
  - Bay of Plenty Regional Council and the Western Bay of Plenty District Council in relation to issues which may affect those councils in accordance with their function under Condition 18.3(m) of Coastal Permit N° 62878 hereof.
- (q) Not later than one month following the first anniversary of the commencement of these permits and on each anniversary thereafter, the Wastewater Management Review Committee shall forward to the General Manager, Bay of Plenty Regional Council, a report on the exercise of its activities and functions, including where appropriate a report on the effectiveness of measures undertaken pursuant to the Environmental Mitigation and Enhancement Fund.
- (r) Not less than six months following the first anniversary of this permit and each fifth anniversary thereafter, the Wastewater Management Review Committee's annual report shall contain a review of its activities over the previous five-year period and recommendations for appropriate initiatives over the next five-year period, including any recommendations for changes to conditions of these permits which may be considered necessary or desirable. This report shall be available at least three months prior to the date on which Bay of Plenty Regional Council is entitled to review the conditions of these permits in accordance with Condition 22 of Coastal Permit N° 62878 hereof.
- (s) A copy of this report shall also be provided to the Chief Executive, Tauranga City Council.
- (t) As set out in Condition 18.1.3 of Coastal Permit N° 62878, the Wastewater Management Review Committee Management Plan may be amended with the written approval of the Chief Executive of Bay of Plenty Regional Council or delegate.
- (u) Confirmation of Committee minutes.

Reports to Council and the Chief Executive of the Bay of Plenty Regional Council.

## Order of Business

<b>1</b>	<b>Opening karakia</b>	<b>7</b>
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<b>3</b>	<b>Public forum</b>	<b>7</b>
<b>4</b>	<b>Acceptance of late items</b>	<b>7</b>
<b>5</b>	<b>Confidential business to be transferred into the open</b>	<b>7</b>
<b>6</b>	<b>Change to order of business</b>	<b>7</b>
<b>7</b>	<b>Confirmation of Minutes</b>	<b>8</b>
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<b>8</b>	<b>Declaration of conflicts of interest</b>	<b>17</b>
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9.3	Programme Business Case Tangata Whenua Engagement and Communications Plan	35
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9.5	Environmental Mitigation & Enhancement Fund	60
<b>10</b>	<b>Discussion of late items</b>	<b>85</b>
<b>11</b>	<b>Closing karakia</b>	<b>85</b>



- 1      OPENING KARAKIA**
- 2      APOLOGIES**
- 3      PUBLIC FORUM**
- 4      ACCEPTANCE OF LATE ITEMS**
- 5      CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN**
- 6      CHANGE TO ORDER OF BUSINESS**

## **7 CONFIRMATION OF MINUTES**

### **7.1 Minutes of the Wastewater Management Review Committee meeting held on 10 November 2021**

**File Number:** A13309937

**Author:** Anahera Dinsdale, Committee Advisor

**Authoriser:** Anahera Dinsdale, Committee Advisor

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## **RECOMMENDATIONS**

That the Minutes of the Wastewater Management Review Committee meeting held on 10 November 2021 be confirmed as a true and correct record.

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## **ATTACHMENTS**

- 1. Minutes of the Wastewater Management Review Committee meeting held on 10 November 2021**





# **MINUTES**

## **Wastewater Management Review Committee Meeting Wednesday, 10 November 2021**

**Order of Business**

<b>1</b>	<b>Opening karakia</b>	<b>3</b>
<b>2</b>	<b>Welcome to representatives</b>	<b>3</b>
<b>3</b>	<b>Appointment of acting chairperson</b>	<b>3</b>
3.1	Appointment of acting chairperson	3
<b>4</b>	<b>Apologies</b>	<b>4</b>
<b>5</b>	<b>Public forum</b>	<b>4</b>
<b>6</b>	<b>Acceptance of late items</b>	<b>4</b>
<b>7</b>	<b>Confidential business to be transferred into the open</b>	<b>4</b>
<b>8</b>	<b>Change to order of business</b>	<b>4</b>
<b>9</b>	<b>Confirmation of minutes</b>	<b>4</b>
9.1	Minutes of the Wastewater Management Review Committee meeting held on 4 November 2020	4
<b>10</b>	<b>Declaration of conflicts of interest</b>	<b>4</b>
<b>11</b>	<b>Business</b>	<b>4</b>
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11.2	Wastewater Activities Report	6
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<b>12</b>	<b>Discussion of late items</b>	<b>7</b>
<b>13</b>	<b>Closing karakia</b>	<b>8</b>

**MINUTES OF TAURANGA CITY COUNCIL****WASTEWATER MANAGEMENT REVIEW COMMITTEE MEETING  
HELD AT THE TAURANGA CITY COUNCIL, COUNCIL CHAMBERS, 91 WILLOW STREET,  
TAURANGA  
ON WEDNESDAY, 10 NOVEMBER 2021 AT 1PM**

**PRESENT:** Commissioner Bill Wasley (Acting Chairperson), Commissioner Stephen Selwood, Des Heke (Ngāti Ranginui), Whitiara McLeod (Ngāi Te Rangi), Lara Burkhardt and Te Rangimārie Williams (Ngā Pōtiki)

**IN ATTENDANCE:** Radleigh Cairns (Environmental Programme Leader), Wally Potts (Acting Director of City Waters), Jane Groves (Stormwater Programme Leader), Carlo Ellis (Manager: Strategic Māori Engagement), Keren Paekau (Team Leader: Takawaenga Māori), Coral Hair (Manager: Democracy Services) and Robyn Garrett (Team Leader: Committee Support)

**1 OPENING KARAKIA**

Mr Des Heke opened the meeting with a karakia and expressed the loss felt in the community by the passing of Huikakahu Kawe.

**2 WELCOME TO REPRESENTATIVES**

The Acting Chairperson welcomed the Ngā Pōtiki representatives, Lara Burkhardt and Te Rangimārie Williams, as observers at today's meeting before their formal appointment. Ngā Pōtiki Trust Board would be advising the Council of their formal appointments after their next meeting but the decision to resume the Ngā Pōtiki seats on the committee had been made. The representatives each provided a brief introduction of themselves and of their roles with Ngā Pōtiki.

The Acting Chairperson welcomed Des Heke to his first formal meeting as an official representative for Ngāi Te Rangi.

**3 APPOINTMENT OF ACTING CHAIRPERSON****3.1 Appointment of acting chairperson**

There were vacancies in both the Chairperson and Deputy Chairperson positions and a resolution was required to appoint an Acting Chairperson until those positions were filled.

**COMMITTEE RESOLUTION WW2/21/1**

Moved: Mr Whitiara McLeod (Ngāi Te Rangi)

Seconded: Commissioner Stephen Selwood

That Commissioner Bill Wasley be appointed as the Acting Chairperson for the Wastewater Management Review Committee until the vacancies for Chairperson and Acting Chairperson have been filled.

**CARRIED**

#### 4 APOLOGIES

Nil

#### 5 PUBLIC FORUM

Nil

#### 6 ACCEPTANCE OF LATE ITEMS

Nil

#### 7 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

Nil

#### 8 CHANGE TO ORDER OF BUSINESS

Nil

#### 9 CONFIRMATION OF MINUTES

##### 9.1 Minutes of the Wastewater Management Review Committee meeting held on 4 November 2020

##### COMMITTEE RESOLUTION WW2/21/2

Moved: Mr Whitiora McLeod (Ngāi Te Rangi)

Seconded: Commissioner Stephen Selwood

That the minutes of the Wastewater Management Review Committee meeting held on 4 November 2020 be confirmed as a true and correct record.

**CARRIED**

#### 10 DECLARATION OF CONFLICTS OF INTEREST

Nil

#### 11 BUSINESS

##### 11.1 Governance Options for Wastewater Management Review Committee

**Staff** Coral Hair, Manager: Democracy Services  
Carlo Ellis, Manager: Strategic Māori Engagement

##### Key points

- Looking at the issue of co-chairs; technically the Local Government Act 2002 does not provide for co-chairs, but the Chairperson and Deputy Chairperson can effectively operate as co-chairs by agreement.
- How those positions were elected was up for discussion and decision.
- Noted the recommendation to reduce the quorum from five to four; and that the recommendation was that each membership organisation appointed an alternative representative in case the primary representative was unavailable to attend a meeting.
- The recommendations were trying to implement practical arrangements to ensure that meetings could proceed and decisions be made in accordance with the partnership

arrangement.

### Questions and discussion

- Clarified that offsite meetings can be either formal or informal; the venue does not determine the formality of the meeting.
- Feedback requested from today's meeting would be incorporated into a formal report to the next meeting.
- Question whether quorum should remain at five to accommodate representation from all three iwi/hapū representatives. Concern was expressed that a reduction to four may mean tangata whenua involvement was decreased. It was noted that should the quorum stay at five, then appointment of alternates by iwi was important to ensure a quorum was achieved.
- Should the quorum stay at four, it would be important that this be conditional on including at least one Ngā Pōtiki representative.
- The co-chairing arrangement relied on the Chairperson relinquishing the Chair to the Deputy Chairperson for a meeting. An alternative arrangement could be a fixed term appointment for the Chairperson and Deputy Chairperson e.g. a year, and then the positions would be re-appointed. A co-chairing arrangement for this Committee did rely on collaboration and good will between the chairperson and deputy chairperson.
- Previously the convention had been that the Deputy Chairperson position was a Ngā Pōtiki representative. Ngā Pōtiki would discuss the continuity of this convention at their upcoming Ngā Pōtiki Trust Board meeting.
- If the Deputy Chairperson was in the chair for a meeting then they had all the powers of the chair for that meeting, including a casting vote.
- The recommendations for this committee on co-chairing arrangements were not the normal conventions for chairing a meeting. Under the legislation when a Chairperson was present at a meeting they must chair the meeting. For this committee the proposal was that the Deputy Chairperson be able to fully chair a meeting even when the Chairperson was present.
- It was noted that weekend meetings may be problematic for some members.
- It was requested that the Terms of Reference include the requirement to facilitate and schedule separate meetings for the tangata whenua members as a separate workshop prior to the meeting. These sessions were seen as enabling tangata whenua members to discuss the agenda fully prior to the meeting and enable more informed contributions to the meeting.
- Given the number of newly appointed members it was requested that a workshop be held to brief the members on the wastewater system and to ensure that members understood the background to the work programme for the committee.
- Staff would prepare a draft work programme with topics to be covered; and would also develop options for tangata whenua briefings or pre-meetings.

### Discussion points raised

- Record/add iwi affiliation after name of iwi representative moving or seconding resolutions.

### COMMITTEE RESOLUTION WW2/21/3

Moved: Mr Whitiora McLeod

Seconded: Commissioner Stephen Selwood

That the Wastewater Management Review Committee:

- (a) Receives the report "Governance Options for Wastewater Management Review Committee".
- (b) Provides feedback to staff for consideration on the following:
  - (i) Options to appoint the Chairperson and Deputy Chairperson of the Wastewater Management Review Committee.
  - (ii) Terms of Reference of the Wastewater Management Review Committee.
  - (iii) Position Description for the Chairperson and Deputy Chairperson.

- (c) Requests that the draft Terms of Reference, taking into account feedback provided at the meeting, be circulated to members for further feedback.
- (d) Requests that a report be presented to the next meeting with recommendations to Council on the process for appointing the Chairperson and Deputy Chairperson, approving the position description and any changes to the Terms of Reference for the Wastewater Management Review Committee.
- (e) Recommends that alternate representatives be appointed by the Tauranga City Council and iwi representatives to ensure a quorum can be met.
- (f) Recommends that the quorum remain at five members until further consideration.

**CARRIED**

## **11.2 Wastewater Activities Report**

**Staff** Radleigh Cairns, Environmental Programme Leader  
Wally Potts, Acting Director of City Waters

### **Key points**

- The project for desludging of the pond was highlighted. The tender was about to go out with works scheduled for March 2022.
- Noted the potential appointment from Ngā Pōtiki onto the Business Case project group.
- Can progress with workshops for new members and move the work programme forward.

### **In response to questions**

- A strategic overview of the wastewater system and consent requirements would be provided to enable members to understand the operational reports presented to the Committee.
- Members and alternates would be invited to a workshop to provide that overview and bring all members up to speed,
- A minor seepage under the TEL was picked up through the dewatering process and this happened after the report was written. Normally this would be included in a report to the Committee. An assessment of the best way to handle the seepage was made with remediation options limited by the timeframe available. Seepage was stopped and works were able to continue. Ngā Pōtiki was notified of the issue as soon as possible.
- Noted that there was work underway in council to standardise and quantify cultural monitoring requirements for council projects, to try and achieve consistent expectations and remuneration.

### **Discussion points raised**

- Noted that currently for two of the projects underway (extension of the landward outfall and also bioreactor 2) there was not a Ngā Pōtiki cultural monitor appointed; and would like that addressed as soon as possible. Noted there was an issue with remuneration.
- Waahi tapu should be monitored; up to the project manager to make sure monitoring takes place and up to the Committee to ensure monitoring requirements were met. The Committee needed to be confident that Council was conducting its projects properly and meeting monitoring obligations.
- The reference to waahi tapu in the report related to the last piece of the landward section which was subject to a resource consent process; the application was being prepared and would include appropriate monitoring of waahi tapu.

## **COMMITTEE RESOLUTION WW2/21/4**

Moved: Commissioner Stephen Selwood  
Seconded: Mr Des Heke (Ngāti Ranginui)

That the Wastewater Management Review Committee:

- (a) Receives the report: Wastewater Activities Report.
- (b) Requests a presentation of the strategic overview of the wastewater system, resource consents and the relationship to the role of the Wastewater Management Review Committee.

**CARRIED**

### **11.3 Wastewater Management Review Committee Update Report**

**Staff** Radleigh Cairns, Environmental Programme Leader  
Wally Potts, Acting Director of City Waters

#### **Key points**

- Highlighted the recommendations from two large reports from the previous iteration of the Committee, and outlined the work that had started. A number of the recommendations had been around for a while; this was to provide context to the Committee of what progress was happening with those recommendations.
- The Committee had spent time developing the guidelines and administration of the Environmental Mitigation Fund (EMF); however, there had not been any applications for a number of years.
- Staff were keen to progress the EMF by appointing a panel to receive, assess and approve applications.

#### **In response to questions**

- Noted the outline work programme.
- Open to advice from the WWMRC members regarding appropriate people to sit on the assessment panel for EMF applications.
- The one application received was on hold currently. This was from Ngā Pōtiki regarding a spatial plan for Rangataua Bay. There needed to be a process in place to assess applications.
- Noted the recent Marine and Coastal Area (Takutai Moana) Act 2011 rulings in terms of iwi stakeholders in Rangataua Bay.
- Funding application decisions were tracked back to the resource consent conditions through criteria previously discussed and the fact that an applicant had to have a relationship with Ngā Pōtiki and was required to bring them onboard.
- Two previous applications in 2013 received funding under the previous grant guidelines.

#### **Discussion points raised**

- Induction pack of all relevant documents relating to the EMF was requested for all members.

#### **COMMITTEE RESOLUTION WW2/21/5**

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Wastewater Management Review Committee:

- (a) Receives the report: Wastewater Management Review Committee Update Report.

**CARRIED**

## **12 DISCUSSION OF LATE ITEMS**

None

### **13 CLOSING KARAKIA**

A moment of silence was observed for Huikakahu Kawe.

Mr Des Heke closed the meeting with a karakia.

**The meeting closed at 2.50pm.**

**The minutes of this meeting were confirmed as a true and correct record at the Wastewater Management Review Committee meeting held 1 June 2022.**

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**CHAIRPERSON**



**8        DECLARATION OF CONFLICTS OF INTEREST**

## 9 BUSINESS

### 9.1 Governance options for Wastewater Management Review Committee

**File Number:** A13175723

**Author:** Coral Hair, Manager: Democracy Services

**Authoriser:** Tony Aitken, Acting General Manager: People and Engagement

#### PURPOSE OF THE REPORT

1. This report sets out governance options for the Wastewater Management Review Committee to consider.

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#### RECOMMENDATIONS

That the Wastewater Management Review Committee:

- (a) Receives the report "Governance Options for Wastewater Management Review Committee".
- (b) Recommends to Council that (insert name) is appointed as the Chairperson of the Wastewater Management Review Committee.
- (c) Appoints (insert name) as the Deputy Chairperson of the Wastewater Management Review Committee.
- (d) Recommends to Council that the Chairperson and Deputy Chairperson of the Wastewater Management Review Committee alternate presiding at meetings and that the amended terms of reference as set out in Attachment 1 are adopted.
- (e) Recommends to Council that the position description for the Chairperson and Deputy Chairperson as set out in Attachment 2 are adopted.
- (f) Recommends that alternate representatives for iwi representatives be appointed to ensure a quorum can be met.

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#### EXECUTIVE SUMMARY

2. Following feedback from the tangata whenua members of the Wastewater Management Review Committee (WWMRC), staff were requested to look at enabling the WWMRC to have Co-Chairpersons (Co-Chairs).
3. Co-chairs are not legally able to be appointed to council committees. However, the Chairperson and Deputy Chairperson of the WWMRC could agree to alternate to preside over meetings, thus effectively acting as co-chairs. The other option is for a person to be appointed as the Chairperson for a stated period of time, with another person appointed for a further period. This has opened-up some options for discussion by the WWMRC members and these are set out below.
4. Vacancies exist for the Chairperson and the Deputy Chairperson position. This provides an opportunity to discuss how these positions are filled and it is recommended that the WWMRC recommend the appointment of the chairperson to the Council and appoint a deputy chairperson.
5. Other governance matters are listed and open for discussion.
6. The Council reduced the quorum to four members that must include at least one member representing Tauranga City Council and one member representing Ngā Pōtiki to be present.

## BACKGROUND

7. On 22 February 2021, the councillors were discharged from the WWMRC and Commissioners Stephen Selwood and Bill Wasley were appointed in their place to represent Tauranga City Council (TCC). The Commission's initial appointment was expected to conclude at the October 2022 local government elections, however, Local Government Minister Nanaia Mahuta has reappointed the existing four commissioners for a new commission term running from 26 April 2022 through to July 2024, when the next local election for Tauranga City Council will be held.
8. Councillor Clout had previously been appointed by the Council as the Chairperson of WWMRC and there is now a vacancy in this position that needs to be filled.
9. This has resulted in two representatives from TCC and four tangata whenua representatives. While this creates an imbalance in the membership numbers, it is not recommended that four commissioners be appointed to the WWMRC or that the membership of tangata whenua representatives is amended.
10. The WWMRC previously appointed the Deputy Chairperson at the first meeting of each triennium and this has been a tangata whenua representative. Matire Duncan was appointed as Deputy Chairperson but she resigned her position with Ngā Pōtiki Kaitiaki Resource Management Unit, and this has created a vacancy in the Deputy Chairperson position.
11. Four non-council members are tangata whenua representatives as required by the conditions of consent with one representative each from Ngāti Ranginui and Te Runanga o Ngāi Te Rangi Iwi Trust and two members from Ngā Pōtiki.
12. The Council endorsed and appointed Lara Burkhardt and Te Rangimārie Williams as representatives on behalf of Ngā Potiki ā Tamapahore Trust Board to the WWMRC on 6 December 2021 and appointed Commissioner Shadrach Rolleston as the alternate member for TCC.
13. Current membership of WWMRC is:
  - Commissioner Stephen Selwood
  - Commissioner Bill Wasley
  - Commissioner Shadrach Rolleston (alternate member for TCC)
  - Lara Burkhardt – Ngā Pōtiki
  - Te Rangimārie Williams– Ngā Pōtiki
  - Whitiara McLeod – Ngāi Te Rangi
  - Des Heke – Ngāti Ranginui
  - Destiny Leaf – alternate member for Ngāti Ranginui

## DISCUSSION AND OPTIONS

14. The provisions of the Local Government Act 2002 relating to the appointment of a chairperson of a committee refer to the appointment of a person, singular, as the chairperson, which does not allow for the appointment of a co-chair. As such, the positions of Chairperson and Deputy Chairperson are appointed and remain separate.
15. However, the Chairperson can vacate the chair for all or part of a meeting and enable the Deputy Chairperson to chair the meeting.<sup>1</sup> The Chairperson is able to be present and

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<sup>1</sup> Clause 26(2) Schedule 7 of Local Government Act 2002 states

*"The chairperson of a committee must preside at each meeting of the committee at which he or she is present unless the chairperson vacates the chair for a particular meeting."*

participate in the meeting, including voting, while not chairing the meeting<sup>2</sup>. This would enable the two roles to effectively act as co-chairs.

16. This pre-supposes that the Chairperson agrees to vacate the chair to enable the Deputy Chairperson to chair the meeting at pre-agreed times.<sup>3</sup> The Terms of Reference would need to state that it is the intention that this occurs, however, there is no ability to enforce this practice if the Chairperson decides not to vacate the chair for a particular meeting.
17. Only one person can chair a meeting at any one time. The person chairing the meeting has the powers of the chairperson as set out in standing orders. They would also have the option to use the casting vote (under Standing Order 19.3) in the case of an equality of votes. It is recommended that this be explicitly stated in the terms of reference for clarification.
18. The Chairperson and Deputy Chairperson would attend pre-agenda briefings (usual practice) and split any other duties outside of meetings, e.g. spokesperson for WWMRC. A draft position description for the Chairperson and Deputy Chairperson is attached in Appendix 2 for the WWMRC to consider.
19. Options for appointing the Chairperson and Deputy Chairperson are set out below:

Option	Details	Comments
1	Chairperson is appointed by the Council and filled by a Commissioner/Tangata Whenua representative	Recommended option. A recommendation from WWMRC would be required. Would receive endorsement from Council. With the co-chair arrangement, the position would work closely with the Deputy Chairperson. Note: The draft Terms of Reference recommends the position is filled by a Commissioner.
2	Chairperson is appointed by the WWMRC and filled by a Commissioner/Tangata Whenua representative	Appointment would come from WWMRC. Refer to paragraph 26 of the report in the Strategic/Statutory section for comments around appointments by committees.
3	Deputy Chairperson is appointed by the Council and filled by a Commissioner/Tangata Whenua representative	Recommendation from WWMRC would be required. With co-chair arrangement, the position would work closely with the Chairperson.
4	Deputy Chairperson is appointed by the WWMRC and filled by a	Recommended option.

and Standing Order 14.2 (see below) allows the chair of a committee to vacate the Chair for a particular meeting.

*"In the case of committees, subcommittees and subordinate decision-making bodies, the appointed Chairperson must preside at each meeting, unless they vacate the chair for all or part of a meeting. If the Chairperson is absent from a meeting or vacates the chair, the deputy Chairperson (if any) will act as Chairperson. If the deputy Chairperson is also absent, or has not been appointed, the committee members who are present must elect a member to act as Chairperson. This person may exercise the meeting responsibilities, duties and powers of the Chairperson."*

<sup>2</sup> The exception to this is where the reason the chairperson vacated the chair was that they had a conflict of interest, in which case they could not participate in the debate or vote.

<sup>3</sup> Options include alternating meetings or agreeing to chair for a specific time e.g. for the year. There are a minimum of two meetings held per year. The Chairperson will need to formally vacate the chair at the start of each meeting that it is pre-agreed the Deputy Chair will chair, and this needs to be recorded in the minutes of that meeting.

	Commissioner/Tangata representative	Whenua	Appointment would come from WWMRC. Reflects previous practice for appointments of Deputy Chair for WWMRC.  Note: The draft Terms of Reference recommends the position is filled by a Tangata Whenua representative.
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20. It is recommended that at least one Commissioner and one Tangata Whenua representative is appointed as either the chairperson or deputy chairperson, and this could be set out in the Terms of Reference.
21. In the absence of a Chairperson or Deputy Chairperson, the WWMRC can elect one member to chair each meeting.<sup>4</sup>
22. Another option for discussion is that a person could be appointed as the Chairperson for a stated period of time, with another person appointed as the Chairperson for a further period. For example, a Commissioner or elected member appointed for one year, and a Tangata Whenua Representative appointed for the following year.

## TERMS OF REFERENCE

23. An updated Terms of Reference for the WWMRC is set out in Attachment 1. This includes proposed changes to reflect the co-operative arrangements for the Chairperson and Deputy Chairperson and recommends a Commissioner is appointed as the Chairperson by the Council and a Tangata Whenua representative is appointed as the Deputy Chairperson by the WWMRC.
24. Other matters that the WWMRC may wish to discuss for inclusion in the Terms of Reference are:
  - (a) provide for iwi alternate representatives.  
Alternate iwi representatives are not appointed to the WWMRC, except for Ngāti Ranginui, who have already appointed an alternate. It is recommended that alternates be appointed to ensure the quorum is met and meetings can proceed. It is common practice in other committees.
  - (b) Position descriptions/agreements for iwi representatives.  
Developing position descriptions and/or agreements for iwi representatives would assist both iwi and TCC to clarify expectations and workload, number of meetings and workshops expected to attend etc. Staff are currently developing these position descriptions.  
  
Remuneration based on the position descriptions will be benchmarked by Strategic Pay and included in the position descriptions/agreements and will be reviewed regularly following the election cycle.  
  
Currently remuneration for iwi representatives on the WWMRC is based on the  
[Tangata Whenua Remuneration Policy 2021](https://www.tauranga.govt.nz/Portals/0/data/council/policies/files/tangata-whenua-remuneration-policy.pdf).  
<https://www.tauranga.govt.nz/Portals/0/data/council/policies/files/tangata-whenua-remuneration-policy.pdf>
  - (c) decision-making by consensus where possible.
  - (d) add a Whakataukī.
  - (e) add a Background section.
  - (f) livestreaming/recording of meetings

<sup>4</sup> Clause 26(6) Schedule 7 LGA 2002.

The WWMRC meetings are subject to the Local Government Official Information and Meetings Act 1987 (LGOIMA) and Council's Standing Orders. As a committee of Council, WWMRC meetings are required to be held in public unless one of the LGOIMA reasons to exclude the public applies. LGOIMA also requires council agendas and minutes to be made publicly available. These are available on the Tauranga City Council's website. Any items that meet the criteria in LGOIMA to exclude the public are held without the public attending, and the agenda and minutes relating to these items are not made publicly available. Currently meetings are not livestreamed or recorded and made public as soon as practical following a meeting. The WWMRC may wish to consider livestreaming or recording meetings in the future.

## QUORUM

25. The Council at its meeting on 6 December 2021 resolved to amend the quorum requirements of the WWMRC and reduced the quorum from five to four members that must include at least one member representing Tauranga City Council and one member representing Ngā Pōtiki to be present before the meeting can proceed. The Council considered that the quorum of five members created a risk that the quorum provisions would not be met and the WWMRC may not meet the consent requirements to meet twice a year. The WWMRC may provide feedback on the quorum to the Council.

## STRATEGIC / STATUTORY CONTEXT

26. The WWMRC is a special committee established both by the Council (under the Local Government Act 2002) and the management plan approved by the Bay of Plenty Regional Council that sets out how the WWMRC is to operate under the conditions of resource consent 62878 and the iwi membership of this is set by the consent. The management plan is silent on the arrangements for chairing the meetings. This is not a matter that would be addressed under this plan and there is no requirement to amend this plan to spell out chairing arrangements. The Local Government Act 2002 requirements relating to chairing of meetings, and the appointments of a Chair and Deputy Chair apply.
27. Clause 23(3)(b) of Schedule 7 of the LGA 2002 requires the quorum for a committee to be to be at least 2 members of the committee and must include at least 1 elected member (i.e. a Commissioner as elected member equivalent).
28. The Mayor has the power under section 41A (3)(c) to appoint the chairperson of each committee and Council has the power to discharge a chairperson appointed by the Mayor (section 41A(4) (d)). The Commission Chair does not have the powers of the Mayor and therefore Clauses 25<sup>5</sup> and 26(3) of Schedule 7 of the Local Government Act 2002 (LGA) apply. Sub-clauses 26(3) and (4) state:
- (3) *The local authority may appoint a member of a committee to be the chairperson of that committee and, if the local authority, on the appointment of the committee, does not appoint a chairperson, that power may be exercised by the committee.*
- (4) *The local authority or the committee may appoint a deputy chairperson to act in the absence of the chairperson.*

## FINANCIAL CONSIDERATIONS

29. There are no financial impacts from this decision.

## LEGAL IMPLICATIONS / RISKS

30. The WWMRC can continue to meet without appointing a chairperson or deputy chairperson but this is not recommended. Appointing a chair and deputy chair enables the committee to meet its stated purpose.

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<sup>5</sup> Clause 25 relates to the voting systems for certain appointments, including for the chairperson and deputy chairperson of a committee.

31. The WWMRC is required to meet twice a year and with the current membership of six members there is a risk that the quorum provisions, although reduced from five to four members, may not be met and the WWMRC will be unable to meet. Appointing alternates would substantially reduce this risk.

## SIGNIFICANCE

32. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
33. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
- (a) the current and future social, economic, environmental, or cultural well-being of the district or region
  - (b) any persons who are likely to be particularly affected by, or interested in, the matter.
  - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
34. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the matter is of low significance.

## ENGAGEMENT




35. Taking into consideration the above assessment, that the matter is of low significance, officers are of the opinion that engagement is not required prior to making the appointments and changes to the quorum. The WWMRC will have the opportunity to provide any feedback or recommendations on the quorum changes to the Council at their next meeting.

*Click here to view the [TCC Significance and Engagement Policy](#)*

## NEXT STEPS

36. Chairperson and Deputy chairpersons appointed.
37. The terms of reference of the WWMRC are updated.

## ATTACHMENTS

1. **Draft Terms of Reference Wastewater Management Review Committee - A12794638** 
2. **Position Description for Chairperson and Deputy Chairperson of Wastewater Management Review Committee - A12794637**  

**Terms of Reference Wastewater Management Review Committee****Membership**

<b>Chairperson</b>	A representative of Tauranga City Council representative To be appointed
<b>Deputy Chairperson</b>	A representative of Tangata Whenua representatives To be appointed
<b>Members</b>	Commissioner Stephen Selwood (Tauranga City Council) Commissioner Bill Wasley (Tauranga City Council) Commissioner Shadrach Rolleston (alternate member – Tauranga City Council) Ms Lara Burkhardt – Ngā Pōtiki Ms Te Rangimārie Williams – Ngā Pōtiki Mr Whitiora McLeod - Ngāi Te Rangi Mr Des Heke - Ngāti Ranginui Ms Destiny Leaf (alternate member – Ngāti Ranginui)
<b>Quorum</b>	4 members with at least one member representing Tauranga City Council and one member representing Ngā Pōtiki
<b>Decision making</b>	By consensus where possible. If consensus cannot be reached, by majority vote. If there is an equal number of votes, the member who is chairing the meeting has a casting vote.
<b>Meeting frequency</b>	A minimum of twice yearly
<b>Meeting venue</b>	To alternate between marae and council venues; or as appropriate to a meeting agreed by the Chairperson and the Deputy Chairperson.

The Committee previously had a membership of eight, four elected members from TCC and four iwi. Currently the membership will be reduced to six, two Commissioners appointed to represent the TCC and four who are appointed as representatives of the Ngāti Ranginui and Te Runanga o Ngāi Te Rangi Iwi Trust and two members as representatives of the Ngā Pōtiki ā Tamapahore Trust Board .

The Wastewater Management Review Committee is established as a committee of Council under the Local Government Act 2002 and conditions imposed on Bay of Plenty Regional Council Coastal Permit # 62878.

**Role**

- To ensure Wastewater operations are in accordance with the Wastewater Management Review Committee Management Plan.



**Scope**

- (a) To receive reports on the operation of the Wastewater Scheme, including reports in relation to monitoring and permit compliance, and to make recommendations to the Permit Holder on the development of Tauranga City Council's policies in relation to wastewater management, treatment and disposal, particularly following the review of wastewater treatment in light of new technologies and standards addressed in the Monitoring, Upgrade and Technology Review Report required by Condition 20 of Coastal Permit N° 62878.
- (b) To make decisions about the application of the Environmental Mitigation and Enhancement Fund established in accordance with Condition 19 of Coastal Permit N° 62878.
- (c) To make recommendations to the Permit Holder as to physical measures and initiatives to address or compensate for actual or potential effects of the Tauranga City Wastewater Scheme (in the broadest environmental sense).
- (d) Without limiting the generality of function (c) above, to make recommendations to the Permit Holder as to the implementation of the works to be undertaken in accordance with Permit N° 62881, namely:
  - (i) Decommissioning of the Te Maunga Sludge Pond and the future use of the pond.
  - (ii) Conversion of the Te Maunga Oxidation Ponds to wetlands.
- (e) To make recommendations to the Permit Holder in relation to the independent consultant to be appointed to undertake the Monitoring, Upgrade and Technology Review Report required by Condition 20 of Coastal Permit N° 62878.
- (f) To make recommendations to the Permit Holder as to enhancing the involvement of tangata whenua in sampling, testing and monitoring.
- (g) Assessment of the scope and adequacy of sampling and monitoring.
- (h) Notification to appropriate parties of activities that may have adverse effects.
- (i) To receive, review and recommend action following receipt of wastewater reports.
- (j) To recommend the commissioning of reports and future Tauranga City Council actions on wastewater management, treatment and disposal issues and options, including:
  - (i) Development of alternatives to waterborne wastewater systems;
  - (ii) Options for further treatments;
  - (iii) Options for methods of disposal;
  - (iv) Monitoring effects on the environment.
- (k) To co-ordinate and oversee education of the community on wastewater management, treatment and disposal issues.
- (l) To identify and make recommendations to the Permit Holder as to sources of funding which may be available to supplement the Environmental Mitigation and Enhancement Fund established pursuant to Condition 19 of Coastal Permit N° 62878 hereof and to be applied for the purposes specified in that condition.
- (m) To make recommendations to the Permit Holder as to changes to conditions of these permits pursuant to section 127 of the Resource Management Act 1991, in light of the exercise of the Review Committee's functions, including reports received and information received as a result of monitoring, etc. or to avoid, remedy or mitigate actual or potential adverse effects associated with the operation of the Wastewater Scheme.
- (n) To foster robust relationships and dialogue between the Review Committee, the Permit Holder, the Western Bay of Plenty District Council and Bay of Plenty Regional Council in relation to wastewater management, treatment and disposal, particularly following the review of wastewater treatment in light of new technologies.

- (o) To make recommendations to Bay of Plenty Regional Council as to amendments to the conditions of these permits which could be implemented via a review under section 128 of the Act in accordance with Condition 22 of Coastal Permit N<sup>o</sup> 62878.
- (p) Prior to making any:
  - (i) Decisions as to the allocation of the Environmental Mitigation and Enhancement Fund in accordance with Condition 18.3(b) of Coastal Permit N<sup>o</sup> 62878 hereof or,
  - (ii) Recommendations to the Permit Holder in relation to physical environmental mitigation or enhancement or mitigation works in accordance with Condition 18.3(c) of Coastal Permit N<sup>o</sup> 62878 hereof; -

the Review Committee will exercise its best endeavours to ascertain the existence of any persons or bodies who may have a particular interest or stake in the ecological health of the Tauranga Harbour (particularly the Upper Harbour/Rangataua Bay area) and to consult with those bodies or persons as to appropriate initiatives and measures to be so recommended (in accordance with Condition 18.3(b) of Coastal Permit N<sup>o</sup> 62878) or undertaken (in accordance with Condition 18.3(c) of Coastal Permit N<sup>o</sup> 62878). As a minimum, the Review Committee shall consult with

- Nga Potiki Kaitiaki Resource Management Unit hapu and iwi of Te Runanga o Ngaiterangi Iwi Trust, Ngati Ranginui and Ngati Pukenga and Te Arawa and their respective hapu which hold kaitiaki status over the wider Tauranga Moana district, including any Working Group established by those hapu or iwi;
  - Bay of Plenty Regional Council and the Western Bay of Plenty District Council in relation to issues which may affect those councils in accordance with their function under Condition 18.3(m) of Coastal Permit N<sup>o</sup> 62878 hereof.
- (q) Not later than one month following the first anniversary of the commencement of these permits and on each anniversary thereafter, the Wastewater Management Review Committee shall forward to the General Manager, Bay of Plenty Regional Council, a report on the exercise of its activities and functions, including where appropriate a report on the effectiveness of measures undertaken pursuant to the Environmental Mitigation and Enhancement Fund.
  - (r) Not less than six months following the first anniversary of this permit and each fifth anniversary thereafter, the Wastewater Management Review Committee's annual report shall contain a review of its activities over the previous five-year period and recommendations for appropriate initiatives over the next five-year period, including any recommendations for changes to conditions of these permits which may be considered necessary or desirable. This report shall be available at least three months prior to the date on which Bay of Plenty Regional Council is entitled to review the conditions of these permits in accordance with Condition 22 of Coastal Permit N<sup>o</sup> 62878 hereof.
  - (s) A copy of this report shall also be provided to the Chief Executive, Tauranga City Council.
  - (t) As set out in Condition 18.1.3 of Coastal Permit N<sup>o</sup> 62878, the Wastewater Management Review Committee Management Plan may be amended with the written approval of the Chief Executive of Bay of Plenty Regional Council or delegate.
  - (u) Confirmation of Committee minutes.

### Reporting

The Wastewater Management Review Committee reports to Council and the Chief Executive of the Bay of Plenty Regional Council.

### Chairperson and Deputy Chairperson acting as Co-Chairs

The Chairperson and Deputy Chairperson of the Wastewater Management Review Committee (WWMRC) have a governance role to ensure that the WWMRC meets regularly and undertakes its role to monitor and provide advice to Tauranga City Council as the consent holder of Bay of Plenty Regional Council Coastal Permit # 62878 and ensure wastewater operations are in accordance with the Wastewater Management Plan.

- The Chairperson representing the Tauranga City Council will be appointed by the Tauranga City Council following a recommendation of the Wastewater Management Review Committee.
- The Deputy Chairperson representing the Tangata Whenua representatives will be appointed by the Wastewater Management Review Committee.
- While these roles are separately appointed it is the intention that they act as co-chairs.
  - Only one person can chair a meeting at any one time. The person chairing the meeting has the powers of the chairperson as set out in standing orders and has the option to use the casting vote in the case of an equality of votes.
  - The rotation of the meeting chairs is at the discretion of the Chairperson and Deputy Chairperson and subject to their availability, however it is expected that they will alternate chairing meetings when possible.
  - When the Deputy Chairperson is chairing the meeting, the Chairperson will vacate the chair and enable the Deputy Chairperson to chair the meeting. The Chairperson will be able stay and participate in the meeting unless they declare a conflict of interest in an item, in which case they will not participate or vote on that item.
  - The Chairperson and Deputy Chairperson will attend pre-agenda briefings and split any other duties outside of meetings, e.g. spokesperson for WWMRC.
- The Chairperson and Deputy Chairperson will jointly oversee and co-ordinate all activities of the WWMRC within their specific terms of reference and delegated authority, providing guidance and direction to all members and liaising with Council staff in setting the content and priorities of meeting agendas.
- The Chairperson and Deputy Chairperson will be accountable for ensuring that any recommendations from the WWMRC are considered by the Tauranga City Council.
- Refer to the position description for the Chairperson and Deputy Chairperson for more details.

## Position outline: Chairperson and Deputy-Chairperson

### Wastewater Management Review Committee

<b>Title</b>	Chairperson and Deputy Chairperson
<b>Committee</b>	Wastewater Management Review Committee
<b>Date</b>	

#### Position purpose

The Chairperson and Deputy Chairperson of the Wastewater Management Review Committee (WWMRC) have a governance role to ensure that the WWMRC meets regularly and undertakes its role to monitor and provide advice to Tauranga City Council as the consent holder of Bay of Plenty Regional Council Coastal Permit # 62878 and ensure wastewater operations are in accordance with the Wastewater Management Plan.

The Chairperson of the WWMRC will be appointed by the Council from the consent holder's representatives on the WWMRC/iwi representatives on the WWMRC (choose one) and the Deputy Chairperson will be appointed from the consent holder's representatives on the WWMRC/iwi representatives on the WWMRC (choose one) as set out in the terms of reference for the WWMRC.

The Chairperson and Deputy Chairperson will jointly oversee and co-ordinate all activities of the WWMRC within their specific terms of reference and delegated authority, providing guidance and direction to all members and liaising with Council staff in setting the content and priorities of meeting agendas.

The Chairperson and Deputy Chairperson will be accountable for ensuring that any recommendations from the WWMRC are considered by the Tauranga City Council.

Note: only one person will chair each meeting. The rotation of meeting chairs is at the discretion of the Chairperson and Deputy Chairperson and subject to their availability; however, it would be expected that they will alternate chairing meetings when possible. The Chairperson will vacate the chair and enable the Deputy Chairperson to chair the meeting. The Chairperson will be able stay and participate in the meeting unless they declare a conflict of interest in an item, in which case they will not participate or vote on that item.

The term of appointment will be from (put in date) to July 2024. The expiry of the term coincides with the next election for the Tauranga City Council, which may result in different representatives from the council being appointed to the WWMRC.

The roles have full voting rights and where there is an equal number of votes, the person who is chairing the meeting also has a casting vote.

## Competencies

Competencies	Description
Te Tiriti o Waitangi	<ul style="list-style-type: none"> <li>Understanding of, or a commitment to develop capability, with respect to Te Tiriti o Waitangi.</li> <li>A commitment to demonstrating strong relationships as intended by Te Tiriti o Waitangi.</li> </ul>
Te Ao Māori	<ul style="list-style-type: none"> <li>Actively encourages feedback into discussion that highlights and explains Māori values and concepts that can enhance decision making processes.</li> <li>Ensures that those aspects that may not usually be considered well or with strong understanding are given reasonable time and resource to be well considered.</li> <li>Takes into consideration the views and interests of the iwi and hapū members appointed to the WWMRC.</li> <li>Has an understanding of tikanga.</li> </ul>
Governance Experience	<p>General Requirements</p> <ul style="list-style-type: none"> <li>Understands local government's obligations in relation to wastewater and is familiar with the resource consent conditions of RC 62878.</li> </ul> <p>Specific Requirements</p> <ul style="list-style-type: none"> <li>Board or governance experience.</li> <li>Understands and respects the differing roles of the Commission, Mayor and Councillors, Bay of Plenty Regional Council and iwi/hapū representatives; and any other appointees to the WWMRC.</li> <li>Recognises that the role does not extend to operational matters or to the management of any implementation.</li> <li>Develops and maintains a working knowledge of the wastewater management plan..</li> <li>Understands the context of the three waters reform process in local government.</li> <li>Familiar with and complies with the statutory requirements of a member including appropriate recordkeeping in accordance with the Public Records Act 2005 and the Local Government Official Information and Meetings Act 1987.</li> <li>Ability to chair a meeting in an effective and efficient manner.</li> </ul>
Leadership and Strategic Experience	<ul style="list-style-type: none"> <li>Strategic and/or leadership experience.</li> <li>Committed to promoting the profile and effectiveness of the WWMRC.</li> <li>Transparent and upfront approach.</li> </ul>

### Personal Attributes

Personal Attributes	Description
Mana (status) and integrity	<ul style="list-style-type: none"> <li>Has the status to manage meetings on marae as well as in Council Chambers.</li> <li>High organisational ethics, accepts collective responsibility, respects confidentiality.</li> <li>Identifies, is aware of and declares any potential personal conflicts of interest, whether of a pecuniary or non-pecuniary nature.</li> </ul>
Communication	<ul style="list-style-type: none"> <li>Listens actively and accurately, encourages input from others, debates in reasoned and calm way.</li> <li>Ability to communicate complex and technical information appropriate to the audience.</li> </ul>
Decision Making	<ul style="list-style-type: none"> <li>Fosters consensus-based decision making.</li> <li>Broad perspective - both short and long term.</li> <li>Fully considers all options.</li> </ul>
Teamwork/ Collaboration	<ul style="list-style-type: none"> <li>Actively participates in and facilitates team effectiveness of the WWMRC.</li> <li>Works productively and openly with colleagues.</li> <li>A proactive approach to advising members of matters that require further attention.</li> <li>Supports the decision of the WWMRC to others outside of the WWMRC.</li> </ul>
Leadership	<ul style="list-style-type: none"> <li>Proven skills and willingness to apply leadership in a governance context.</li> <li>Skilled at coordinating and summarising viewpoints of meeting attendees.</li> <li>Facilitating style of chairmanship that enables quality participation and outcomes.</li> <li>Solutions and outcomes focused.</li> <li>Objective leadership capabilities and skilled in guiding discussion towards shared and mutually beneficial outcomes.</li> <li>Inclusive chairmanship to ensure voices are heard objectively.</li> </ul>

### Chairperson and Deputy Chairperson Tasks

Task Description
<ul style="list-style-type: none"> <li>Chair meeting.</li> <li>Provide advice on courses of action to progress the deliberations and outcomes.</li> <li>Ensure requests are resolved by the WWMRC and actioned in a timely manner.</li> <li>Liaise with Council staff in setting the content and priorities of meeting agendas and attend pre-agenda meetings.</li> <li>Ensure appropriate communication occurs with WWMRC members and other appropriate groups/partners.</li> </ul>

## 9.2 June 2022 Wastewater Activities Report

**File Number:** A13514848

**Author:** Radleigh Cairns, Acting Manager: Drainage Services

**Authoriser:** Nic Johansson, General Manager: Infrastructure

### PURPOSE OF THE REPORT

1. The wastewater activities report provides information on the current activities in the wastewater area.

### RECOMMENDATIONS

That the Wastewater Management Review Committee:

- a) Receives the report: June 2022 Wastewater Activities Report

### DISCUSSION

#### Wastewater Programme Business Case (PBC)

##### *Background – What is the Problem?*

1. The outfall pipeline for the City's wastewater scheme was constructed in the 1970's by the Mount Maunganui Borough Council. When the marine section was pulled through the surf zone, the outfall was damaged in a number of places by a storm and repairs were made at the time and subsequently throughout the years.
2. In 2012 a test of the system led to a failure of the pipeline within the dunes. To reduce the potential for further failures, the pressure in the pipeline was reduced on an ongoing basis. This reduction in pressure means that currently the system is only able to discharge at approximately half the consented rate (i.e. 500L/s vs 900L/s) affecting the ability of the system to manage peak flows in wet weather events associated with future growth.
3. To address these issues the landward section of the pipeline is currently being upgraded with a 1200mm diameter pipeline being installed next to the current 600mm diameter pipe – this will provide a marginal level of improvement in flow rate (to approx. 600 L/s). This project and associated programme is discussed further below.
4. Based on current growth projections, the issues associated with the marine section of the outfall will also need to be addressed in the foreseeable future. Construction of a new outfall is currently programmed within the 21/31 LTP for 2033. To progress this work, a Programme Business Case (PBC) has been initiated to define a 'preferred way forward' for future investment, not only for the marine outfall, but for the entire wastewater scheme. The rationale for embarking on a PBC is described below together with the process to be followed.

##### *PBC Rationale*

5. For TCC historically, separate strategies and plans have been developed for the network and plants. These strategies include criteria for prioritising projects, however they are done so separately with network improvements being considered only against other network improvements and likewise, plant investment prioritised in the context of other plant investment. There is currently no integrated investment prioritisation across Tauranga's wastewater network and plants, where projects are assessed against the same criteria. A PBC is the ideal vehicle to address this issue.
6. A 'Project Team' has been established to work through a PBC process. This team, consisting of technical and planning experts, staff and three Tangata Whenua representatives (one each representing the interests of Ngai Te Rangi, Ngā Poitiki and Ngāti Ranginui) are collectively working to identify key issues with the wastewater scheme, develop objectives for future investment and propose possible options or responses which could be implemented to address to these issues.
7. The team will assess a long list of options against broad range of prescribed criteria, taking into account environmental, cultural and economic outcomes. Utilising a broad range of criteria aligns well

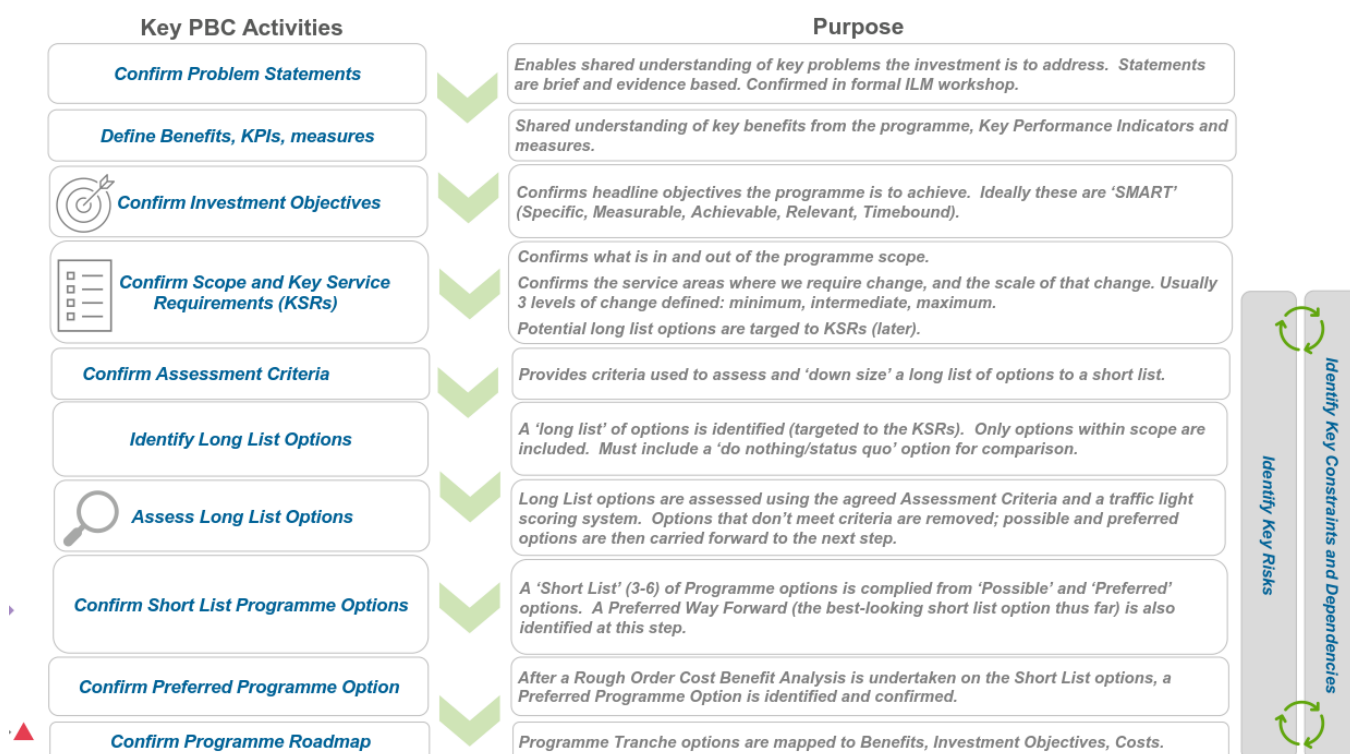


with the changes indicated through the Three Waters Reforms where there will be an increased focus on improved environmental outcomes (e.g. through a new NES for Wastewater Discharges and Overflows), and greater consideration of cultural values when upgrading networks and plants.

8. Following assessment against the criteria, a short list of options will be the subject of further analysis. These long and short lists are likely to include both infrastructure and non-infrastructure responses.
9. The PBC defines a 'preferred way forward' for future investment across the wastewater scheme as a whole and will guide strategic planning for Council's wastewater activity, inform future detailed business cases and key strategic documents such as the Long Term Plan and 30 Year Infrastructure Strategy. It will also set the scene for wastewater when Tauranga City potentially moves into a new water services entity.

### PBC Process and Progress

10. **Figure 1** below depicts each stage of the PBC process and purpose.



11. Progress to date on the PBC includes draft outputs from the Project Team for the following (a.-e.).
  - a. **Investment Logic Map:** confirm problem statements and define benefits from investment
  - b. **Benefits, KPIs and Measures:** baseline and target values to be confirmed
  - c. **Investment Objectives**
  - d. **Investment Scope:** levels of scope the investment is required to deliver
  - e. **Key Service Requirements:** which key services and to what level (minimum, intermediate, maximum) the programme investment is expected to deliver.
12. These outputs are in the process of being further refined by the Tangata Whenua representatives to ensure that cultural perspectives are fully embedded and reflected (90% complete). Following refinement these will all be considered for adoption by the Project Team when formal meetings reconvene in the coming weeks (see 'Next Quarter Work') below.

### PBC Next Quarter Work

13. **Recommence formal PBC workshops** with the Project Team to confirm:
  - Refinements made by Tangata Whenua representatives to outputs a.-e.
  - *Assessment Criteria:* against which long list programme options will be evaluated.



- *Long list of options:* that can deliver the investment objectives
- *Long list assessment:* of options against criteria
- *A short list of options:* for further analysis.

This work will be carried out over a series of formal PBC workshops to occur over the remainder of 2022 and possibly into early 2023. Given the volume of material to be covered, complexity and rate of progress, timing for workshops is uncertain as is the date for ultimate completion of the PBC (where the 'preferred roadmap for investment' will be confirmed).

14. **Stakeholder engagement:** Develop the framework (engagement plan) for both community and cultural engagement/communications to support development of the PBC. The engagement plan will identify stakeholders and also reflect the points in the PBC process at which this input and feedback should be sought.

## Construction Projects

### **Bioreactor 2**

15. Two contractors have established on site, one (Brian Perry Civil) is carrying out the ground improvements, the other (HEB Construction) is commencing with the manufacture of precast elements for the structure.
16. The ground improvement work is running about 3 months behind programme due to problems with the initial site trials to prove the methodology and concrete strength. A review is currently underway pushing completion of ground improvement works out to the end of 2022. Manufacturing of the precast elements is expected to be complete by September. The scheduled date for completion of Bioreactor 2 is December 2023, but this is dependent on the ground improvement works.

### **Landward Outfall**

17. This project is proceeding well with 1400m out of 1700m of 1200mm diameter pipeline now laid in the ground. TCC is planning to incorporate some maintenance works in the current contract to line the last 450m long section of existing landward outfall with cured in place pipe (CIPP). An order has been placed for the material and the work is expected to take place over August/ September 2022.
18. The methodology for the installation of CIPP maintenance work may require some temporary above ground works in the easement over the dunes and a consent will be lodged shortly for this. A Cultural Impact Assessment for the maintenance related work is being prepared by Nga Pōtiki.
19. At this stage it is anticipated that the new landward outfall will be connected to the existing pipeline in July, and that the maintenance work will be completed by October 2022.

### **Clarifier 3**

20. The project team have been assessing options for the Clarifiers foundations and a preferred option – driven piles - has been identified and accepted. Work has progressed with the Preliminary Design Phase which is scheduled for completion September 2022. At this time construction will commence in August/ September 2023.

## Consent Monitoring

### **62878 Te Maunga & Chapel Street WWTP Discharge**

21. Discharge monitoring results continue to show compliance with consent conditions however results did include one exceedance in suspended solids and two exceedances of Enterococci in March/April 2022. Receiving Environment and Shellfish monitoring were also within consent limits and the inspection of the outfall diffuser has been completed and identified no issues. Work on the Te Maunga UV plant continues to build resilience into the system.

### **62722 & 62723 Te Maunga & Chapel Street Odour**

22. No odour issues have been identified at the two treatment plants over the beginning of 2022. Staff and contractors continue to investigate any odour complaints raised by residents from pump stations across the city. The biannual community odour survey is due to be completed later in this year.

### **62881 – Te Maunga Seepages**

23. Seepages have continued to be relatively low particularly over summer with low pond levels and lack of rainfall being the most likely contributing factors. Once desludging of Pond 1 begins, seepage monitoring will increase to monitor any impacts.

#### **NEXT STEPS**

24. Further updates will be provided at the next Wastewater Management Review Committee (WWMRC) Meeting.

#### **ATTACHMENTS**

**Nil**

### 9.3 Programme Business Case Tangata Whenua Engagement and Communications Plan

**File Number:** A13346846

**Author:** Radleigh Cairns, Acting Manager: Drainage Services

**Authoriser:** Nic Johansson, General Manager: Infrastructure

#### PURPOSE OF THE REPORT

1. To provide information and an update on the Tangata Whenua Engagement and Communications Plan for the Programme Business Case.

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#### RECOMMENDATIONS

That the Wastewater Management Review Committee:

- (a) Receive the Report and previous draft engagement plan.
- (b) Recommend to staff to continue with a review of the plan including:
  - (i) Undertake the required workshops to create the plan.
  - (ii) Undertake the required engagement to carry out the plan.

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#### DISCUSSION

2. The Te Maunga wastewater outfall is showing signs of deterioration and will not meet the needs of the city in terms of peak wet weather flows or future growth predictions.
3. Council initially started a Better Business Case process to guide investment in a solution to this issue prior to moving to the current Programme Business Case looking at wastewater management for the City as a whole.
4. Both processes will need input and participation of iwi representatives of the Wastewater Management Review Committee (WWMRC), local tangata whenua and possibly wider Iwi interests
5. A considered and deliberate approach to tangata whenua engagement will facilitate more meaningful understandings of cultural values, interests and perspectives and their appropriate consideration.
6. The draft Tangata Whenua Engagement and Communications Plan requires a complete review to reflect the more holistic approach of the Programme Business Case.
7. The WWMRC members on the PBC have agreed to a number of workshops to review and create a revised engagement plan. Elva Conroy has been engaged by Council to facilitate the workshops with the PBC reps and prepare a new engagement plan.

#### NEXT STEPS

8. WWMRC members of the PBC to hold engagement plan workshops to revise current draft to reflect the Programme Business Case.

#### ATTACHMENTS

1. **Draft TW Engagaement and Communications Plan\_Outfall BC\_19Nov2020 - A13346839**



# Tauranga Wastewater Te Maunga Outfall Business Case

## Tangata Whenua Engagement and Communications Plan

November 2020



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### **Kahore he tārangā tāhere i te ara**

*A bird spear cannot be fashioned on the road, a metaphor for being prepared early with the right tools for the task at hand.*

## 1.0 INTRODUCTION

### Project

The Te Maunga wastewater outfall is showing signs of deterioration and will not meet the needs of the city in term of peak wet weather flows and future growth predictions. This will likely require complete/partial replacement or significant repairs. There is a need to assess the long term viability of the outfall, the potential to rehabilitate it, construct a new larger one and also consider alternative forms of disposal.

Tauranga City Council (TCC) are undertaking a Better Business Case framework to guide further investment in the Te Maunga wastewater ocean outfall and treatment plant. This process will need input and participation of iwi representatives of the Wastewater Management Review Committee, local tangata whenua and possibly wider Iwi interests.

Following the business case process, Resource Management Act processes to consent works (if required) will involve consideration of tangata whenua issues, cultural effects and perspectives.

A considered and deliberate approach to tangata whenua engagement will facilitate more meaningful understandings of cultural values, interests and perspectives and their appropriate consideration.

There are other wastewater related matters that require engagement with tangata whenua. These include:

- discussions with Tangata Whenua and the community on establishing a 'level of service' for the wastewater network – what, if any, level of overflow is tolerable – what is the community/Tangata Whenua will to accept/willing to pay for?
- engagement associated with Council's eastern and western corridor wastewater projects to service growth in the west and east. This will obviously feed into the loadings needing to discharge through the main outfall.
- Tangata Whenua view on Councils occupation and use of land at Te Maunga for wastewater (and solid waste purposes) specifically their vocal aspirations for the decommissioning of Pond 1 (previously used for sludge storage) at Te Maunga. Council is about to commence discussions with the Wastewater Management Review Committee on a future use for this pond (this is required through Council's suite of existing wastewater consents). Council requires continued use of this pond for flow balancing (no longer sludge) until at least any new outfall is constructed. This will likely not be looked on favourably.
- Another layer for consideration is the Marine and Coastal Act for which Nga Potiki are seeking Customary Marine Title and Rights in Rangataua Bay at Te Maunga and the coastal strip (includes the alignment of the main outfall). We are closely watching how this progresses and any implications for Council assets /activities now and going forward.

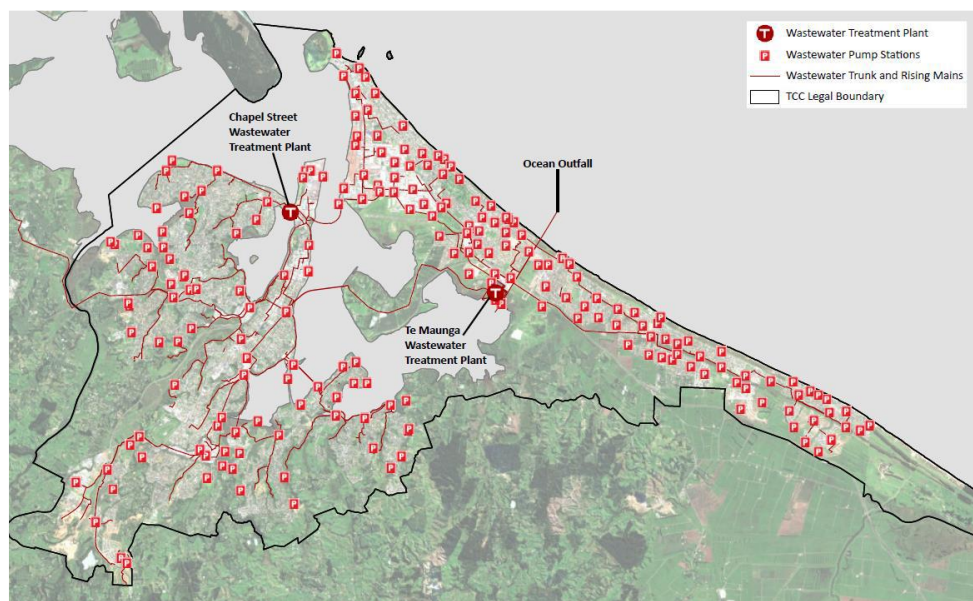


Figure 1 – Tauranga City Wastewater Network - Pump Stations, Treatment Plants and Ocean Outfall

## Tangata Whenua Engagement and Communications Plan

The preparation of a tangata whenua engagement and communications plans ("Coms Plan") is required to guide the meaningful and appropriate input and participation of tangata whenua at the right stages of the business case, project development and implementation.

The Coms Plan sets out the following sections:

1. Introduction – overview of the project and key statutory requirements
2. Target audiences and their mandate
3. The levels of engagement
4. The phases of the engagement and communications
5. Risk management
6. Monitoring and Review
7. Important Resource Documents

## Statutory Requirements

Tauranga City Council is subject to a number of statutory requirements to engage with Māori. Some of these requirements are part of existing consent conditions for Te Maunga treatment plant and wastewater network, the Resource Management Act 1991 (RMA), the Local Government Act 2002 (LGA), settlement legislation and Marine and Coastal Area (Takutai Moana) Act 2011.

### Resource Management Act 1991

The purpose and principles of the RMA set out key considerations for the relationship of Māori with their ancestral lands, waters, sites and wāhi tapu, the ethic of Kaitiakitanga, and relevant principles of Te Tiriti o Waitangi. Consultation with tangata whenua is not a duty for resource consents and designations however, there is a high expectation of local authorities and it is good practise, that

consultation with tangata whenua is undertaken to identify issues of concern, potential effects of a proposal and measures to avoid, remedy or mitigate those effects, whilst addressing the matters of national importance and priorities of the RMA. In undertaking consultation, the project team will need to;

- consider ways in which it may foster the development of their capacity to respond to an invitation to consult;
- establish and maintain processes to provide opportunities for those iwi authorities to consult it;
- consult with appropriate tangata whenua groups and agencies;
- enable those groups to identify resource management issues of concern to them; and
- indicate how these issues have been, or are to be addressed.

A local authority must also comply with any *Mana Whakahono a Rohe* (iwi participation agreements) that specifically provides a role for iwi authorities in relation to any plan or change requested under this Part.<sup>1</sup> The Council currently has a number of iwi and hapū protocols that set out agreements on how the iwi/hapū will participate in RMA processes.

#### Conditions of Consent

Most of consents for the wastewater treatment plants and network were obtained in 2005/06 and have a duration of 35 years. A further consent for discharge of stabilised sludge and a general consent for existing infrastructure to occupy coastal space were granted in 2009. In summary the consents allowed for the following activities.

- An increase in the average daily discharge of treated wastewater via the ocean outfall from 23,000m<sup>3</sup>/day
- to 50,000m<sup>3</sup>/day
- Further development of the Chapel Street WWTP and the Te Maunga WWTP
- Implementation of further odour management measures at the Chapel Street WWTP
- UV disinfection at the Te Maunga WWTP
- Conversion of the Te Maunga oxidation pond to a wetland
- Introduction of a new process for managing sludge at the Te Maunga site
- Decommissioning of the Te Maunga sludge pond
- Improvements to the storage capacity at the Te Maunga site to prevent overflows of treated wastewater into the Tauranga Harbour.
- Upgrading the ocean outfall pipeline by relaying a new pipe in the landward section from the Te Maunga
- site to Maranui Street, and retrofitting (relining) the beach and marine sections from Maranui Street out into the ocean
- Increasing the number of sites for the irrigation of reclaimed water.

There are a few conditions that relate to consultation and these are included in the table below along with comments on how this may influence the Coms Plan.

Conditions of Consent(s)	Coms Plan Response
RC#65178	

<sup>1</sup> First Schedule, Part 2, 26A



6.2 within 6 months of the commencement of this consent, facilitate the formation of a consultative group comprising, but not restricted to, relevant staff from Tauranga City Council, Environment Bay of Plenty, Toi Te Ora Public Health, Ngaiterangi Iwi Incorporated Society and Ngati Ranginui Iwi Society. The purpose of the consultative group is to establish and/or further develop, and maintain, appropriate protocols to be followed in the case of a break or spillage associated with the structures authorised under this consent.	Completed????
RC# 62878.o.03-CC  18.3(c) To make recommendations to the permit holder as to physical measures and initiatives to address or compensate for actual or potential effects of the Tauranga City Wastewater Scheme (in the broadest environmental sense).	Refer to 18.4 (below)
RC# 62878.o.03-CC  8.4 (b)  Recommendations to the permit holder in relation to physical environmental mitigation or enhancement or mitigation works in accordance with Condition 18.3(c) hereof;  the Review Committee will exercise its best endeavours to ascertain the existence of any persons or bodies who may have a particular interest or stake in the ecological health of the Tauranga Harbour (particularly the Upper Harbour/Rangataua Bay area) and to consult with those bodies or persons as to appropriate initiatives and measures to be so recommended (in accordance with Condition 18.3(b)) or undertaken (in accordance with Condition 18.3(c)). As a minimum, the Review Committee shall consult with:  Nga Potiki hapu and iwi of Ngaiterangi, Ngati Ranginui and Ngati Pukenga and Te Arawa and their respective hapu which hold kaitiaki status over the wider Tauranga Moana district, including any Working Group established by those hapu or iwi;	In relation to the Environmental Mitigation and Enhancement Fund and physical measures and initiatives to address or compensate for effects of the Tauranga City Wastewater Scheme (in its broadest sense), the WWRMC will identify affected iwi and hapu, and working groups and conduct consultation with them prior to making decisions on fund and prior to making recommendations on works.

Figure 4 – Table showing conditions of consent related to tangata whenua consultation.

**Local Government Act 2002**

There are statutory functions and requirements in the Local Government Act 2002, including;

- maintaining and improving opportunities for Māori to contribute to local government decision-making processes<sup>2</sup>
- establishing and maintaining processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority<sup>3</sup>
- considering ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority<sup>4</sup>
- when making significant decisions, taking into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga<sup>5</sup>.

### Deeds of Settlement and legislation

There are a few Treaty settlements that provide for iwi participation in resource consent processes. This participation involves discrete areas known as statutory areas using an instrument called a statutory acknowledgement (SA). Where a resource consent affects an SA, the consent authority (Council) must send a summary of the application to the respective Iwi authority for their information and allow for any feedback. The SAs do not give any more rights or interests under the RMA, rather an opportunity to participate in a decision-making process. The SAs of relevance to this plan may include those areas affected by the Te Maunga outfall and the associated network. These SAs relate to the values and interests of Ngāi Te Rangī, Ngā Pōtiki and Waitaha. They are:

- Waitaha Statutory Acknowledgement Area Coastal Area Maketu to Mauao
  - Add reference<sup>6</sup>
  - Add reference<sup>7</sup>
- Statement of Association Waiorooro ki Maketu (OTS-078-13)
  - Add reference
- Statement of Association Te Akau (OTS-078-13)
  - This statement of association relates to the sand dunes and beach from Papamoa coast - West of Girven Road to Wairākei (Taylor's Reserve) ending at Te Tumu (mouth of the Kaituna River).<sup>8</sup>

### Marine and Coastal Area (Takutai Moana) Act 2011.

Section 62 (2) and 62 (3) of the Marine and Coastal Area (Takutai Moana) Act (MACA) requires applicants for resource consents and permits in the coastal marine area to notify an applicant for recognition of customary marine title about the application and seek their views on the application.

<sup>2</sup> LGA 2002, section 14(1)(d)

<sup>3</sup> LGA 2002, section 81(1)(a)

<sup>4</sup> LGA 2002, section 81(1)(b)

<sup>5</sup> LGA 2002, section 77(1)(c)

<sup>6</sup> Waitaha Claim Settlement Act. Section 27(b)

<sup>7</sup> Waitaha Claims Settlement Act section 28

<sup>8</sup> applies to the area shaded dark blue on deed plan (OTS-078-13) and is limited to the marine and coastal area as defined in section 9 of the Marine and Coastal Area (Takutai Moana) Act 2011

## 2.0 NGĀ UARA - PRINCIPLES OF ENGAGEMENT

The inclusion of tangata whenua in the development of the business case and its implementation may improve the understandings of one another's priorities, expectations and aspirations.

To be informed, engagement with tangata whenua needs to be conducted early, be inclusive and conducted in a Māori user friendly way to enhance future relationships and effective development of the proposal and options. It should always be front of minds that engineering processes and the business plan itself are technical, complicated and use language unfamiliar to Iwi. Dedicated time and thought will be required to ensuring using language in communications and engagement that is appropriate and accessible.

The engagement should be inclusive to cover the diverse perspectives of tangata whenua. It will be important to identify the right people at the right level to engage during the project.

At least six months is commonly required for a proposal to be consulted on, larger projects and processes requiring significant lead in time. December, January, public and school holidays should be avoided wherever possible. Depending on the complexity of a project or proposal, resources may be necessary to allow the tangata whenua/ Māori to be informed, independently advised and able to respond.

The engagement will require approaches that are organic and meaningful being responsive to community needs and aspirations as well as issues of concerns (problems).

Six principles have been identified to guide and underpin the engagement and communications. These are:

- **Early** – early, plenty of time, respects capability and capacity
- **Informed** - informed discussion and accurate information
- **Inclusive** – understanding priorities, managing expectations, working together, the opportunity to speak, seeking a diversity of views and creating multiple pathways
- **Māori friendly** - face to face, organic/ natural, and not afraid of contemporary methods
- **Partnerships** – reasonable, accountability and conducted in good faith
- **Active Protection** – active duty, opportunities to empower, protect taonga.

### **Ka iti nga kupu, ka nui ngā kōrero**

*Small words have great meaning – this is a metaphor for words having power, that a few powerful words can convey easily understood concepts and ideas.*



### 3.0 TARGET AUDIENCE AND MANDATE

This section identifies the key target audience and their mandate.

A Wastewater Management Review Committee (WMRC) has been established and operating for many years. The WMRC was established as a committee of Council by the Mayor under section 41A of the Local Government Act 2002 and conditions imposed on Bay of Plenty Regional Council Coastal Permit # 6287.

The WMRC has a membership of eight, four of whom are elected members and four who are appointed as representatives of Ngāti Ranginui and Te Rūnanga o Ngāiaterangi Iwi Trust and two members as representatives of the Nga Potiki Kaitiaki Resource Management Unit. The purpose of the WMRC is Ngāi Te Rangi, Ngāti Ranginui and Ngā Pōtiki are represented on the WMRC. This is an appropriate and relevant forum for engagement on matters relating to the Te Maunga Wastewater Treatment Plant and the discharge.

The manawhenua of the Te Maunga wastewater treatment plant site are widely agreed to be Ngā Pōtiki. They have a resident community and marae a short distance from the site. Ngā Pōtiki has two representatives on the WMRC, however it may be prudent to engage with the wider community not only to support the two representatives but to hear and understand a diversity of views. Ngā Pōtiki have a long history of opposition to the establishment of wastewater discharges to Te Tahuna o Rangataua (Rangataua Harbour).

The manawhenua of the Chapel Street wastewater treatment plant are Ngai Tamarawaho. They have a resident community at Huria Marae (Te Kaponga Street) and Te Reti (Cambridge Road). If changes are proposed to the Chapel Street plant, engagement with Ngai Tamarawaho would be prudent given the sensitivity of the hapū to the location of the plant adjacent to the Waikareao Estuary and historical discharges of wastewater to the Tauranga Harbour.

Whilst Ngāti Ranginui and Ngāi Te Rangi are represented on the WWMRC there are a large number of iwi and hapū with rights and interests in Tauranga City. There are several iwi authorities that have interests in the wider area and coastal marine area, including:

- Te Runanga o Ngāi Te Rangi Iwi Trust
- Ngā Hapū o Ngāti Ranginui Settlement Trust
- Ngāti Ranginui Fisheries Trust
- Ngāti Ranginui Iwi Society
- Ngā Potiki o Tamapahore Trust
- Tauranga Moana Trust Board
- TMIC Leasing Company Limited
- Ngāti Pūkenga Iwi ki Tauranga Trust
- Te Kapu o Waitaha
- Tapuika Iwi Authority.

Te Rangapū Mana Whenua o Tauranga Moana Partnership (Te Rangapū) is an autonomous body made up of 17 hapū and iwi representatives from the Tauranga City Council area. Te Rangapū provides a forum for tangata whenua within the Tauranga City Council area to discuss and debate local authority concerns. This body may be an important forum for updates and information regarding the engagement process and any wider issues of concern.

The Tauranga Moana Advisory Group is an interim partnership arrangement that anticipates a Tauranga Moana Governance Group will be established once the Tauranga Moana Iwi Collective Deed of Settlement is passed into law. The group was established in November 2014 and has been meeting quarterly. The group has representatives of Bay of Plenty Regional Council (5), Ngāi Te Rangi (2), Ngāti Ranginui (1), Ngāti Pūkenga (2), Western Bay of Plenty District Council (2) and Tauranga City Council (2). Its purpose is loosely focussed on building relationships and sharing information. This group will have a key role in progressing Treaty Settlement aspirations and managing environmental outcomes for the Tauranga harbour.

Many of the adjacent lands at Te Maunga are Māori owned blocks. The land trusts for these blocks may be affected parties. One of the larger Maori incorporations is Mangatawa Incorporation who have land interests near Te Maunga. They may need to be consulted as affected parties under the RMA.

Some 8 applications have been made to the High Court in regards to the Marine and Coastal Area (Takutai Moana) Act 2011. No hearings for these claims have been heard or scheduled at the time of this plan. The potential confirmation of title and customary rights may have an impact on future discharges and structures in the coastal marine area. The applicants include:

- Ngā Hapū o Ngāi Te Rangi
- Ngā Pōtiki
- Ngāi Tamarawaho
- Ngāti He
- Ngāti Makino and Ngāti Pīkiao
- Ngāti Pūkenga
- Ngāti Ranginui and
- Waitaha.

There are requirements to send a notice of resource consent applications to claimants as part of the MACA.<sup>9</sup>

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<sup>9</sup> See Statutory Section, page 7 – Marine and Coastal Area (Takutai Moana) Act, section 62 (2) and 62(3)

#### 4.0 LEVELS AND MODES OF ENGAGEMENT

The levels of engagement are deliberately aligned to the target audiences and the phases of the project. This approach seeks to take into account the mandate of the audience, their role in influencing decision-making and objectives of the engagement.

The engagement will need to be cognisant of preferred modes of engagement such as face to face, hui and wānanga, but also taking into account the potential for COVID-19 virus alert levels having a significant effect on gatherings and places of human contact. There will need to be strategies and measures to respond to any new restrictions and constraints on in-person interactions.

We have used an adapted version of the International Association for Public Participation (IAP2) Spectrum (2007), which sets out a range of levels of engagement as a guide to the implementation of the plan. It is acknowledged that engagement methods will have their advantages and shortcomings, and that it is important that the engagement is nimble enough to respond proactively to changing circumstances and needs.

Inform	Consult	Involve	Collaborate	Empower
To provide (the public/stakeholders/target audiences with) balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain feedback on analysis, alternatives and/or options.	To work directly with the public/stakeholders/target audiences throughout the process to ensure that their concerns and aspirations are consistently understood and considered.	To partner (with key stakeholders) in each aspect of the decision, including the development of alternatives and the identification of the preferred solution.	To place the final decision-making in the hands of the public, key stakeholders/target audiences.

Figure 2 – levels of engagement

The target audience is Māori, specifically tangata whenua representatives, social groups and governance entities. The engagement will need to consider the capability of staff to engage effectively. Cultural awareness, strong engagement skills and experience with Māori, and familiarity with socio-political dynamics will be essential for successful engagement.

Inform	Consult	Involve	Collaborate	Empower
<ul style="list-style-type: none"> <li>Fact sheets</li> <li>Email updates</li> <li>Websites</li> <li>Letters</li> <li>Annual monitoring Reports</li> <li>Public presentations</li> <li>Media releases and advertising</li> </ul>	<ul style="list-style-type: none"> <li>Surveys</li> <li>Focus groups</li> <li>Face to face meetings</li> <li>Public meetings</li> <li>Workshops</li> <li>Online discussion</li> </ul>	<ul style="list-style-type: none"> <li>Specialist forums</li> <li>Advisory panels</li> <li>Consultative committees</li> <li>Participatory decision-making processes</li> <li>Workshops</li> </ul>	<ul style="list-style-type: none"> <li>Reference groups</li> <li>Joint projects</li> <li>Multi-group initiatives and activities</li> <li>partnerships</li> </ul>	<ul style="list-style-type: none"> <li>Tangata whenua representative s on governance structures and committees</li> <li>Commissioned t/w to undertake work</li> </ul>

Figure 3 – Methods of engagement and communication

## 5.0 PROGRAMME OF ENGAGEMENT AND COMMUNICATIONS

This section provides more detail on objectives of engagement, who will be engaged, the level of engagement and methods at different stages of the project.

### Business Case

An indicative business case is likely to lead to a future consenting process for the marine section of the city's wastewater outfall. The current outfall is of relatively poor condition and will not meet the needs of the city in term of peak wet weather flows and future growth predictions. The long-term viability of the outfall will be assessed, the potential to rehabilitate it or construct a new larger one and also consider alternative forms of disposal.

The engagement will involve a wide range of groups that will be unaware of the situation or the breadth of information and assessment required to support any proposals. The WRMC, Ngā Pōtiki, Rangataua Manawhenua, Te Rangapū and the Tauranga Moana Advisory Group (TMAG) have been identified as target audiences.

	Description	Outputs
<b>Objectives</b>	<ul style="list-style-type: none"> <li>➤ Maintain a positive working relationship with WMRC tangata whenua members.</li> <li>➤ Identify and articulate important issues of concern and solutions/measures for addressing them.</li> <li>➤ Provide regular updates to members of the WRMC.</li> </ul>	
<b>Success Indicators</b>	<ul style="list-style-type: none"> <li>➤ Good attendance to meetings and workshops.</li> <li>➤ Issues of concern are clear and confirmed.</li> <li>➤ Members are positive regarding the process and quality of engagement.</li> </ul>	
<b>Key Messages</b>	<ul style="list-style-type: none"> <li>➤ We want to work with manawhenua and tangata whenua reps on WRMC to prepare a business case</li> <li>➤ Consideration of alternatives will be a important piece of work.</li> <li>➤ The consent processes are still a while away and will have full engagement.</li> </ul>	
<b>Preliminary Tasks</b>	<ul style="list-style-type: none"> <li>➤ Organising hui with Te Rangapu through Takawaenga unit in 2021.</li> <li>➤ Organise attendance to a quarterly meeting of TMAG in 2021.</li> <li>➤ Confirm with Ngapotiki when are good meetings to join or have dedicated and specific hui in 2021.</li> <li>➤ Prepare a briefing paper, one page fact sheets and a presentation for Māori audiences.</li> </ul>	

	<ul style="list-style-type: none"> <li>➤ Work with Nga Potiki in preparing for and holding a Rangataua Manawhenua hui in 2021.</li> </ul>	
<b>WMRC</b>	<b>COLLABORATE</b> <ul style="list-style-type: none"> <li>➤ Appointment of a tangata whenua representative of WMRC on business case project team✓</li> <li>➤ Appointment of a support advisor to tangata whenua representative. ✓</li> <li>➤ Workshops and input to business case✓</li> <li>➤ Engagement with Nga Potiki, wider Rangataua Manawhenua, Te Rangapu and TMAG.</li> </ul>	Workshop notes of ILM process.  Business Case.
<b>NGAPOTIKI</b>	<b>CONSULT-INVOLVE</b> <ul style="list-style-type: none"> <li>➤ Attend at least two meetings to brief Ngapotiki RMU on wastewater projects including business case, their preference for engagement method and representation.</li> <li>➤ Nga Potiki may defer to the appointed rep on the project team or want a specific programme of engagement.</li> <li>➤ Update on progress of business case and seek input regarding their position as required.</li> </ul>	Presentations.  Notes of meetings.
<b>TAURANGA MOANA ADVISORY GROUP</b>	<b>INFORM</b> <ul style="list-style-type: none"> <li>➤ Attendance to a meeting of the TMAG.</li> <li>➤ Provide information on business case and overall engagement proposed with Māori and tangata whenua.</li> </ul>	Fact Sheet  Papers/Presentation on business case
<b>RANGATAUA MANAWHENUA</b>	<b>CONSULT</b> <ul style="list-style-type: none"> <li>➤ Undertake a hui with Rangataua Manawhenua to brief on wastewater projects including business case, their preference for engagement method and representation.</li> <li>➤ Update on progress of business case and seek input regarding their position as required.</li> </ul>	Presentation  Notes of the Meeting.
<b>TE RANGAPU</b>	<b>INFORM</b> <ul style="list-style-type: none"> <li>➤ Attend 2 hui to provide briefing on the wastewater projects including; business case process and on overall engagement with Māori and tangata whenua.</li> </ul>	Presentation  Minutes of meeting

As part of the above, discussions with Tangata Whenua and the community on establishing a 'level of service' for the wastewater network – what, if any, level of overflow is tolerable – what is the community/Tangata Whenua will to accept/willing to pay for?



Possibly extending to engagement associated with Council's eastern and western corridor wastewater projects to service growth in the west and east. This will obviously feed into the loadings needing to discharge through the main outfall.

Weaving into the above conversations Tangata Whenua view on Council's occupation and use of land at Te Maunga for wastewater (and solid waste purposes) specifically their vocal aspirations for the decommissioning of Pond 1 (previously used for sludge storage) at Te Maunga. TCC is about to commence discussions with the Wastewater Management Review Committee on a future use for this pond (this is required through Council's suite of existing wastewater consents). Council requires continued use of this pond for flow balancing (no longer sludge) until at least any new outfall is constructed. This will likely not be looked on favourably.

### Alternatives and Preferences

The project may seek to commission an investigation of alternatives as part of the business case and/or the consideration of alternatives for the resource consents. The methodology for this exercise is not yet determined, however it is likely to involve the development of and application of Māori multiple criteria for constraints, effects and preferences and will require Maori technical inputs and leadership involvement.

The engagement will require approaches that are organic and meaningful being responsive to community values, principles and issues of concerns. Many of the issues of concern will be known to council through the many years of experience and the available literature. The search for issues of concern may be as much about confirming known issues of concern now as identifying and understanding emerging issues.

This work will have particular interest from tangata whenua. It would be prudent to consider having tangata whenua representatives and expertise in the project team.

Another layer for consideration is the Marine and Coastal Act for which Nga Potiki are seeking Customary Marine Title and Rights in Rangataua Bay at Te Maunga and the coastal strip (includes the alignment of the main outfall). We are closely watching how this progresses and any implications for Council assets /activities now and going forward.

This work will need broad involvement of tangata whenua, particularly if land-based options are considered. The consideration of alternatives is often stated in submission of tangata whenua in opposition to wastewater projects.

	Description	Outputs
<b>Objectives</b>	<ul style="list-style-type: none"> <li>➤ A broad range of alternatives have been considered including options that meet cultural preferences such as discharge to land.</li> <li>➤ Important values, principles and issues of concern have been accurately identified and incorporated into assessments.</li> <li>➤ Tangata whenua have been given enough time and resources to participate actively and meaningfully in the consideration of alternatives.</li> </ul>	
<b>Success Indicators</b>	<ul style="list-style-type: none"> <li>➤ Good attendance to meetings and workshops.</li> </ul>	

	<ul style="list-style-type: none"> <li>➤ Alternatives Report is endorsed by tangata whenua members of the WRMC.</li> <li>➤ Tangata whenua are positive regarding the process and quality of engagement.</li> </ul>	
<b>Key Messages</b>	<ul style="list-style-type: none"> <li>➤ TCC is considering a broad range of alternatives</li> <li>➤ Cultural is a significant part of the considerations along with [environmental, engineering feasibility, cost and social]</li> </ul>	
<b>Preliminary Tasks</b>	<ul style="list-style-type: none"> <li>➤ Research and information collation such as review of iwi planning documents, cultural impact assessments, Iwi/ Hapū Protocols, strategic plans, 5 year monitoring review, etc</li> <li>➤ Develop paper on methods of assessing options from a cultural perspective.</li> </ul>	<p>Review of IMPs and relevant planning documents.</p> <p>Paper on methods of cultural assessment.</p>
<b>NGAPOTIKI &amp; NGAI TAMARAWAHO</b>	<p><b>COLLABORATE</b></p> <ul style="list-style-type: none"> <li>➤ Nga Potiki and Ngai Tamarawaho representatives on the project team.</li> <li>➤ Technical support providing cultural input into consideration of alternatives.</li> <li>➤ Development of multi-criteria and/or attributes, indicators and outcomes.</li> </ul>	
<b>WRMC</b>	<p><b>INVOLVE</b></p> <ul style="list-style-type: none"> <li>➤ Workshop with WRMC regarding methodology, range of options, engagement.</li> <li>➤ Alternatives and preferences on agenda of WRMC meetings/workshops.</li> <li>➤ Collate responses and record these.</li> <li>➤ Use this group to discuss issues and seek perspectives on measures to enhance opportunities and mitigate or avoid constraints.</li> </ul>	<p>Presentations</p> <p>Minutes of meetings.</p> <p>Summary of views of WRMC tangata whenua members.</p>
<b>TE RANGAPŪ</b>	<p><b>CONSULT</b></p> <ul style="list-style-type: none"> <li>➤ Face to face hui/workshop with Te Rangapu regarding methodology, range of options, engagement.</li> <li>➤ Attend 2 meetings to provide updates and record any feedback and respond to queries.</li> <li>➤ Presentation on outcomes of alternatives assessment work (draft)</li> </ul>	<p>Presentation</p> <p>Notes of hui/workshop.</p>
<b>MANAWHENUA IWI AND HAPU</b>	<p><b>INVOLVE</b></p> <ul style="list-style-type: none"> <li>➤ 2 Workshops with Mana Whenua Iwi and Hapu regarding methodology, range of options, engagement.</li> </ul>	<p>Presentation</p> <p>Notes of workshops</p>

<b>TAURANGA MOANA ADVISORY GROUP</b>	<b>CONSULT</b> <ul style="list-style-type: none"> <li>➤ Attendance to a meeting of the TMAG.</li> <li>➤ Provide information on alternatives and preferences once hui/workshops with others have been completed.</li> <li>➤ Record any feedback and comments.</li> </ul>	Presentation  Minutes of Meeting
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## RMA Resource Consents

Resource consents will be required for works to implement the recommendations of the business case and other assessments, such as the consideration of alternatives. Consents of replacement or major repairs to the outfall at Omanu are likely to involve primarily Nga Potiki for the landward section and Ngā Potiki and Ngāi Te Rangi for the seaward section.<sup>10</sup> Wider works that may affect Rangataua Harbour, Tauranga harbour and lands will involve consultation with other iwi and hapū. Wastewater related projects are a significant issue for tangata whenua regardless of where they are located. An active programme of engagement wider than the immediate area would be prudent in light of historical and contemporary opposition of tangata whenua to wastewater treatment, conveyance and discharge proposals.

Description	Outputs
<b>Objectives</b>	<ul style="list-style-type: none"> <li>➤ All affected tangata whenua are consulted.</li> <li>➤ The proposals are well understood by tangata whenua.</li> <li>➤ Tangata Whenua have meaningful opportunities to participate in the RMA resource consent process.</li> <li>➤ TCC meets its statutory responsibilities and meets expectations of formal engagement agreements.</li> </ul>
<b>Success Indicators</b>	<ul style="list-style-type: none"> <li>➤ Good attendance to meetings and workshops.</li> <li>➤ Issues of concern are clearly articulated and confirmed.</li> <li>➤ Tangata Whenua are positive regarding the process and quality of engagement.</li> <li>➤ The adverse effects and positive effects expressed by tangata whenua have been accurately recorded.</li> <li>➤ Submissions <u>do not</u> mention the lack of consultation.</li> </ul>
<b>Preliminary tasks</b>	<ul style="list-style-type: none"> <li>➤ Confirm the geographic extent of proposed works and the affected iwi and hapū.</li> <li>➤ Research and information collation such as review of iwi planning documents, cultural impact assessments, Iwi/ Hapū Protocols, strategic plans, etc</li> </ul>

<sup>10</sup> Based on directory of Iwi and Hapū contacts within the Tauranga City area, [www.tauranga.govt.nz/community/tangata-whenua](http://www.tauranga.govt.nz/community/tangata-whenua)

	<ul style="list-style-type: none"> <li>➤ Establish and tangata whenua contact list</li> <li>➤ Develop and implement blocks of 3-month consultation with tangata whenua.</li> <li>➤ Establish a project team or specialist group.</li> </ul>	
<b>NGAPOTIKI</b>	<b>INVOLVE</b> <ul style="list-style-type: none"> <li>➤ Representative(s) members of project team and/or specialist group.</li> <li>➤ Cultural values and impact assessment.</li> <li>➤ At least 6 hui with Nga Potiki RMU</li> <li>➤</li> </ul>	<p>Minutes of meeting Presentation.</p> <p>Discussion document.</p>
<b>WMRC</b>	<b>INVOLVE – COLLABORATE</b> <ul style="list-style-type: none"> <li>➤ Workshop with WMRC regarding effects, mitigation measures and engagement.</li> <li>➤ Alternatives and preferences on agenda of WMRC meetings/workshops.</li> <li>➤ Use this group to discuss issues and seek perspectives on measures to enhance opportunities and mitigate or avoid constraints.</li> <li>➤ Identify opportunities for special joint projects, e.g. research.</li> </ul>	
<b>RANGATAUA MANAWHENUA</b>	<b>CONSULT</b> <ul style="list-style-type: none"> <li>➤ Face to face hui/workshops with Rangataua manawhenua.</li> <li>➤ Follow up meetings to provide updates and record any feedback and respond to queries.</li> <li>➤ Presentation on outcomes of alternatives assessment work (draft)</li> <li>➤ Commissioning CVAs if required.</li> </ul>	<p>Workshop notes.</p> <p>Meeting notes.</p>
<b>TE RANGAPU</b>	<b>CONSULT</b> <ul style="list-style-type: none"> <li>➤ Attend monthly meetings to provide update on notification, any matters being worked on or followed up from previous hui.</li> </ul>	Notes of meetings
<b>TMAG</b>	<b>INFORM</b> <ul style="list-style-type: none"> <li>➤ Update to TMAG on notification and preferred option(s).</li> </ul>	
<b>MACA</b>	<b>INFORM</b> <ul style="list-style-type: none"> <li>➤ Notify MACA claimants of application for resource consents (in the CMA).</li> <li>➤ Consider and respond to any feedback received.</li> </ul>	<p>Letters of notification</p> <p>Collation of any feedback (in AEE).</p>
<b>AFFECTED PARTIES</b>	<b>CONSULT</b> <ul style="list-style-type: none"> <li>➤ Identify potentially affected parties for consent applications.</li> </ul>	

	<ul style="list-style-type: none"><li>➤ Consider whether specific engagement is required, and if so, the appropriate level of engagement.</li><li>➤ Attend meetings as necessary to identify issues and measures to address them.</li><li>➤ Provide updates on notification and any matters being worked on.</li></ul>	
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## 6.0 RISK MANAGEMENT

This section sets out known risks that may eventuate during the projects and actions to mitigate those risks.

RISK	ACTION TO MITIGATE RISK	OUTCOMES SOUGHT
COVID19 restrictions on gatherings, and work placement make meetings, hui and face to face impossible.	Build or maintain capacity for alternative ways of working online.	Build and maintain momentum during engagement phases.  Be flexible and adaptive to change.
COVID19 level 2 and 3 requirements for hygiene and social distancing.	Select venues that are COVID19 compliant.  Implement contact tracing measures.  Have hand washing/cleaning and other health measures in place at all engagements.  Restrict numbers.  Increase online capability.	Ensure engagement is conducted safely and meets health requirements.
Challenges identifying the right people to engage from the organisations.	Prepare a contact list with alternates.	More than 1 person contact in each organisation/group.  Identify alternative organisation.
Turnover of main contact or members and representatives causing a loss of momentum and member input.	Broaden contact within organisations. Try and get others involved.	Members are consistent through phases and engagement.
Views of the members may not reflect the views of their organisation.	Allow time for members to confirm their views with their organisation/group.  Seek membership from mandated or senior members of the group/organisation.	Views of members in collectives is consistent/mandated by organisation.
Hui, meetings, and workshops are postponed or cancelled	Check that dates do not clash with any national 'Māori' events like Te Matatini, Ratana events,	Be flexible and adaptive to change.

due to tangihanga, event clashes.	Matariki, Te Wiki o Te Reo Māori, secondary school kapa haka and Tauranga Moana Festival.	Build and maintain momentum during engagement phases.
Meetings, hui, and workshops should avoid holiday seasons as attendance may be poor.	Avoid group/ collective face to face engagements during mid-late December, all of January and school holidays.	Build and maintain momentum during engagement phases.  Good attendance at engagements.
An important decision needs to be made during the engagement process.	The project team needs to have lines of accountability including where ultimate responsibility (a person at TCC) lies. There will need to be a response to governance, management, and operation issues as they present themselves.  Utilise best practise engagement guidelines.	Clear lines of accountability.  Project team take responsibility appropriately.
Iwi or hapū may request to prepare a cultural impact assessment.	Identify cultural criteria or key values and principles in business case.  Build this into the RMA process.	Issues of concern are clearly articulated.  The impact of proposed plan options are understood, evaluated and considered in decision-making process.
Representatives wear many hats. There will need to be clarity which group or interest the representative is speaking for.	This is both an opportunity and a risk. Each representative is likely to be involved in a range of community and professional matters. This offers an opportunity to gain rich insights and perspectives, but also make communications complicated when statutory interests need to be clear, accurate and understood.  Facilitators may need to clarify with representatives where/who the views and perspective belong to.	Recording accurately and clearly the views of the particular stakeholder groups.  Hearing a diverse range of views.

## 7.0 MONITORING AND REVIEW

A review of the Coms Plan should be conducted at the end of each phase of engagement. This is particularly important due to the uncertainty (at the present time) of the final options for the wastewater plant and network. There will need to be an ability for the Coms Plan to respond to the community preferences for engagement.

Monitoring of the Coms Plan should be undertaken on a bi-weekly basis, with particular attention to the programme of engagement, changes to assumptions and risk management. This should be in a written form and communicated to the project manager/lead.

## 8.0 IMPORTANT REFERENCE DOCUMENTS

Wastewater Treatment Plant Monitoring Upgrade and Technology Review Report (2014-2019). Prepared for Tauranga City Council by CH2M Beca Ltd. August 2020

Cultural Review for the Te Maunga Wastewater Treatment Plant Resource Consent. A technical report prepared for Tauranga City Council on behalf of ngā tāngata whenua o Te Tahuna o Rangataua. Prepared by Conroy and Donald Consultants Limited, & Rolleston Advisory Services, July 2020

Tauranga Moana Iwi Management Plan.

Tūhoromatanui: Ngā Pōtiki Environmental Plan 2019-2029.

Listing Report for Te Tahuna o Rangataua – Wāhi tapu. Heritage New Zealand Pouhere Taonga.



## 9.4 June 2022 Pond 1 Desludging Report

**File Number:** A13522159

**Author:** Radleigh Cairns, Acting Manager: Drainage Services

**Authoriser:** Nic Johansson, General Manager: Infrastructure

### PURPOSE OF THE REPORT

1. This report updates the WWMRC on the desludging project.

### RECOMMENDATIONS

That the Wastewater Management Review Committee:

- (a) Receives the report.

### EXECUTIVE SUMMARY

2. As a condition of the Te Maunga Wastewater Treatment Plants Odour resource consent (RC62723), Council was required to decommission the “Sludge lagoon pond” (Pond 1).
3. The consent permitting the disposal of sludge from Pond 1 to the adjacent Tip Lane landfill (RC 67894) is due to expire in July 2024 and requires the cessation of sludge disposal to the landfill by 30 March 2024. This is the most economic option for sludge disposal.
4. With effect from April 2019, Council stopped discharging sludge into Pond 1. It was planned that a minimum of a 1-year period would elapse, to allow the sludge to mature, before commencing with a desludging campaign.
5. Late 2020, a diversion wall in Pond 1 was found to contain asbestos. Further investigations, extending into early 2021 established that there were traces of asbestos throughout Pond 1, delaying the procurement of a desludging contractor whilst specialists reviewed the safest approach for managing the presence of asbestos.
6. The diversion wall was removed in September 2021 and the procurement of a desludging contractor was started in November 2021. TCC has appointed a preferred contractor – Conhur, to commence desludging the pond in July 2022.
7. The Engineer’s estimate is between 6,000 and 10,000dTS (dry tonnes of sludge) in Pond 1. The capacity of the adjacent Tip Lane Landfill to be used for sludge disposal, is estimated to be between 8,000 – 10,000dTS.
8. There is sufficient budget in the LTP for desludging project.

### BACKGROUND

9. Te Maunga's Wastewater Treatment Plant treats the wastewater from Mount Maunganui and Papamoa catchment areas as well as wastewater from the Southern Pipeline. Historically, waste sludge from TM WWTP was discharged to Pond 1 to mature and reduce odours as the final step in the treatment process while the treated effluent flowed via Pond 2 and Wetland C before being pumped out to sea. Over the years Pond 1 has required regular desludging to remove accumulated sludge.
10. In late 2015, staff identified that a consent condition in the Te Maunga Wastewater Treatment Plant odour consent (RC62723) requiring the “sludge lagoon pond” to be decommissioned by September 2012 had been overlooked.
11. The WWMRC made a number of recommendations to Council which they approved to address this non-compliance as a matter of urgency:
  - Stage 1 involved the construction of a Thickening and Dewatering Plant at Te Maunga to enable the cessation of sludge disposal to the pond.

- Stage 2 involved determining alternative end use options for biosolids
  - Stage 3 involved the WWMRC determining the future use of Pond 1 as required under the consents associated with the Te Maunga Plant and the wastewater networks discharge to the ocean.
12. Following the commissioning of the Thickening and Dewatering Plant at the Te Maunga WWTP, the disposal of waste sludge to Pond 1 ceased in April 2019. This new plant - as the name suggests - thickens and dewateres the sludge prior to removal off site to a vermi-composting operation in Kawerau.
  13. The consent permitting the disposal of sludge from Pond 1 to the adjacent Tip Lane landfill (RC67894) is due to expire in July 2024 and requires the cessation of sludge disposal to the landfill by 30 March 2024. This is the most economic option for sludge disposal.
  14. The desludging project was due to commence in April 2021 under TC83/20, but was delayed due to the discovery of asbestos in an old deflector wall in the pond in late 2020.
  15. The procurement of a desludging contractor was put on hold whilst specialists reviewed the safest approach for managing the presence of asbestos and to confirm that the standard desludging methodology would not increase the risk of release of asbestos fibres to the atmosphere. A number of options were assessed and it was established that:
    - (a) The standard desludging methodology would be adequate with controls in place to manage asbestos, and
    - (b) The sludge, together with any traces of asbestos can be disposed of to Tip Lane Landfill, and
    - (c) The diversion wall needed to be removed.
  16. The diversion wall was removed in September 2021, together with some of the sludge and sand in the immediate vicinity of the wall. Traces of asbestos remain in the pond and the desludging contractor has the methodology to manage this risk during desludging.
  17. The desludging contract (TC83/20) will commence in July 2022 with flexibility to:
    - (a) End early if there is less sludge in the pond (unlikely).
    - (b) Extend the contract if there are benefits in doing so.

## RISKS

18. The key risks are:
  - (a) uncertainty over the actual quantity of sludge in Pond 1. At the lower end the quantity could be 6,000 dTS, whereas at the upper envelope it could be 10,000 dTS. The reason for this is that there are a number of variables that could affect the density of the sludge (this has historically been the case in previous desludging campaigns).
  - (b) Should the Tip Lane Landfill be filled prior to the pond being fully desludged we will have to haul the sludge to another site. If this is the case we may need to seek additional budget in the future.
  - (c) Rate of desludging could be slower than anticipated resulting in less sludge being deposited at the landfill by 30 March 2024. Therefore, if necessary we would possibly need a new consent to continue depositing sludge at the landfill beyond 30 March 2024.

## NEXT STEPS

19. Desludging to begin in July 2022.
20. Staff to investigate the best mechanism for achieving authority for ongoing disposal of sludge to Tip Lane Landfill beyond 30 March 2024 if necessary.

## **ATTACHMENTS**

**Nil**

## 9.5 Environmental Mitigation & Enhancement Fund

**File Number:** A13275552

**Author:** Radleigh Cairns, Environmental Programme Leader

**Authoriser:** Nic Johansson, General Manager: Infrastructure

### PURPOSE OF THE REPORT

1. To provide the Wastewater Management Review Committee (WWMRC) information on the Environmental Mitigation and Enhancement Fund (EMEF), the current guidelines for applications to the fund and options for appointing an independent panel to assess applications.

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### RECOMMENDATIONS

That the Wastewater Management Review Committee:

- (a) Receive the report.
- (b) Review the EMEF policy manual and approve any changes as required.
- (c) Approve the appointment process for appointing members of the EMEF independent panel.
  - (i) Appoint.....as representative on the appointment panel.
  - (ii) Appoint.....as representative on the appointment panel.
- (d) Review and approve the terms of reference for the members of the EMEF independent panel.

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### EXECUTIVE SUMMARY

2. RC 62878 requires Tauranga City Council (TCC) to establish an Environmental Mitigation and Enhancement Fund (EMEF) and for the Wastewater Management Review Committee (WWMRC) to make decisions on the application of the fund.
3. In 2013 two applications to the fund were approved but since then no further applications have been approved.
4. In 2019 the then tangata whenua members of the committee reviewed the guidelines for the fund and proposed the current policy manual that was approved by the committee at the August 2020 committee meeting.
5. As part of the new policy manual the WWMRC is required to appoint an independent panel to assess applications and make recommendations to the committee on which applications to fund
6. An expression of interest for applicants with the required skills will be advertised.
7. An appointment panel of two committee members (one elected member / commissioner and one tangata whenua member) and one TCC staff member will appoint the panel.

### BACKGROUND

8. RC 62878 requires Tauranga City Council (TCC) to establish a fund (Environmental Mitigation and Enhancement Fund or EMEF) of not less than \$250,000. The purpose of the fund shall be to fund and facilitate measures and initiatives (particularly in the upper Tauranga Harbour) to:
  - (a) Avoid, remedy or mitigate the actual or potential effects of the Wastewater Scheme (in its broadest sense); or

- (b) Acknowledge and provide mitigation by way of environmental compensation for ongoing adverse environmental effects (including by way of offence to tangata whenua cultural and spiritual values) associated with the wastewater scheme.
- 9. The WWMRC is to make decisions about the application of the fund and in 2016 recommended (which council approved) an additional \$300,000 be added to the fund and a further \$50,000 for each year of the life of the consent (subject to a review every three years as part of the Long Term Plan process).
- 10. The committee also agreed to review the original guidelines for applications to the EMEF to encourage more coordinated packages of work rather than standalone applications and establish an independent panel for assessing applications and allocating funds.
- 11. The new policy manual requires the committee to appoint an independent panel to assess applications to the EMEF against the eligibility and assessment criteria listed in the manual.
- 12. The draft terms of reference for the independent panel identifies the objectives, structure and key skills required of panel members as well as the process for appointing the panel.

### STRATEGIC / STATUTORY CONTEXT

- 13. The Environmental Mitigation and Enhancement Fund is a requirement of TCC's resource consent to discharge treated effluent to the ocean. The fund currently has approximately \$670,000 available.

### FINANCIAL CONSIDERATIONS

- 14. The EMEF currently has approximately \$670,000 available for projects, with a further \$50,000 +CPI to be added for the 2021-22 financial year. The 2021-24 Long Term Plan (LTP) includes a further \$50,000 per year (+CPI) to be reviewed as part of the LTP process.

### CONSULTATION / ENGAGEMENT

- 15. Community engagement on this matter is not proposed or intended.

### SIGNIFICANCE

- 16. Under the [Significance and Engagement Policy 2014](#), this matter is of low significance due to there being no change in the way the wastewater activity operates.

### ENGAGEMENT

- 17. Taking into consideration the above assessment, that the decision is of low significance, officers are of the opinion that no further engagement is required prior to the Committee making a decision.

Click here to view the [TCC Significance and Engagement Policy](#)

### NEXT STEPS

- 18. Once the committee has reviewed the policy manual, the terms of reference for the independent panel and appointed members to the appointment panel then an expression of interest for the panel will be advertised.
- 19. With the panel in place, applications to the fund can be assessed and recommendations put forward for funding.

### ATTACHMENTS

- 1. **FINAL EMEF Policy Manual August 2019 - A11678543**  
- 2. **EMEF Application Form August 2020 - A11695076**  
- 3. **Draft Terms of Reference EMEF Panel 2 September 2020 - A11919592**  
- 4. **EMEF expressions of interest advert 4 December 2020 - A13283448**  

**Environmental Mitigation and Enhancement  
Fund  
Policy Manual**

**August 2019**

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## Mihi

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A te korowai o te kaihangā, a te korowai o te rangimārie, kua hora mai, i runga i a tātou. E ngā waka o ngā tai, e ngā kārangaranga maha, e ngā iwi o te moana, e ngā tangata whenua, waiho i te kōtahi, kaua i te kōtahi, tēnā koutou, tēnā koutou, tēnā koutou katoa.

The cloak of the Creator, the cloak of peace, that has been spread upon us. The canoes of the shores, to the many affiliations, to the people throughout the moana, to the people of the land, let us join together and not fall apart, greetings, greetings, greetings to you all.

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## Tauparapara / Whakataukī

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Hei oranga whenua  
Hei oranga moana  
Hei oranga tangata

Healthy land  
Healthy waters  
Healthy people.

Ko au te pātiki  
Ko te pātiki ko au

I am the flounder and the  
flounder is me.

Puritia ngā taonga tuku iho  
a ngā tupuna  
hei tiki huia mā ngā uri whakatupu

Keep the treasures handed down  
by the ancestors  
as an adornment for the descendants  
yet to come.

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## Fund Aims & Purpose

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In accordance with condition 19 of Resource Consent 62878, the permit holder (Tauranga City Council) have established a fund titled the Environmental Mitigation and Enhancement Fund.

The purpose of Tauranga City Council's Wastewater Management Review Committee's Environmental Mitigation and Enhancement Fund (EMEF) is to fund and facilitate measures and initiatives particularly in Te Tahuna o Rangataua (Upper Tauranga Harbour) to:

- Avoid, remedy or mitigate the actual or potential effects of the Wastewater Scheme (in its broadest sense); or
- To acknowledge and provide mitigation by way of environmental compensation for ongoing adverse environmental effects (including by way of offence to tangata whenua cultural and spiritual values) associated with the Wastewater Scheme.
- To enhance the environment, which has been adversely affected by the Wastewater Scheme.

Aligned with the purposes of the fund, there are two streams of application:

- **Project / Initiative Stream** – to avoid, remedy or mitigate actual / potential effects of the wastewater scheme, or enhance the environment affected by the scheme.

The criteria and application process to obtain funding for potential projects or initiatives is outlined in this Policy Manual.

- **Environmental Compensation Stream** – to acknowledge and provide mitigation by way of compensation for ongoing adverse environmental effects. It is envisaged that Mana Whenua groupings that have been significantly impacted by the Wastewater Scheme will **engage and negotiate directly with the Wastewater Management Review Committee** in terms of potential compensation rather than follow the criteria of the project / initiative stream.

The process can be initiated by providing written notice directly to the Chief Executive and the Chair of the Wastewater Management Review Committee.

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## Project / Initiative Eligibility Criteria

The following table provides the full set of eligibility criteria a project / initiative **MUST** meet before an application may be considered for funding. Meeting these eligibility criteria does not guarantee that your project will be funded. All applications and decisions are made within the public domain.

1.	<p>The project <b>must</b> contribute to one or more of the following:</p> <ul style="list-style-type: none"> <li>• Enhance the environment, which has been adversely affected by the Wastewater Scheme</li> <li>• Avoid potential effects of the Wastewater Scheme</li> <li>• Remedy actual effects of the Wastewater Scheme</li> <li>• Mitigate actual or potential effects of the Wastewater Scheme</li> </ul>
2.	<p>The project <b>must</b> do one or more of the following (with regard to the environment detrimentally effected by the Wastewater Scheme):</p> <ul style="list-style-type: none"> <li>• achieve demonstrable benefits in the area, such as: <ul style="list-style-type: none"> <li>○ improved fresh, ground, estuarine or marine water quality</li> <li>○ increased biodiversity</li> <li>○ habitat protection</li> <li>○ soil conservation</li> </ul> </li> <li>• increase the capability of mana whenua to practice their role as kaitiaki</li> <li>• increase the capacity of mana whenua to practice their role as kaitiaki</li> <li>• increase the application of mātauranga Maori</li> <li>• include an applied research component that contributes to improved understanding of impacts, interventions and their outcomes</li> </ul>
3.	<p>The project <b>must</b> be led by mana whenua OR demonstrate an active partnership with mana whenua.</p>
4.	<p>The minimum request for funding is \$10,000 (excluding GST) per annum.</p>
5.	<p>The fund will cover a maximum of 50% of the total project cost.</p>
6.	<p>The project will be funded for a maximum period of up to five years after which the project objectives will have been achieved or the project will be self funding.</p>

7.	The project must achieve benefits that would not otherwise be realised without the fund or are not more appropriately funded through other sources.
8.	The effectiveness of the project and its outcomes will be monitored, evaluated and reported. If the project is to be funded for more than one year, the project shall include an annual review and report.
9.	An appropriate project governance structure (which includes mana whenua representation) is in place (or one will be established as part of the project).
10.	The applicant organisation must have a legal entity.

The fund will not provide financial support for:

- Activities outside the receiving environment of Tauranga City Council's wastewater scheme.
- Projects more appropriately funded through other funding sources.
- Resource consent applications and mitigation requirements.
- Projects resulting in commercial profit.
- Applications which are incomplete or do not provide enough information.

## **Project / Initiative Assessment Panel**

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Conflicts of interest can be managed by the establishment of an independent panel ("the Panel") to assess applications against the criteria and make recommendations back to the Wastewater Management Review Committee for approval. The Panel will be appointed by the Wastewater Management Review Committee on an annual basis and will comprise three to five independent representatives with specific expertise in the following areas:

- a) Te Ao Māori: being a strong understanding of Kaupapa Māori concepts of environmental management in relation to the mana whenua of Tauranga Moana;
- b) Effects and Impacts of Wastewater Schemes
- c) Project management and Governance Skills
- d) Marine and Freshwater scientific knowledge.
- e) Effects on cultural values of wastewater schemes.
- f) Environmental Management: being a strong understanding of best practice approaches of environmental remediation and enhancement;

The panel can co-op or seek advice to assess specific projects as required.

## Project / Initiative Assessment Criteria

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The panel will assess the applications against the eligibility criteria and the assessment criteria. After applications have met the eligibility criteria and when determining the relative strength and recommended funding level for applications that have met the eligibility criteria the panel must have regard to these assessment criteria.

1.	The extent to which the project addresses the detrimental effects of the Wastewater scheme
2.	The extent to which public benefit is increased
3.	The project demonstrates a high likelihood of success based on sound technical information or examples achieved through comparable projects undertaken elsewhere
4.	The extent to which the project will leverage other funding
5.	The extent to which the project will involve relevant partner organisations to help ensure it's success
6.	The extent to which project will engage personnel with the required skills and experience to successfully deliver the project
7.	The extent to which the project provides for educational opportunities, capabilities and development.

The panel assess the applications against the criteria (eligibility and assessment) and makes funding recommendations to the Wastewater Management Committee which makes the final funding decision. In determining whether to allocate or distribute funds, the committee need to retain an appropriate amount of reserve funding for future allocation.

## **APPENDIX A: PROCESS GUIDE**

### **Application process**

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Applicants will need complete and submit their application form no later than 31 March.

The completion of the application form is necessary for the evaluation of each project to be carried out. The application will be assessed against the criteria and on its merits based on information provided in the application. Failure to provide all information may result in the application being declined.

Applicants and their organisation may be asked to present to the Panel and/or the Wastewater Management Review Committee as part of the process.

Applications will open on 1 January and close on 31 March each year. The Panel consider applications against the criteria and present recommendations to the Wastewater Management Review Committee in May of that same year for consideration. All applicants will be advised of the outcome of their application in writing, as soon practicable after decisions have been made.

## Payment methods

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There are two preferred methods for releasing Environmental Mitigation and Enhancement Fund. These are payment in arrears as reimbursement, and payment in advance on receipt of a tax invoice. The preferred methods are outlined below.

The method and timing of payment(s) shall be at the discretion of the Wastewater Management Review Committee. Payment of allocated funding from the Environmental Mitigation and Enhancement Fund shall be directly to the bank account of the recipient organisation. The recipient group must provide documentation to confirm the existence of this account (for example a deposit slip) to the satisfaction of Tauranga City Council. Payment shall, at the discretion of the Council, be either:

- (a) In arrears in full or in part (taking into account the payment schedule the recipient is required to provide under their contract) as reimbursement for monies that have been spent on approved work. Tauranga City Council, after appropriate enquiry, will release allocated funding directly to the recipient organisation's bank account on receipt of verified invoices for goods and services purchased and other appropriate documentation (for example vehicle usage records); or
- (b) In advance in full or in part (taking into account the payment schedule the recipient is required to provide under their contract). Generally Tauranga City Council will release allocated funding directly to the recipient organisation's bank account upon receipt of an invoice or tax invoice. The recipient is required to verify the expenditure by providing documentation to the satisfaction of the Wastewater Management Review Committee on how the allocation has been spent. This shall be either prior to receiving any further payment, or, in the next six monthly progress report. If the payment is the only or final payment of allocated funds the documentation shall be provided in the summary report. The Wastewater Management Review Committee will make appropriate enquiries on the recipient organisation's expenditure.

In the majority of cases the recipients will be provided with the choice, from the above two methods, of how they wish to receive their funding allocation. However, in some cases Tauranga City Council will stipulate in the contract that payment shall be in arrears only. This will occur in situations where is considered appropriate based on an organisation's track record. In exceptional circumstances Tauranga City Council may come to an arrangement with a recipient organisation whereby The Council will authorise a supplier to invoice Tauranga City Council directly for a specific capital item that is required for the project.

It is expected that if a recipient group does not have a bank account then one will be opened. Tauranga City council will not release funding by cash or cheque directly to recipients. In some cases where a bank account is not available it may be appropriate for the recipient to receive their funding through an umbrella organisation's bank account. Appropriate documentation would then be required to confirm this arrangement with all parties.

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Funding allocations are GST exclusive to GST registered groups and GST inclusive to non registered groups. The GST component will be paid to GST registered groups but is not a cost to the fund.

Recipient groups are required to provide full details on their bank account, whether or not they are GST registered (and if so their GST number) and the name and contact details for a financial contact person.

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*TCC Ref: 3130285*



## Administration database

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In the inaugural funding year project applications and relevant documentation may be managed manually using Office word documents and Excel spreadsheets. In future years an in-house database may be developed. The main function of the database will be to keep information consistent, easily accessible and manageable through all stages of the application and assessment process and project implementation.

The Fund database may contain the following information:

- Mailing list of application inquiries
- Applicant and project details
- Project evaluation against screening criteria and related comments
- Project scoring against assessment criteria and related comments
- Assessment progress tables
- WWMRC decisions and related comments
- Contract details (to generate project contracts)
- Client contact/communication
- Progress/project completion report summaries
- Recipient invoices

# ENVIRONMENTAL, MITIGATION AND ENHANCEMENT FUND APPLICATION FORM

Mana taiao, whakamauru me te whakanakonako putea.

## 1. Background of the EMEF Fund



- In accordance with condition 19 of Resource Consent 62878 the Tauranga City Council has established this fund - Environmental, Mitigation and Enhancement Fund. Further information about the fund, the criteria and the application process are outlined in the Environmental Mitigation and Enhancement Fund – Policy Manual.

## 2. Applicant Details

Full name of applicant:  Role/Position:

Full name of organisation:

Postal address:

Physical address:   
(if different from above)

Post code:

Email address:  Website:

Mobile:  Phone:



- Applications can only be made by organisations that have a legal entity e.g Trust, Company, Incorporated Society
- The named applicant must be authorised to make the application on behalf of the organisation applying

## 3. Legal Entity (please select one):

Company  Charitable Trust

Incorporated Society  Māori Land Trust

Post-Settlement Governance Entity  Other (please specify)

Year of Formation

Authorised Officers (Outline full names of Trustees, Directors etc.)

#### 4. Information about your organisation

**i** Outline your organisation's purpose and objectives:

#### 5. Project Details

Project title:

Project description:

**i** Notes:

- You should provide detail as to how the proposed project aligns with the eligibility criteria for the fund.
- A simple Project Title (no more than six words) which reflects the Kaupapa / purpose of the project.
- Keep your project description brief but to the point, provide what your project involves, including the activities that will be carried out.
- The complexity and size of your project will affect how much information you need to supply, for example, half page for a small and simple project whereas a larger or more complex project will generally require significantly more details.
- Please use a separate pieces of paper if required.
- Special confidentiality requests – in exceptional circumstances we may receive applications that contain sensitive material or information. For example, your application may contain intellectual property or cultural information that you would prefer to keep confidential to the Panel. In this instance you must specify what is confidential and flag your application for a special confidentiality request. Please make this clear when you submit this application.

## 6. Project Timelines

Project start date:

Project completion date:

Any other key dates:

**i** Let us know when the proposed project is expected to start and finish and any other key dates along the way.

## 7. Project Benefits

Description of anticipated benefits:

**i**

- Describe what the benefits are?
- Who or which groups within the community are likely to benefit?
- When are benefits likely to be realised

## 8. Implementation Plan

**i** Summarise your plan of action for implementing your proposed project.

## 9. How many and who will be working on this project?

☐ Paid staff

☐ Volunteers

☐ Contractors

☐ Other

## 10. Key Personnel

List the proposed key personnel (including contractors), their proposed role in the project and contact details below:

Name	Role	Phone	Email

## 11. Project Budget

**i** Please provide an overall project budget and details about how much funding you are seeking. Your budget should exclude GST.

You should include in your budget (where applicable):

- Volunteer hours or in-kind contributions
- All contractor or personnel costs
- Project management costs
- All implementation costs

Voluntary time is the backbone of many community organisations. By putting a value on this we are showing that we acknowledge the effort of our people who give their time at no cost. For example, if you estimate that volunteers involved in the project will contribute 100hrs and the work they do could be valued at \$15 per hour, your 'in kind' contribution shown in the overall budget would be \$1500.

Activity	A - In-kind	B - Actual	Activity Cost (A +B)
Overall Budget/Total Cost of Project			\$
Any other funding received			\$
Total amount sought from EMEF			\$

## 12. Check List

Please ensure all sections in the application form are completed. Make sure you have addressed the criteria in your application.

Ensure the relevant supporting information is attached:

- ☐ Audited financial statement/accounts for the most recent financial year for your organisation
- ☐ Resolution or Letter from your organisation supporting the application
- ☐ Any other information relevant to your application

## 13. Signatures

The application form must be signed by at least one authorised officer of the organisation. The application should also be signed by the applicant/person preparing the application on behalf of the organisation.

The signatories confirm they have the authority to commit the organisation to this application and confirm all information provided is accurate and complete.

Name (Please print)	Role/Position	Signature
Date:		

## **Terms of Reference for Environmental Mitigation & Enhancement Fund Assessment Panel**

### **Background**

1. The appointment of an Environmental Mitigation and Enhancement Fund (EMEF) Assessment Panel to recommend appropriate applications for funding to the Wastewater Management Review Committee (WWMRC) is a requirement of the EMEF Policy Manual adopted at the committee meeting on 26 August 2020.

### **Objective**

2. The objective of the panel is to assess applications to the funds project / initiative stream and make recommendations to the Wastewater Management Review Committee for approval of projects that meet the following aims of the fund:
  - Avoid, remedy or mitigate the actual or potential effects of the Wastewater Scheme (in its broadest sense); or
  - To acknowledge and provide mitigation by way of environmental compensation for ongoing adverse environmental effects (including by way of offence to tangata whenua cultural and spiritual values) associated with the Wastewater Scheme.
  - To enhance the environment, which has been adversely affected by the Wastewater Scheme.
3. The panel will assess applications against the eligibility criteria contained in the approved EMEF Policy Manual, before using the assessment criteria to determine the relative strength and recommended funding level for applications recommended for approval.

### **Structure**

4. The Panel will report directly to the Wastewater Management Review Committee with recommendations.
5. The membership of the panel will be appointed on an annual basis with specific expertise in the following areas:
  - Te Ao Māori: being a strong understanding of Kaupapa Māori concepts of environmental management in relation to the mana whenua of Tauranga Moana;
  - Effects and Impacts of Wastewater Schemes
  - Project Management and Governance Skills
  - Marine & Freshwater scientific knowledge
  - Effects on Cultural values of wastewater schemes
  - Environmental management: being a strong understanding of best practice approaches of environmental remediation and enhancement



**EMEF Panel Membership**

6. EMEF Panel membership positions will be advertised locally and nationally.
7. Three to Five EMEF Panel membership positions will be created.
8. The EMEF Panel chair is appointed by the WWMRC after consultation with the panel membership and may change according to availability.
9. EMEF Panel membership can duplicate expertise in the areas noted above to account for non-attendance or conflicts of interest.
10. EMEF Panel members are to hold expertise in at least two of the disciplines noted above.
11. An Appointment Panel will be established to consider member applications. The Appointment Panel will consist of:
  - i. One Elected Member of the WWMRC (nominated)
  - ii. One Tangata Whenua Member of the WWMRC (nominated)
  - iii. One Tauranga City Council Staff member
12. The Appointment Panel will evaluate the applicants based on the following considerations and make recommendation to the WWMRC:
  - Relevant specialist professional expertise
  - Recognition as an authority in specialist areas required
  - Experience in relevant projects and programmes
  - Experience of working effectively in advisory and review capacities
  - Balance of expertise within the membership of the panel
13. The WWMRC will consider the Appointment recommendations and make the final appointment of the EMEF Panel and Chair.

**Attendance at EMEF Panel**

14. EMEF Panel members will be selected according to the project type, availability and any potential conflict of interest.
15. A minimum of 3 (three) members is required for quorum. Members may attend in person or by teleconference.
16. EMEF Panel meetings will also include attendance by Tauranga City Council staff and invited guests presenting on applications.

**Process**

17. The Panel will meet in early April after the window for applications close in March.
18. The Chairperson is responsible for running the meeting and composing and getting agreement for the EMEF Panel recommendations.
19. Tauranga City Council staff will set the agenda in consultation with the EMEF Panel Chair for all EMEF Panel meetings.

20. Where the EMEF Panel has independently identified other issues for discussion and consideration, it will address these professionally and in collaboration with relevant staff at Tauranga City Council.
21. In advance of each meeting, the EMEF Panel will be provided sufficient information on each agenda item, to enable robust consideration and recommendations.
22. All recommendations and interpretations are informed by the collective view from the multi-disciplinary range of expertise within EMEF Panel.
23. All EMEF Panel recommendations will be formalised by meeting notes or minutes. These minutes are confirmed by all EMEF Panel members present at the meeting.
24. EMEF Panel minutes will be forwarded to the Tauranga City Council staff, who will coordinate a presentation by the EMEF Panel Chair or agreed panel representative at the next WWMRC with recommendations for approval.
25. The WWMRC will then consider the recommendations prior to approving any application for funding.

**Managing potential conflicts of interest**

26. Where a member of EMEF Panel is undertaking any work that may create a perceived conflict of interest, the potential conflict will be declared and the EMEF Panel member will step aside from any involvement in EMEF Panel discussion and recommendations on that project.

**Resourcing of the TCC EMEF Panel**

27. EMEF panel members will be remunerated as per the current External Representatives' Remuneration Policy per meeting.
28. Up to \$2,000 per annum will be allocated to each member of the EMEF PaNEL to cover administration costs of time and meeting attendance including – travel, parking, accommodation, catering, printing, etc.

## ENVIRONMENTAL MITIGATION AND ENHANCEMENT FUND ASSESSMENT PANEL - EXPRESSIONS OF INTEREST

TAURANGA CITY COUNCIL



Environmental Mitigation and Enhancement Fund Assessment Panel - Expressions of Interest

**Hei oranga whenua, hei oranga moana, hei oranga tangata.**

**Healthy land, healthy waters, healthy people.**

Tauranga City Council is seeking to appoint an independent panel to assess applications to the Environmental Mitigation & Enhancement Fund (EMEF) and make recommendations to the Wastewater Management Review Committee (WWMRC) regarding eligible projects.

The fund is a requirement of council's wastewater discharge consent and administered by the WWMRC. Its purpose is to fund and facilitate measures and initiatives particularly in Te Tahuna o Rangataua (Upper Tauranga Harbour) to:

- Avoid, remedy or mitigate the actual and potential effects of the wastewater scheme, in its broadest sense.
- Acknowledge and provide environmental compensation for ongoing adverse environmental effects -including offence to tangata whenua cultural and spiritual values- associated with the Wastewater Scheme.
- Enhance the environment, which has been adversely affected by the wastewater scheme.

This creates an exciting opportunity for the appointment of up to five panel members for which we are seeking expressions of interest. The EMEF Panel will consider the suitability of applications to the fund and provide recommendations to the WWMRC.

Successful candidates will be able to show expertise in the following areas:

- Te Ao Māori: a strong understanding of Kaupapa Māori concepts of environmental management in relation to the mana whenua of Tauranga Moana.
- Effects and impacts of wastewater schemes.
- Project management and governance skills.
- Marine and freshwater scientific knowledge.
- Effects on cultural values of wastewater schemes.

- Environmental management: being a strong understanding of best practice approaches of environmental remediation and enhancement.

The panel will report directly to the Wastewater Management Review Committee and is appointed on an annual basis.

Expressions of Interest are invited to:

Chief Executive  
Tauranga City Council  
Private Bag 12022  
Tauranga 3143

Expressions of Interest close **5:00pm, 29 January 2021**. All applications will be dealt with in strict confidence.

Please contact Radleigh Cairns, Tauranga City Council, on (07) 577 7391 for an information pack or if you have any enquiries relating to the position or visit the [website](#).

**10 DISCUSSION OF LATE ITEMS**

**11 CLOSING KARAKIA**