



MINUTES

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

Order of Business

1	Opening karakia	3
2	Apologies	3
2	Public forum	3
3	Acceptance of late items	3
4	Confidential business to be transferred into the open	3
5	Change to order of business	4
6	Confirmation of Minutes	4
	7.1 Minutes of the Wastewater Management Review Committee meeting held on 10 November 2021	4
7	Declaration of conflicts of interest	4
8	Business	4
	9.1 June 2022 Wastewater Activities Report	4
	9.2 Programme Business Case Tangata Whenua Engagement and Communications Plan	5
	9.3 Governance options for Wastewater Management Review Committee	6
	9.4 June 2022 Pond 1 Desludging Report.....	7
	9.5 Environmental Mitigation & Enhancement Fund	8
9	Discussion of late items	9
10	Closing karakia	9

**MINUTES OF TAURANGA CITY COUNCIL
WASTEWATER MANAGEMENT REVIEW COMMITTEE MEETING
HELD AT THE GROUND FLOOR - MEETING ROOM 1, 306 CAMERON ROAD, TAURANGA
ON WEDNESDAY, 1 JUNE 2022 AT 1PM**

PRESENT: Commissioner Stephen Selwood, Commissioner Bill Wasley, Ms Lara Burkhardt, Mr Des Heke, Ms Destiny Leaf, Mr Whitiora McLeod

IN ATTENDANCE: Nic Johansson (General Manager: Infrastructure), Radleigh Cairns (Acting Manager: Drainage Services), Carlo Ellis (Manager: Strategic Māori Engagement), Kelvin Hill (Manager: Water Infrastructure Outcomes), Claudia Hellberg (Team Leader: City Waters Planning), Coral Hair (Manager: Democracy Services), Robyn Garrett (Team Leader: Committee Support), Sarah Drummond (Committee Advisor)

1 OPENING KARAKIA

Mr Des Heke opened the meeting with a karakia.

Acting Chairperson Commissioner Bill Wasley welcomed Ms Destiny Leaf and noted that Mr Des Heke was also in attendance.

2 APOLOGIES

APOLOGY

COMMITTEE RESOLUTION WW2/22/1

MOVED: COMMISSIONER BILL WASLEY

SECONDED: COMMISSIONER STEPHEN SELWOOD

THAT THE APOLOGY FOR ABSENCE RECEIVED FROM MS TE RANGIMARIE WILLIAMS BE ACCEPTED.

CARRIED

2 PUBLIC FORUM

Nil

3 ACCEPTANCE OF LATE ITEMS

Nil

4 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

Nil

5 CHANGE TO ORDER OF BUSINESS

At the direction of the Chairperson, the meeting agreed to defer consideration of the Governance Options report until later in the meeting, due to staff availability.

6 CONFIRMATION OF MINUTES

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

COMMITTEE RESOLUTION WW2/22/2

Moved: Mr Des Heke

Seconded: Commissioner Bill Wasley

That the minutes of the Wastewater Management Review Committee meeting held on 10 November 2021 be confirmed as a true and correct record, with the following corrections:

- Correction pg. 11 Deputy Chair to Acting
- Paragraph 2 – Des Heke – Ngāti Ranginui

CARRIED

7 DECLARATION OF CONFLICTS OF INTEREST

Nil

8 BUSINESS

9.1 June 2022 Wastewater Activities Report

Staff Radleigh Cairns, Acting Manager: Drainage Services

Key points

- Summarised the key updates for the Programme Business Case and the next steps planned.
- The extra ground improvement works required for the bioreactor project meant the project was running slightly behind time. The outfall project was progressing well and was aligning closure, new outfall and pond capacity. Still some resource consent work to do. Was expecting connection of new outfall to existing pipeline in July.
- Regarding the exceedances in March/April, it was noted that a number of exceedances were allowed in the resource consent, but these incidents were under investigation anyway. A reason could be extra filter maintenance required but outfall was within resource consent parameters. Uncertain at this stage exactly why these exceedances had happened. Possibly to do with connection of the landward outfall.

In response to questions

- Tauranga City Council had investigated the cause and taken actions for exceedance even though within resource consent conditions and was still uncertain about reason for exceedances.
- Recognised that whatever needed doing must happen and could not be delayed. Had taken account of works in the Long-term Plan and the updated Annual Plan. At some point closer to 2024 would need to have a conversation about wider wastewater management issues for the city given the expected growth.

Discussion points raised

- Programme Business Case workshops had allowed for in-depth discussion and were

progressing well. Also noted there was a considerable time commitment for all involved in the Programme Business Case workshops, and the workshops had built a mutual understanding of Te Tiriti o Waitangi principles with good connections made.

- Bioreactor to landfill section projects did not have a Ngā Pōtiki cultural monitor in place until a few months prior to Wastewater Management Review Committee Inaugural meeting.

COMMITTEE RESOLUTION WW2/22/3

Moved: Commissioner Stephen Selwood

Seconded: Ms Lara Burkhardt

That the Wastewater Management Review Committee:

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

CARRIED

9.2 Programme Business Case Tangata Whenua Engagement and Communications Plan

Staff Radleigh Cairns, Acting Manager: Drainage Services

Key points

- Draft needed to be revised to reflect the current Programme Business Case.

In response to questions

- The implementation of the engagement plan and various milestones could come through to the Programme Business Case workshops. The project team would need to review the engagement outcomes and assessment per the criteria briefing developed in the Programme Business Case workshops. Could also look at other reporting options to Te Rangapū Mana Whenua o Tauranga Moana.
- Once Programme Business Case workshops were completed, could have the engagement workshops happen in parallel with the project team. Plan could be received by Tangata Whenua/Tauranga City Council committee or Council as the Programme Business Case would affect the wider city.
- The overall Programme Business Case would be in parallel with the Programme Business Case workshops so that the feedback from the engagement can be incorporated. Staff wanted to be in the best position for options by 2024. Ideally would have the shortest list possible by that time.
- Should strive to do the right thing to achieve the right outcomes between Tangata Whenua and Council regardless of any particular source of funding. Noted the need to align outcomes and break down silos between projects and strategies.

Discussion points raised

- The Engagement and Communications plan sat outside as a draft document and was a key important document. It needed to be developed and progressed before it could be finalised. This was a parallel process with the interests of this committee and other iwi/hapū that were affected by the expansion of the city.
- Draft needed to build on principles of engagement. The draft would get the discussion going to get buy-in for the Programme Business Case. It also needed to be considered wider as the Programme Business Case impacted the whole city.
- Māori land and infrastructure was an ongoing concern and needed to fit in with infrastructure planning, urban growth and resilience.
- Expressed the need for a voice for Māori landowners and iwi/hapū. Might not be a programme that came out of this business case but would be an ongoing issue for Tauranga City Council to address.

- Expressed the need to link high level planning e.g. the 15th Ave/Turret Rd strategy and to consider Māori land in all the projects, look at equity of services to Māori land compared to non-Māori land.
- Needed to find a way to support tangata whenua to provide quality input into meetings. Discussion around doing an engagement plan for a particular purpose or project, but an alternative could be to have a series of continual wananga for tangata whenua representatives to provide co-ordination across projects, strategies and higher level issues such as growth, infrastructure and impacts on Māori land.
- Engagement plan could be used as a model for ongoing engagement. Possibility this could link in with Three Waters in terms of funding.

COMMITTEE RESOLUTION WW2/22/4

Moved: Commissioner Stephen Selwood

Seconded: Mr Whitiora McLeod

Moved: Commissioner Stephen Selwood

Seconded: Mr Whitiora McLeod

That the Wastewater Management Review Committee:

- (a) Receives the Report and previous draft engagement plan.
- (b) Recommends 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.

CARRIED

9.3 Governance options for Wastewater Management Review Committee

Staff Coral Hair, Manager: Democracy Services

Key points

- The Local Government Act 2002 (LGA) did not provide for official co-chairs; however, if a Chair and Deputy Chair were appointed, they could act as co-chairs by alternating meetings. Both would be involved in agenda briefings.
- Summarised the process for appointing a Chair and Deputy Chair.
- Developed position descriptions for iwi representatives. When completed they would be benchmarked by an outside agency to determine appropriate remuneration and should be reviewed regularly. The suggested review was three-yearly in conjunction with election cycle.

In response to questions

- Strategic pay review also included the alternate roles.
- Similar process undertaken for the Tangata Whenua representatives to the Strategy, Finance and Risk Committee.
- Suggestion of the Chair being a Tangata Whenua representative. If Council had not appointed a Chairperson than the Committee could do so, and it was up to the Committee to decide its process.
- Commission as a whole exercised the power of the Mayor rather than an individual commissioner. While the appointment of the Wastewater Management Review Committee Chair had usually sat with the Mayor; the Committee could decide to make its own appointment.
- An appointment panel was being used for the appointment of the independent chairperson for the Tangata Whenua/Tauranga City Council Committee, which would then provide a recommendation of appointment to Council. This was not an option for the Wastewater Management Review Committee under the Terms of Reference.
- Quorum was four which was decided by Council. Five was considered a risk as only six

committee members in total. For a meeting to proceed, there must be one Ngā Pōtiki member and one Tauranga City Council member present. Previously had been four councillors and four Tangata Whenua representatives.

Discussion points raised

- If there was a desire to move from the status quo of a Council appointed Chair and Committee appointed Deputy Chair, it was suggested to leave those decisions to lie on the table while any alternate processes were discussed by both commissioners and tangata whenua representatives.
- Majority of Terms of Reference were taken from the resource consent so limited flexibility to change. Needed to align the management plan that sits underneath the resource consent with any Terms of Reference changes and update Bay of Plenty Regional Council.
- Noted the Terms of Reference provided for appointment of alternates.

COMMITTEE RESOLUTION WW2/22/5

Moved: Commissioner Stephen Selwood

Seconded: Mr Whitiara McLeod

That the Wastewater Management Review Committee:

- (a) Receives the report "Governance Options for Wastewater Management Review Committee".
- (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.

CARRIED

COMMITTEE RESOLUTION WW2/22/6

Moved: Commissioner Stephen Selwood

Seconded: Mr Whitiara McLeod

That the Wastewater Management Review Committee agrees to leave recommendations (b), (c) and (d) of the Governance options for Wastewater Management Review Committee report to lie on the table until the next meeting.

CARRIED

9.4 June 2022 Pond 1 Desludging Report

Staff Radleigh Cairns, Acting Manager: Drainage Services

Key points

- Decision was taken prior to Council approving funding to be brought forward in the Long-term Plan to get desludging started in order to meet requirements to decommission.
- Contract had been let and work would start July 2022.
- Estimates of the amount of sludge varied and there was a lot of windblown sand also in the pond. Staff would not know the exact amount until the project started. The timeframe around disposal to the landfill could be tight so looked at ways to extend that if needed. Looked at options such as double shifts to try and meet timeframes set in the resource consent.

In response to questions

- Transporting sludge off-site added considerably to the cost of the project. There were no local sites that could take this type of sludge product; sites most likely to be utilised were Hampton Downs or the vermiculture plant. All options would be explored. The more local a disposal site was, the cheaper in terms of cost.

Discussion points raised

- Tangata whenua would like Tauranga City Council to investigate quickly another disposal site if one would be needed to meet timeframes. Acknowledged that this may cost more money but expressed concern and did not want any more going to that site. Needed to get on with remediation of the site as soon as possible.
- Ngā Pōtiki concerned with disposal not a closed landfill and endorsed other options being investigated.

COMMITTEE RESOLUTION WW2/22/7

Moved: Commissioner Stephen Selwood

Seconded: Ms Lara Burkhardt

That the Wastewater Management Review Committee:

- (a) Receives the report, June 2022 Pond 1 Desludging Report.

CARRIED

9.5 Environmental Mitigation & Enhancement Fund

Staff Radleigh Cairns, Acting Manager: Drainage Services

Key points

- Reviewed criteria and guidelines for application to the fund. The recommendation was to appoint a panel to consider applications. This report set out a process to establish the appointment panel.
- Reissue request for expressions of interest for the assessment panel. There were not many applications received the first time.
- Mr McLeod was happy to be appointed to the appointment panel. Also a nomination was received for Te Rangimarie Williams.

In response to questions

- The Terms of Reference for the assessment panel were discussed. These needed to be updated to reflect commissioners not elected members, and to update dates. Consequential amendments were needed from today's meeting decisions.

Discussion points raised

- Commission representatives suggested that the appointment panel representatives could both be tangata whenua appointees rather than including a commissioner.
- The rationale for Point 5 of project eligibility criteria – the fund only covering 50% of the project cost – was discussed. This requirement had been added by the tangata whenua members, and was around a project being more viable/achieving good outcomes if there was alternative funding available as well as TCC funding. Was about providing confidence that the project had been pre-worked and well-scoped, and applicants were committed to completion of the project. 50% requirement could be revisited, may not be achievable for some parties interested in applying for funding. Suggested that the need for confidence in applicants' commitment could be addressed by a different way e.g. asking for demonstrated effort to find additional funding/alternative funding. Assessment panel provides recommendations to the Committee, there was a discretion with the Committee in terms of amount of funding to be granted.
- Two applicants were successful in 2013. The projects were monitoring Rangataua Bay, and fed

into wider work that was being done rather than council projects as such. That was not solely council information, would need to make sure there were no restrictions on where that information could be provided; should be able to be provided to the committee members. Be useful for continuity with the Fund and meeting Fund objectives.

- Possible changes to the Manual to make sure it was clear that research such as projects to look at alternative options to ocean outfall were covered by the Fund. This could fall under the existing criteria, nothing that would work against an application for that kind of project.
- Mātauranga Māori should be included as one of the areas of expertise listed under clause 5.

COMMITTEE RESOLUTION WW2/22/8

Moved: Ms Lara Burkhardt

Seconded: Commissioner Stephen Selwood

Abstained: Mr Whitiara McLeod

That the Wastewater Management Review Committee:

- (a) Receives the report, Environmental Mitigation & Enhancement Fund .
- (b) Reviews the EMEF policy manual and approve any changes as required.
- (c) Approves the appointment process for appointing members of the EMEF independent panel.
 - (i) Appoints Whiti Macleod as representative on the appointment panel.
 - (ii) Appoints Te Rangimarie Williams as representative on the appointment panel.
- (d) Reviews and approves the terms of reference for the members of the EMEF independent panel.

CARRIED

9 DISCUSSION OF LATE ITEMS

Nil

10 CLOSING KARAKIA

Mr Des Heke closed the meeting with a karakia.

The meeting closed at 3.03pm.

The minutes of this meeting were confirmed as a true and correct record at the Wastewater Management Review Committee meeting held on 31 August 2022.

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CHAIRPERSON