



# **AGENDA**

## **Wastewater Management Review Committee meeting Wednesday, 11 October 2023**

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

**Date: Wednesday, 11 October 2023**

**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>	Ms Lara Burkhardt – Ngā Pōtiki
<b>Deputy chairperson</b>	Commissioner Bill Wasley – Tauranga City Council
<b>Members</b>	Commissioner Stephen Selwood – Tauranga City Council Commissioner Bill Wasley – Tauranga City Council Commissioner Shadrach Rolleston – Tauranga City Council ( <i>alternate member</i> ) Mr Spencer Webster – Ngā Pōtiki Mr Whitiora McLeod - Ngāi Te Rangi Mr Des Heke - Ngāti Ranginui Ms Destiny Leaf – Ngāti Ranginui ( <i>alternate member</i> )
<b>Quorum</b>	Four 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.

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The Committee previously had a membership of eight, four elected members from Tauranga City Council (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 iwi, with one member each from Ngāti Ranginui and Te Runanga o Ngāi Te Rangi Iwi Trust and two members representing 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<sup>o</sup> 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<sup>o</sup> 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<sup>o</sup> 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<sup>o</sup> 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<sup>o</sup> 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 will be appointed by the Tauranga City Council following a recommendation of the Wastewater Management Review Committee.
- The Deputy Chairperson 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.



## Order of Business

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- 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 31 May 2023**

**File Number:** A15162645

**Author:** Anahera Dinsdale, Governance Advisor

**Authoriser:** Anahera Dinsdale, Governance Advisor

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### **RECOMMENDATIONS**

That the Minutes of the Wastewater Management Review Committee meeting held on 31 May 2023 be confirmed as a true and correct record.

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### **ATTACHMENTS**

- 1. Minutes of the Wastewater Management Review Committee meeting held on 31 May 2023**



# **MINUTES**

## **Wastewater Management Review Committee meeting Wednesday, 31 May 2023**

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<b>7</b>	<b>Confirmation of minutes</b> .....	<b>3</b>
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**MINUTES OF TAURANGA CITY COUNCIL  
WASTEWATER MANAGEMENT REVIEW COMMITTEE MEETING  
HELD AT THE GROUND FLOOR MEETING ROOM 1, 306 CAMERON ROAD, TAURANGA  
ON WEDNESDAY, 31 MAY 2023 AT 1 PM**

**PRESENT:** Commissioner Bill Wasley (Deputy Chairperson who chaired the meeting as per terms of reference), Ms Lara Burkhardt (Chairperson), Commissioner Stephen Selwood, Mr Des Heke, Mr Whitiora McLeod, Mr Spencer Webster

**IN ATTENDANCE:** Nic Johansson (General Manager: Infrastructure), Jane Groves (Stormwater Programme Leader), , Radleigh Cairns (Manager: Drainage Services), Jim Summers (Consents Officer), Claudia Hellberg (Team Leader: City Waters Planning), Keren Paekau (Team Leader: Pou Takawaenga) Coral Hair (Manager: Democracy & Governance Services) and Anahera Dinsdale (Governance Advisor)

Nicola Houlding (Canopy Consulting)

**1 OPENING KARAKIA**

Mr Des Heke opened the meeting with a karakia.

**2 APOLOGIES**

Nil

**3 PUBLIC FORUM**

Nil

**4 ACCEPTANCE OF LATE ITEMS**

Nil

**5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN**

Nil

**6 CHANGE TO ORDER OF BUSINESS**

Nil

**7 CONFIRMATION OF MINUTES**

**7.1 Minutes of the Wastewater Management Review Committee meeting held on 31 August 2022**

**COMMITTEE RESOLUTION WW1/23/1**

Moved: Mr Whitiora McLeod

Seconded: Commissioner Bill Wasley

That the minutes of the Wastewater Management Review Committee meeting held on 31 August 2022 be confirmed as a true and correct record.

**CARRIED**

## 8 DECLARATION OF CONFLICTS OF INTEREST

Nil

## 9 BUSINESS

### 9.1 Wastewater Programme Business Case

**Staff** Nic Johansson, General Manager: Infrastructure Services  
Jane Groves, Stormwater Programme Leader

**External** Nicola Houlding (Canopy Consulting)

#### Key points

- The project team had been working on the Programme Business Case (PBC) for some time to provide a way forward for future investment in the wastewater scheme including investment in the water treatment plants and the wastewater network as a whole.
- The initial focus was for the future plans of the marine outfall because of the connection between the marine outfall, the wastewater network and the water treatment plant.
- The key issues found were set out in Attachment 1 of the report.
- There was a broad range of responses to implement, both infrastructure and non infrastructure including educational and policy initiatives.
- Looking at the new water services entity and how the wastewater system may service a broader region and any areas where consenting may be compromised.
- Checking with the level of comfort held by the Committee, aside from the four matters which would be discussed further, to enable staff to move on with subsequent stages of the PBC to embed the foundational aspects and to start looking at what potential responses could be targeted to meet the investment objectives.
- Staff had learnt a lot from the process, including the level of detail early in the stages with all of the parties coming together providing a joint understanding of the matters and issues.

#### In response to questions

- The shortlist stage would be provided to Council in draft before the end of the year and the drafting of the business case would be in early 2024. There would be a gap in having the options in the long list identified and the studies and investigations that needed to take place.
- The shortlist was a way forward, and once Council had approved that, it would be turned into a road map with the detail and tranches of work and details in the short and long term. The road map would not be started until staff were aware of which high priority shortlist options to take forward.
- It was noted that there were some high targets set for levels of service for the impact of water on all of the wastewater services within the network. Staff were working collaboratively with all partners to get the best outcomes for the city.
- Once the PBC was decided, the Council would report to the Department of Internal Affairs.
- Staff were looking for consensus on everything, but there were several items of wording where consensus had not been able to be achieved.
- The possibility of developing a Terms of Reference around the decision making process was discussed, especially when a consensus was not reached or a Hui te Marama – to work through the options, drawing on everyone's knowledge and experience to try to reach consensus.
- It was agreed to return the issues back to the project team for additional input as appropriate, including possible legal advice, to work through and resolve the four matters and then the project team was asked to report back to the Committee for consideration.
- In relation to the pathway forward, it was noted that there was concern with words such as 'avoid' as the meaning under the Resource Management Act (RMA) statutory definition could have significant implications in a PBC. Other matters included the phrase 'must not disturb

urupa or waahi tapu sites' and what that meant, whether there was alternate routes and the implications of that.

- It was noted that the wider application of hapū and iwi management plans, the number and dating of those, could be a significant workload and matters of strategic level might still achieve the same outcome.

### Discussion points raised

- Commissioners noted that there was a need to understand the view of tangata whenua and whether they were open to these options, a pathway forward and having those conversations to achieve a better outcome.
- Concern was expressed that the report was from Council staff with a Council perspective and tangata whenua had not had any input into the document or had an opportunity to present a separate written report for the Committee to consider. Therefore there was the inability to reach agreement as the Committee had not been advised of the tangata whenua perspective. It was agreed that the opportunity be given for tangata whenua to provide a written report to the Committee.
- The use of the wording, "avoid" or "seek to avoid", unless it was in a regional plan, it did not mean anything but did change the meaning. It was considered that the phrases sat in the business case, but was being treated as if they were in an RMA document. "Seek to avoid" was different to "avoid" and gave the Council flexibility. It was suggested that legal advice be sought around these terms to give comfort to the Committee on how they might be used. The project team needed to have this discussion to ensure it had not misdirected itself in terms of what the implications might be of using these terms.
- The Committee referred the original recommendations back to staff and the project team for further consideration at a subsequent meeting to be held on 12 July 2023.

### COMMITTEE RESOLUTION WW1/23/2

Moved: Commissioner Stephen Selwood

Seconded: Commissioner Bill Wasley

That the Wastewater Management Review Committee:

- (a) Refers the Wastewater Programme Business Case Report back to the Project Team with a request that the views of tangata whenua on any areas that required clarification be expressed in writing.
- (b) Requests the Project Team to hold a subsequent meeting after receipt of the written views from Tangata Whenua with a view to resolving any outstanding matters.
- (c) Holds a further committee meeting to receive the update from the Project Team.

**CARRIED**

At 2.02pm the meeting adjourned.

At 2.05pm the meeting reconvened.

## 9.2 Wastewater Management Review Committee Activity Report

**Staff** Nic Johansson, General Manager: Infrastructure Services  
Jim Summers, Consents Officer

### Key points

- Desludging commenced in August 2022.
- There had been no new odour complaints at the Chapel Street or Te Maunga Treatment Plants.

- Two notices for discharge consents were due to the heavy rain fall in March 2023. Chapel Street was pushed to its limits and resulted in a discharge of non UV treated wastewater due to a software failure.
- The May 2023 event was a heavier and localised rainfall which resulted in the peak flows exceeding the Chapel Street's ability to discharge to the Te Maunga pipeline, resulting in the plant discharging for approximately 90 minutes into the harbour. It was noted that the UV Plant was fully operational and no emergency discharge was recorded at the Te Maunga Wastewater Treatment Plant.
- It was noted that from August 2022 to May 2023 there were 112 wastewater blockages - 81 of those did not leave the network and were contained to land; 12 were contained within the stormwater network or on land; 19 overflows potentially made the receiving environment and were notified to Bay of Plenty Regional Council, Toi Te Ora and local iwi/ hapū and signage placed in the relevant areas.
- The implementation of the Inflow and Infiltration Strategy helped to take the pressure off the network in huge weather events.
- The previous biosolid strategy from 2016 would be provided to Members.
- Desludging of pond 1 and the decommissioning would be reported at each committee meeting.
- The construction of Te Maunga bioreactor two was progressing with the ground improvement work scheduled to be completed in December 2023. The above ground works commenced in January 2023 and would last for approximately 15 months.
- The landward outfall project was now completed.
- Works on the marine section of the outfall were underway with 400m cleared of debris and further work would continue when the weather permits.
- Clarifier Number 3 piling trials were completed in September 2022.

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

- The main cause of blockages was fats and wipes. Staff looked at catchment areas in an attempt to pin point blockage areas, cracks, slumps or dips within the network.
- Modelling had been carried out within the wastewater network around the city. Storm and ground water were not monitored but staff were aware there was more ground water across the country at present due to the weather.
- The current rate of progress for desludging enabled disposal of 6,000 – 7,000 dry tonnes in the first stage of the project and there may still be more sludge in the pond. There was an option on the table for removing any further sludging material if there was a need to continue past the current consents.

#### **Discussion points raised**

- Mr Whitiora McLeod and Ms Te Rangimarie Williams were the current Environmental Mitigation and Enhancement Fund Members however as Ms Williams was no longer a Member of this Committee, she needed to be replaced.
- The Chairperson, Members and staff thanked Te Rangimarie Williams for her service to the Committee.

#### **COMMITTEE RESOLUTION WW1/23/3**

Moved: Mr Des Heke

Seconded: Commissioner Stephen Selwood

That the Wastewater Management Review Committee:

- (a) Receives the report " Wastewater Management Review Committee Activity Report".
- (b) Replaces Te Rangimarie Williams on the Environmental Mitigation and Enhancement Fund Panel with Lara Burkhardt.

**CARRIED**

#### **Attachments**

- 1 Presentation - Matapihi Southern Pipeline Advisory Group - PDF



## **10 DISCUSSION OF LATE ITEMS**

Nil

## **11 CLOSING KARAKIA**

Mr Des Heke closed the meeting with a karakia.

**The meeting closed at 2:42pm.**

**The minutes of this meeting were confirmed as a true and correct record at the Wastewater Management Review Committee meeting held on 11 October 2023.**

.....  
**CHAIRPERSON**

## **8      DECLARATION OF CONFLICTS OF INTEREST**

## 9 BUSINESS

### 9.1 Wastewater Programme Business Case

**File Number:** A15085364

**Author:** Jane Groves, Stormwater Programme Leader

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

#### PURPOSE OF THE REPORT

1. This report provides an update on progress made on the Wastewater Programme Business Case (PBC) since the last WWMRC meeting on 31<sup>st</sup> May 2023. It seeks endorsement of agreed actions following a recent project hui held between staff and tangata whenua project team members on 13<sup>th</sup> September 2023. This meeting was held in response to a tangata whenua paper (The Paper) received on 29<sup>th</sup> August 2023 which set out outstanding and additional matters for discussion.
2. This report requests that the WWMRC endorse **b)**. PBC outputs that were presented at the 31<sup>st</sup> May WWMRC meeting for endorsement and **c)**. agreed actions from the September 2023 hui. If **b)** and **c)** are endorsed, the WWMRC is then asked to endorse **d)** external engagement and **e)** subsequent stages of the PBC commencing.

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#### RECOMMENDATIONS

That the Wastewater Management Review Committee:

- (a) Receives the report "Wastewater Programme Business Case".
  - (b) Endorse the PBC outputs (as set out below and in **Attachment 1** which were presented at the 31<sup>st</sup> May WWMRC meeting for endorsement). Those items coloured green in the attachment are not confirmed and are addressed separately in c) below.
    - Investment Logic Map: confirms problem statements and define benefits from investment
    - Benefits, KPIs and Measures: baseline and target values to be confirmed
    - Investment Objectives
    - Key Service Requirements (KSRs): describe a change sought, and the degree of change (minimum, intermediate, maximum) the programme investment is expected to deliver. Subsequent steps of the PBC will identify responses capable of delivering the respective levels of change for each KSR. The KSRs are broad, and include growth and geographical coverage, tangata whenua partnership and values, environmental considerations and resilience requirements.
    - Scope parameters: the scope boundaries for the investment (based on the KSRs). Only options within the range of minimum, intermediate and maximum will be assessed.
  - (c) Endorse actions as agreed at the 13<sup>th</sup> September hui:
    - i. All reporting to the WWMRC in relation to the PBC will be joint, and as such, represent the views of the PBC project team as a whole.
    - ii. Amend KSR 6 to '**Promotes opportunities for strong and enduring partnerships with tangata whenua**' and directly incorporate KSR 8 level/metric and scope levels as noted below.
-

KSR	Level/ metric	Scope levels		
		Minimum (Critical)	Intermediate (Desirable)	Maximum (Aspirational)
6	Promotes opportunities for strong and enduring partnerships with tangata whenua <i>(enabling active protection and informed decision-making)</i>	Iwi and hapū of Tauranga Moana impacted by wastewater infrastructure are supported in their visions for the restoration of their whenua / wai / taiao, giving special regard to impact of Te Maunga wastewater infrastructure on Ngā Pōtiki whenua, wai and taiao.		Iwi and hapū of Tauranga Moana impacted by wastewater infrastructure are supported in their visions for the restoration and return of their whenua / wai / taiao, giving special regard to impact of Te Maunga wastewater infrastructure on Ngā Pōtiki whenua, wai and taiao.
	Decision-making quality, authority and capacity	<ul style="list-style-type: none"> <li>Te Tiriti o Waitangi and Treaty of Waitangi Partnership Principles are given effect to.</li> <li>3 Waters legislative requirements met (incl. co-governance provisions).</li> <li>Partnership is enabled and effective at all levels (including co-design) <i>(active protection and informed decision making)</i></li> <li>Partners are enabled by timely, relevant, high-quality information <i>(informed decision-making)</i></li> <li>Partners have sufficient capability and capacity to act effectively</li> </ul>	No Intermediate scope set	No Maximum scope set
	Partnership health/maturity	Partnership health is prioritised, sufficiently resourced and reported on through long term mechanisms/fora	No Intermediate scope set	No Intermediate scope set

- iii. Amend wording for KSR 11 to ***‘Actively seeks practicable alternative options to the two consented overflows from the WWTPs’***. The level/metric has also been amended to reflect this change. The scope levels remain unchanged.

KSR	Level/ metric	Minimum (Critical)	Intermediate (Desirable)	Maximum (Aspirational)
11	Seeks to avoid direct wet weather wastewater overflows to wai receiving environments	No increase in extent of direct wet weather wastewater overflows to wai receiving environments	Reduction in extent of direct wet weather wastewater overflows to wai receiving environments	Minimise direct wet weather wastewater overflows to wai receiving environments
<b>NEW KSR NAME:</b> Actively seek practicable alternative options to the two consented overflows from the WWTPs		<b>NEW KSR LEVEL/METRIC:</b> Extent of direct wet weather wastewater overflows to wai receiving environments from 2 consented overflows from the WWTPs		

- iv. Add a new CSF17 ***‘Must not disturb additional urupā or wāhi tapu sites’*** (or similar wording), noting that further discussion will be needed by the project team in order to apply this CSF due to uncertainty around the wording of ‘disturb’ and ‘additional’. Wording to be agreed once clarification achieved by the Project Team’.
- v. Add long list assessment criteria on ***‘Hapū and Iwi Management Plans’***
- vi. Amend wording for CSF 10 to ***‘Must not discharge wastewater directly to natural freshwater receiving environments’***.
- vii. Amend KSR 12 to ***‘Actively seek practicable alternative options to the discharge of wastewater to seawater’***. The metric and scope levels for this KSR will need to be confirmed with the project team.
- viii. Request that the WWMRC ask staff to investigate the separation of mortuary waste from the wastewater stream for report back at future WWMRC meetings.

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- ix. Continue to work together on the 'Terms of Reference', paying particular attention to setting out PBC purpose, decision-making and PBC approval, with a view to finalising within one month of this meeting.
  - (d) On the basis of endorsement being given for recommendations b) and c) i.-ix. gives approval for external engagement to commence on the PBC (and confirmed outputs); and,
  - (e) Approves subsequent stages of the PBC commencing, starting with long-list option identification in October/November 2023.
- 

## BACKGROUND

### Wastewater Programme Business Case Overview

- 3. The PBC will define a 'preferred way forward' for future investment in the wastewater scheme (including the marine outfall) and broader initiatives to improve environmental performance, strengthen partnerships with tangata whenua and improve system resilience. Tauranga City Council (TCC) is currently working on integrating its network and plant strategies to support integrated investment and the PBC will both reflect and support this integration.
- 4. A project team (planning/technical experts, staff and three Tangata Whenua Iwi representatives) have been working through the initial stages of the PBC (utilising Treasury's Better Business Case framework). The Tangata Whenua representatives were invited to join the project team on the basis of them also being members of the WWMRC (and thus having a pan-scheme mandate).
- 5. The PBC process involves defining key issues with the wastewater scheme, the development of objectives and service requirements for future investment and proposes possible options or responses which could be implemented to meet service requirements. These responses may include both infrastructure and non-infrastructure options (e.g. educational and policy setting/coverage changes). The PBC will provide a 'preferred way forward' and 'roadmap' for future investment across the wastewater scheme as a whole.
- 6. The PBC will guide strategic planning for Council's wastewater activity, inform future detailed business cases (DBC's), resource consenting process (such as that for a new marine outfall) 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, demonstrating a robust decision process has been followed which is recognised by central government. It provides an opportunity for Tauranga to show what great looks like in terms of collaborative, long-term planning.

### Progress Following 31<sup>st</sup> May 2023 WWMRC Meeting

- 7. This report provides an update on the PBC since last reporting to the WWMRC on 31<sup>st</sup> May 2023. At this meeting the WWMRC were asked to endorse a range of outputs and make decisions on four outstanding matters. The recommendations, as put forward in the 31<sup>st</sup> May report are reproduced in **Attachment 2** (for information).
- 8. At this meeting tangata whenua members of the project team expressed their disappointment with the report commenting that it did not represent the views of the project team as a whole and that it was staff's perspective on the outstanding matters only.
- 9. In response to these comments, the WWMRC:
  - (a) *Referred the Wastewater PBC Report back to the project team with a request that the views of tangata whenua on any areas that required clarification be expressed in writing.*
  - (b) *Requested the project team to hold a subsequent meeting after receipt of the written views from tangata whenua with a view to resolving any outstanding matters.*
  - (c) *Holds a further committee meeting to receive the update from the project team.*

10. Staff received 'The Paper' on behalf of tangata whenua project team members on 29<sup>th</sup> August (**Attachment 3, Tauranga City Council Wastewater Programme Business Case, Tangata Whenua Paper, 29 August 2023**). On 13<sup>th</sup> September all convened at a hui to discuss the matters raised and try and reach agreement on a way forward. This report outlines the key matters raised and sets out the agreed position of Council staff and tangata whenua members of the Project Team. Given the nature of the matters raised, and required WWMRC reporting timeframes, Council staff are comfortable that the wider Project Team will be briefed on developments after the 11<sup>th</sup> October WWMRC meeting.
11. **Reporting to WWMRC:** Following reporting to the 31<sup>st</sup> May WWMRC, there was a clear desire for some mechanism of joint reporting to future WWMRC meetings to ensure that perspective of all was appropriately presented. This was strongly reiterated in point 5 of 'The Paper'. It was agreed at the hui that all reporting going forward to the WWMRC in relation to the PBC would represent the collective view of the PBC project team.

**Agreed Action:** All reporting to the WWMRC in relation to the PBC will be joint, and as such, represent the views of the PBC project team as a whole.

12. **PBC Scope Regarding Cultural Redress:** At the 31<sup>st</sup> May meeting, the WWMRC were asked to consider whether a KSR (8) relating to the extent to which the impact on iwi/hapū from existing arrangements is taken into account in wastewater decisions should be included in the PBC. Specifically, whether a) Cultural redress should be included and b) if so, was the proposed Minimum and Aspirational scope wording presented acceptable. Refer **Attachment 2** for specific wording.
- In relation to the proposed KSR 8, the following comments were made in the 31<sup>st</sup> May WWMRC report: The definition to '*Provide greater equity in wastewater decision-making*' does not align well with the metric and scope descriptions which relate to: i) *mitigation of effects for cultural effects of existing wastewater infrastructure*, ii) *restoring whenua/wai/taiao*; and iii) *returning whenua/wai/taiao*. Should the WWMRC decide to include this KSR within the scope of the PBC, staff recommend renaming this KSR to more clearly reflect its purpose (refer options for possible wording).
  - In Points 7 and 8 of 'The Paper' tangata whenua project team members describe the intent behind this KSR, namely, to ensure historical and ongoing effects associated with the taking of Nga Potiki and others lands for public works infrastructure are taken into account when making decisions. 'The Paper', in point 8a and b categorically states that this should not be referred to as 'cultural redress' and that KSR is not asking WWMRC or the WWPBC to provide for cultural redress or the return of lands, rather that the KSR for a future wastewater management system "**supports tangata whenua's vision to have land returned**". "*For us, this includes meaning that action will not be taken in the WWPBC that would mean that tangata whenua could not pursue their aspirations in this respect, and that it is not automatically assumed that wastewater infrastructure would remain on tangata whenua lands that were taken under public works legislation*".
  - At the hui between Council staff and tangata whenua project team members on 13<sup>th</sup> September, and following further clarification from tangata whenua project team members on intent, reference to 'cultural redress' was removed from this KSR, and the intention to 'promote opportunities for partnership' agreed.
  - An existing KSR (6) sets out the lenses through which the wastewater programme is to enable strong and enduring partnerships with tangata whenua. The 'extent to which the impact on iwi/hapu from existing arrangements is taken into account in wastewater decisions' provides one such lens, and it was subsequently agreed to amend existing KSR (6) to '*Promotes opportunities for strong and enduring partnerships with tangata whenua*' and to directly incorporate the KSR 8 metric and levels, as shown below.
  - The 'Minimum (Critical)' and 'Maximum (Aspirational)' scope levels, as written currently provide for iwi and hapū of Tauranga Moana being supported by Council in their vision for the 'restoration (minimum scope)' and 'restoration and return (maximum scope)' of their whenua/wai/taiao. Although it is recognised that these aspects extend beyond the



scope of the WWMRC (and PBC) alone, and that there are other statutory requirements and processes that Council would be required to step through, e.g. Local Government Act 1974/2022 (LGA)/ Reserves Act 1977 (depending on land ownership), the Project Team agree that the PBC should reflect and support this vision and follow/implement as it can any Council-led direction in this regard.

**Agreed Action:** Amend wording of KSR 6 to '*Promotes opportunities for strong and enduring partnerships with tangata whenua*', and directly incorporate the KSR8 level/metric and scope levels as noted below (amended and incorporated text shown in green).

13.

KSR	Level/ metric	Minimum (Critical)	Scope levels	
			Intermediate (Desirable)	Maximum (Aspirational)
6	Promotes opportunities for strong and enduring partnerships with tangata whenua <i>(enabling active protection and informed decision-making)</i>	Iwi and hapū of Tauranga Moana impacted by wastewater infrastructure are supported in their visions for the restoration of their whenua / wai / taiao, giving special regard to impact of Te Maunga wastewater infrastructure on Ngā Pōtiki whenua, wai and taiao.		Iwi and hapū of Tauranga Moana impacted by wastewater infrastructure are supported in their visions for the restoration and return of their whenua / wai / taiao, giving special regard to impact of Te Maunga wastewater infrastructure on Ngā Pōtiki whenua, wai and taiao.
	Decision-making quality, authority and capacity	<ul style="list-style-type: none"> <li>– Te Tiriti o Waitangi and Treaty of Waitangi Partnership Principles are given effect to.</li> <li>– 3 Waters legislative requirements met (incl. co-governance provisions).</li> <li>– Partnership is enabled and effective at all levels (including co-design) <i>(active protection and informed decision making)</i></li> <li>– Partners are enabled by timely, relevant, high-quality information <i>(informed decision-making)</i></li> <li>– Partners have sufficient capability and capacity to act effectively</li> </ul>	No Intermediate scope set	No Maximum scope set
	Partnership health/maturity	Partnership health is prioritised, sufficiently resourced and reported on through long term mechanisms/fora	No Intermediate scope set	No Intermediate scope set

**KSR 11 'Seek to avoid direct wet weather wastewater overflows to wai receiving environments':** The WWMRC was asked on 31<sup>st</sup> May to consider whether KSR 11 'Seek to avoid direct wet weather wastewater overflows to wai receiving environments' should be included as a KSR, and, if included whether the wording proposed was acceptable.

- The 31<sup>st</sup> May paper to the WWMRC indicated that there were some overlap of this KSR with KSR 10 Enables a reduction in wet weather wastewater overflows, and also outlined staffs concern around the use of the word 'avoid', even when prefaced with 'seeks to'. This concern related to staff considering that seeking to avoid such overflows would, in practice, require Council to cease use of, and not renew consents for, the City's only two consented direct wet weather overflow points (located at each of the WWTPs).
- At the hui on 13<sup>th</sup> September the following was agreed:
  - Removal of the word 'seeks', replacing with 'where practicable' to acknowledge that in some circumstances total avoidance may not be achievable, particularly in the short-term. This is acknowledged in The Paper, point 10b., which clarifies that there is a wish "to plan for a future where direct discharge to water is not an option i.e. emergency wet weather overflows at least go to land based treatment first before being discharge to any wai receiving environment", but that "We do not consider this means TCC needs to cease the use of, or not seek to renew consents for the 2 consented direct wet weather overflow points as long as there is a plan to cease this practice". Discussion at the hui further clarified that investigations into alternative locations or further treatment of wastewater prior to discharge was sought.
  - That the intent was that this KSR should be directed to the two consented overflows only. The 'name' of the KSR and 'level/metric' wording has also therefore been amended to reflect this.

**Agreed Action:** Amend wording of KSR 11 to '*Actively seeks practicable alternative options to the two consented overflows from the WWTPs*'. The level/metric has also been amended to reflect this change. The scope levels remain unchanged.

KSR	Level/ metric	Minimum (Critical)	Intermediate (Desirable)	Maximum (Aspirational)
11	Seeks to avoid direct wet weather wastewater overflows to wai receiving environments	No increase in extent of direct wet weather wastewater overflows to wai receiving environments	Reduction in extent of direct wet weather wastewater overflows to wai receiving environments	Minimise direct wet weather wastewater overflows to wai receiving environments
<b>NEW KSR NAME:</b> Actively seeks practicable alternative options to the two consented overflows from the WWTPs		<b>NEW KSR LEVEL/METRIC:</b> Extent of direct wet weather wastewater overflows to wai receiving environments from 2 consented overflows from the WWTPs		

17. **Long-List Assessment Criteria (CSF17) 'Must Not Disturb Additional Urupā or Wāhi Tapu Sites':** The WWMRC was asked to in May to consider whether (CSF17) 'Must not disturb additional urupā or wāhi tapu sites' should be included in the PBC. This would see a given option assessed and scored against how well it meets this criterion. CSFs are "the must dos/must not dos", i.e. they are intended to be directive.

- When considering this, a number of matters were raised in the 31<sup>st</sup> May report, such as the existence already of requirements under Sections 6(e) and (f) of the RMA to recognise and provide for the relationship of tangata whenua with wāhi tapu and for the protection of historic heritage from inappropriate use and development. A number of uncertainties regarding interpretation of wording disturb, additional and the location of these sites were raised. These matters are discussed in 'The Paper' at point 11.
- Regardless of these uncertainties and comments, the Project Team at the 13<sup>th</sup> September hui agreed to include a new CSF 17, with wording as noted in the 31<sup>st</sup> May report (and as below).
- It is also agreed that, in order to apply this CSF, further discussion will be needed within the project team to clarify the perceived uncertainties around the wording 'disturb' and 'additional', but that these uncertainties should not preclude the addition of this CSF to the PBC.

**Agreed Action:** Include a new CSF17 '*Must not disturb additional urupā or wāhi tapu sites*' (or similar wording), noting that further discussion will be needed by the project team in order to apply this CSF due to uncertainty around the wording of 'disturb' and 'additional'. Wording to be agreed once clarification achieved by the project team'.

18. **Long List Assessment Criteria on Hapū and Iwi Management Plans (HIMPs):** The WWMRC in May were asked to consider whether HIMPs should be added as CSFs within the Long List Option Assessment Criteria (as above, they are "the must dos/must not dos" and are directive).

- CSFs are essential to the successful delivery of the programme and cover a range of categories. Strategic Fit CSFs consider strategic alignment with national, regional and local- level legislation, policy and plans to provide opportunity to reflect the needs of the organisation, tangata whenua and community through merit/performance-based criteria. Further, "Strategic Fit" CSFs are assessed for strategic alignment rather than 'provision by provision/section by section' compliance.



- In the 31<sup>st</sup> May report concerns were raised in relation to adding HIMPs as CSF. These related to the number and varying and potentially broad nature of HIMPs across the region, the age of some, and the risk that it would be unclear which HIMPs need to be assessed.
- Regardless of these concerns, the project team agreed to include long-list assessment criteria on Hapu and Iwi Management Plans. The inclusion assumes an assessment of strategic alignment (as will be the case for assessment of strategic fit with all other documents referenced in the Strategic Fit CSFs) - not a 'provision by provision/section by section' assessment – this approach is supported in The Paper at 13.c. Further commentary in The Paper also supports their inclusion at this level *“strategic assessment against HIMPs may be an opportunity to capture whakaaro from iwi/hapu who have yet to engage in the process or unable to engage due to resourcing issues”*. Further that *“issues of interpretation or whether or not they are up to date (and possibly not be considered) can be determined by checking with the iwi/hapu who created it”*.

**Agreed Action:** Include long list assessment criteria on 'Hapū and Iwi Management Plans'

19. **Critical Success Factor 10 'Must not discharge treated wastewater directly to natural wetlands, groundwater, rivers, lakes and streams'**. 'The Paper' at 14b. states that *“there is a preference for the wording below as it allows a wide interpretation ensuring wider protection of wai receiving environments”*. This amended wording is agreed. The project team will also work together to confirm a consistent, shared view of the word 'directly' in the context of natural freshwater receiving environments, prior to long list option assessment.

**Agreed Action:** New wording for CSF 10 Must not discharge wastewater directly to natural freshwater receiving environments.

- There was discussion and agreement within the hui that this new wording/CSF does not encompass direct discharges to seawater, but that discharge of wastewater to seawater requires further Iwi discussion as there is a strong desire for it to be phased out. In this regard, 'The Paper' at 14c. states that Tangata Whenua members of the project team *“did not have direction on appropriate receiving environment of treated wastewater post-treatment at the Te Maunga constructed wetlands and we would need to consider this with iwi entities”* and that *“it is questionable as to whether the constructed wetlands have the qualities of an actual wetland so that wastewater is receiving the treatment required from a tangata whenua perspective. We consider this a significant issue to tangata whenua that will involve wānanga amongst iwi entities”*. On the basis of these comments, it was subsequently agreed to amend existing KSR 12 to the following:

**Agreed Action:** Amend KSR 12 to 'Actively seeks practicable alternative options to the discharge of wastewater to seawater'. The metric and scope levels have been provided in draft, below, and will be confirmed by the project team. Within the existing metric and scope levels for this KSR, 'coast' is to be replaced with 'seawater'.

KSR		Level/ metric	Scope levels			Out of Scope
			Minimum (Critical)	Intermediate (Desirable)	Maximum (Aspirational)	
12	Actively seek practicable alternative options to the discharge of wastewater to seawater	Proportion of treated wastewater discharged to seawater	No increase in discharge (L/p/day) to seawater during dry weather flows	Minimise discharge to seawater during dry weather flows	Discharge to seawater during (defined) wet weather peaks	Direct discharge of treated wastewater to freshwater

20. **Mortuary Waste:** The Paper at 14e Long List SWOT Analysis #4 – Tangata Considerations, affirms Tangata Whenua's strong preference to separate waste streams, particularly mortuary waste. This is not reflected in SWOT Analysis #4.

**Agreed Action:** Request that the WWMRC ask staff to investigate the separation of mortuary waste from the wastewater stream for report back at future WWMRC meetings. The commissioning of investigations and reports, such as this, falls within the terms of reference of the WWMRC.

21. **Geographical Scope:** Key Service Requirement 1 – Adequate Geographical Area is Serviced. The Paper in point 14a states that tangata whenua “do not support increasing the geographical scope beyond where Te Maunga WWTP already takes wastewater from. This is based on the premise that Nga Potiki do not wish to treat wastewater on Nga Potiki whenua from iwi/hapu well removed from the Nga Potiki rohe”.

Staff at the hui clarified that scope in the PBC related to geographical areas being considered for wastewater servicing in some way – it did not automatically infer that the areas would be serviced specifically by the Te Maunga WWTP. There was general acceptance by all of the clarification.

22. **Project Terms of Reference:** A draft Terms of Reference (ToR) for the PBC (and project team) was circulated in June 2023 for comment (**Attachment 4**). This draft ToR describes the purpose of the project team, scope of work, membership, responsibilities and decision making processes. This ToR requires further discussion to agree some elements and remains in draft. ‘The Paper’ (in points 6a.-c.) sets out several matters for discussion and possible inclusion; *clearly stating the purpose of the WWMRC, clear consensus decision-making process with an independent facilitator and approval of PBC work*. Whilst the independence of the existing facilitator was discussed and confirmed at the September 13<sup>th</sup> hui, the other aspects raised have not been discussed yet in any detail and it was agreed at the hui that the project team will continue to work together with a view to finalising the ToR within one month of this meeting .

**Agreed Action:** Continue to work together on the Terms of Reference, paying particular attention to setting out PBC purpose, decision-making and PBC approval, with a view to finalising within one month of this meeting.

## RECOMMENDATIONS

23. The WWMRC:
- a) Receives the report "Wastewater Programme Business Case".
  - b) Endorse the PBC outputs (below and in **Attachment 1** of this report). Those items coloured green in the attachment are not confirmed and dealt with separately in c). below. These are those elements that were presented at the 31<sup>st</sup> May WWMRC meeting for endorsement:
    - Investment Logic Map: confirms problem statements and define benefits from investment
    - Benefits, KPIs and Measures: baseline and target values to be confirmed
    - Investment Objectives
    - Key Service Requirements (KSRs) and the degree of change for each (minimum, intermediate, maximum) the programme investment is expected to deliver. These are broad, and include growth and geographical coverage, tangata whenua partnership and values, environmental considerations and resilience requirements.

- Scope parameters: the scope boundaries for the investment (based on the KSRs). Only options within the range of minimum, intermediate and maximum will be assessed.
- c) Endorse actions as agreed at the 13<sup>th</sup> September Hui for:
- All reporting to the WWMRC in relation to the PBC will be joint, and as such, represent the views of the PBC project team as a whole.
  - Amend wording of KSR 6 to '*Promotes opportunities for strong and enduring partnerships with tangata whenua*' and directly incorporate KSR 8 level/metric and scope levels as noted below.

KSR	Level/ metric	Minimum (Critical)	Scope levels	
			Intermediate (Desirable)	Maximum (Aspirational)
6	Promotes opportunities for strong and enduring partnerships with tangata whenua <i>(enabling active protection and informed decision-making)</i>	Iwi and hapū of Tauranga Moana impacted by wastewater infrastructure are supported in their visions for the restoration of their whenua / wai / taiao, giving special regard to impact of Te Maunga wastewater infrastructure on Ngā Pōtiki whenua, wai and taiao.		Iwi and hapū of Tauranga Moana impacted by wastewater infrastructure are supported in their visions for the restoration <b>and return</b> of their whenua / wai / taiao, giving special regard to impact of Te Maunga wastewater infrastructure on Ngā Pōtiki whenua, wai and taiao.
	Decision-making quality, authority and capacity	<ul style="list-style-type: none"> <li>Te Tiriti o Waitangi and Treaty of Waitangi Partnership Principles are given effect to.</li> <li>3 Waters legislative requirements met (incl. co-governance provisions).</li> <li>Partnership is enabled and effective at all levels (including co-design) <i>(active protection and informed decision making)</i></li> <li>Partners are enabled by timely, relevant, high-quality information <i>(informed decision-making)</i></li> <li>Partners have sufficient capability and capacity to act effectively</li> </ul>	No Intermediate scope set	No Maximum scope set
	Partnership health/maturity	Partnership health is prioritised, sufficiently resourced and reported on through long term mechanisms/fora	No Intermediate scope set	No Intermediate scope set

- Amend wording of KSR 11 to '*Actively seek practicable alternative options to the two consented overflows from the WWTPs*'. The level/metric has also been amended to reflect this change. The scope levels remain unchanged.

KSR	Level/ metric	Minimum (Critical)	Intermediate (Desirable)	Maximum (Aspirational)
11	Seeks to avoid direct wet weather wastewater overflows to wai receiving environments	No increase in extent of direct wet weather wastewater overflows to wai receiving environments	Reduction in extent of direct wet weather wastewater overflows to wai receiving environments	Minimise direct wet weather wastewater overflows to wai receiving environments
<b>NEW KSR NAME:</b> Actively seek practicable alternative options to the two consented overflows from the WWTPs		<b>NEW KSR LEVEL/METRIC:</b> Extent of direct wet weather wastewater overflows to wai receiving environments from 2 consented overflows from the WWTPs		

- Add a new CSF17 '*Must not disturb additional urupā or wāhi tapu sites*' (or similar wording), noting that further discussion will be needed by the project team in order to apply this CSF due to uncertainty around the wording of 'disturb' and 'additional'. Wording to be agreed once clarification achieved by the project team.
- Add long list assessment criteria on '*Hapū and Iwi Management Plans*'
- Amend wording for CSF 10 to '*Must not discharge wastewater directly to natural freshwater receiving environments*'.
- Amend KSR 12 to '*Actively seek practicable alternative options to the discharge of wastewater to seawater*'. The metric and scope levels for this KSR will need to be confirmed with the project team.

- viii. Request that the WWMRC ask staff to investigate the separation of mortuary waste from the wastewater stream for report back at future WWMRC meetings.
- ix. Continue to work together on the 'Terms of Reference', paying particular attention to setting out PBC purpose, decision-making and PBC approval, with a view to finalising within a month of this meeting.
- d) On the basis of endorsement being given for recommendations b. and c i.-ix. gives approval for external engagement to commence on the PBC (and confirmed outputs); and,
- e) Approves subsequent stages of the PBC commencing, starting with long-list option identification in October/November 2023.

## STRATEGIC / STATUTORY CONTEXT

- 24. The key obligations for Council, in respect to engaging with Tangata Whenua in the context of the PBC process, arise under:
  - (a) the LGA;
  - (b) future Resource Management Act 1991 (RMA) consenting processes (whereby any assessment of alternatives and cultural effects of an activity will be assessed by the decision-maker); and
  - (c) the terms of reference and scope of the WWMRC.
- 25. Statutory obligations will also likely be strengthened further through the wider legislative reforms (e.g. the RMA, 3 waters reform) and the Te Mana o Te Wai requirements under the NPSFM 2020.
- 26. The PBC process itself, 'sets the scene' for the more detailed assessment of options and will feed into future processes under the RMA. However, it is important that some of the statutory obligations on Council are borne in mind in the context of this process. In particular, there are a range of LGA obligations in relation to Tangata Whenua. For example, S77 of the LGA imposes an obligation on a local authority when making a significant decision in relation to land or a body of water:

**77 Requirements in relation to decisions:** *A local authority must, in the course of the decision-making process,—*

- (a) seek to identify all reasonably practicable options for the achievement of the objective of a decision; and*
  - (b) assess the options in terms of their advantages and disadvantages; and*
  - (c) if any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wahi tapu, valued flora and fauna, and other taonga.*
- 27. For Council to be able to 'take into account' those Māori-related matters, Council must engage with appropriate tangata whenua groups to fully understand what that relationship is. It is only tangata whenua that can articulate "the relationship of Māori and their culture/traditions" with a particular site or taonga, and what impact a particular proposed activity may have on that relationship.
  - 28. The need for Council to have a clear understanding of these matters is also related to the Treaty principle of informed decision-making.

## OPTIONS ANALYSIS

- 29. There are no options proposed in this report.

## SIGNIFICANCE

- 30. 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.

31. In making this assessment, consideration has been given to the likely impact, and consequences for:
  - (a) the current and future social, economic, environmental, or cultural well-being of the district/region.
  - (b) any persons who are likely to be particularly affected by, or interested in, the decision.
  - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
32. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of high significance as it affects the Tauranga City wastewater scheme as a whole and looks at potential future servicing within the Western Bay of Plenty district. The populations, stakeholders and Tangata Whenua Iwi and Hapū groups potentially impacted by the outcomes of the PBC and decisions to be made through this report are wide ranging and extensive.

## ENGAGEMENT

33. Taking into consideration the above assessment, that the decision is of high significance and the information contained within the **Strategic / Statutory Context** section above, the following comments regarding consultation/engagement on the PBC are noted:
  - The PBC project team comprises planning/technical experts, staff and Tangata Whenua Iwi representatives (who are also members of the WWMRC). These Iwi members represent the cultural interests of their respective Iwi/Hapū and the WWMRC by reporting to/back from these groups and providing cultural feedback on PBC deliverables. The PBC, and makeup of the project team serve, in the lead up to a new Water Services Entity operating, to lay the foundations for a genuine, collaborative, partnership approach (that provides for co-design, and co-governance).
  - Annika Lane (Principal, Beca) has been engaged to assist with the broader engagement approach for the PBC. Meetings with relevant staff have been completed to inform a draft Engagement Plan for the project - this is on hold pending inputs from TCC Communications staff, but on completion will inform the nature of stakeholder engagement which would commence when approval to do so is provided by the WWMRC.
  - Tangata Whenua project team members have been asked to provide a scope of work relating to a cultural engagement plan. This would inform the parties, nature of, and timing for additional engagement with relevant Iwi and Hapū both within Tauranga City and Western BOP. This work is still ongoing with progress to be reported to future WWMRC meetings.





## NEXT STEPS

34. On the basis of the WWMRC endorsing recommendations a – e, the following is proposed:
  - (a) A full project team meeting to discuss any still outstanding matters, and progress/agree the Terms of Reference, likely late October/early November.
  - (b) Two workshops (est. October - December 2023) to carry out long-list option identification - both infrastructure and non-infrastructure options that can potentially meet the investment objectives and deliver the KSRs. To assist in this task, the project team will be provided with a starter set of long-list options for discussion and will be asked to consider alternative/additional options for tabling at the workshop.



- (c) As per the programme (last slide **Attachment 1**), the assessment of confirmed long-list options will not occur until early 2024, enabling any required investigations to be completed (these will inform the assessment process). Short-listing, programme road-map development and drafting of the PBC will then occur over subsequent months concluding in late mid 2024. Given the volume of material to be covered, complexity, rate of progress and feedback/input from stakeholder engagement, programme timing and completion of the PBC is indicative only.
- (d) Continue to link with other TCC initiatives to maximise alignment and leverage any mutually required activities and effort (e.g. the Sub-Regional Wastewater Study 'Our Water Futures').

## ATTACHMENTS

1. **2023 May 31 Wastewater Management Review Committee - Wastewater Programme Business Case Attachment 1 PDF (A14691634) (A14691639) - A15086651** [↓](#) 
2. **2023 May 31 Wastewater Management Review Committee - Wastewater Programme Business Case Recommendations - A14691639** [↓](#) 
3. **2023 August 29 Tangata Whenua Paper - WWPBC - A15086707** [↓](#) 
4. **2023 June Draft PBC Terms of Reference - A15086699** [↓](#) 



# Overview of the Wastewater PBC

Activities Report May 2023 - Attachment 1




## **Programme Business Case Overview and Activities**





## PBC Overview

- Defines key issues, investment objectives and service requirements for future investment in the wastewater scheme (network and treatment plants) at a sub-regional level
  - Provides a 'preferred way forward' and 'roadmap' for future investment, looking also at potential servicing in the Western Bay of Plenty district where appropriate
  - Guides strategic planning for the wastewater activity, informs future detailed business cases, resource consenting process (such as that for any new marine outfall) and key strategic documents such as the Long-Term Plan and 30 Year Infrastructure Strategy
  - Sets the scene for wastewater when Tauranga City potentially moves into a new water services entity.
  - Project team comprises technical experts, staff and 3 Tangata Whenua representatives (all of whom sit on the WWMRC)
  - Utilises Treasury's Better Business Case framework
  - Is a key mechanism for collective consideration of Tangata Whenua concerns regarding the City's wastewater scheme and where appropriate the way forward for addressing these concerns
- 

## Better Business Case (BBC) Framework

### Five Case Model



- Central Govt Agencies (high risk or Whole of Life Costs >\$15m)
- Scalable + can be staged
- Requires Strategic Fit assessment
  - Water Reforms
  - Broader Govt Strategy
  - Provides for local requirements



## Programme Business Case

- Equivalent level of analysis to Indicative Business Case
  - Complex, lengthy projects
  - Can be driven by a single project
- Focus on Strategic and Economic Cases
- Integrated investment prioritisation
- Programme Tranches >> Roadmap



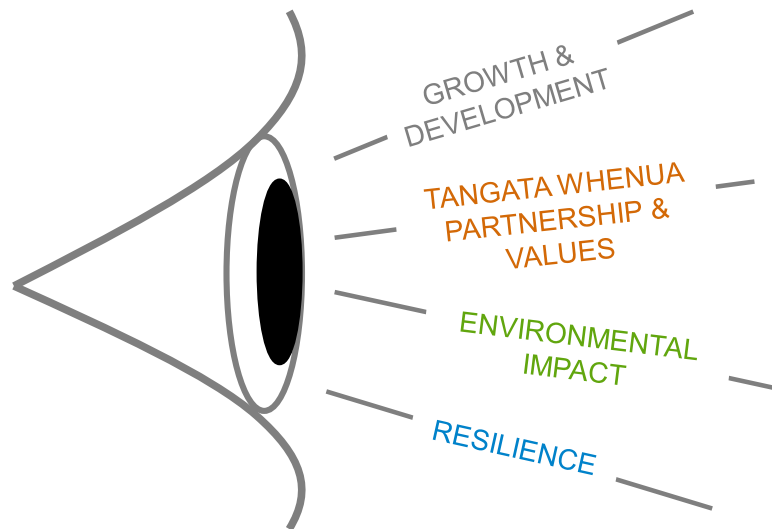
# Key PBC Activities and Purpose



## **Foundations - Problem Statements & Key Benefits**



## Key Problems – a System View



1. Growth, regulatory & service level uncertainty is hindering effective planning & investment & risks falling short of stakeholder expectations.
2. Lack of demonstrated Te Tiriti partnership & limited effect given to tangata whenua values (including service provision to Māori land) undermines trust & participation, & creates a disconnect between tangata whenua & taiao.
3. Stretched system capacity & configuration misalignment with growth patterns, is increasing costs, risk of overflows & regulatory breaches.
4. Poor asset resilience in key locations & vulnerability to natural hazards has led to unacceptable risk of wastewater system failures.

## Key Benefits

1. Growth and development is enabled by wastewater management system
2. Improved financial performance of wastewater management system.
3. Improved wastewater decision effectiveness
4. Greater trust and confidence in wastewater decision-making
5. Strong partnerships with tangata whenua
6. Greater effect given to tangata whenua values
7. An equitable wastewater service
8. Better environmental outcomes from wastewater management
9. Improved wastewater system resilience
10. Public Health is protected

*These will be mapped to the Treasury's Living Standards Framework*

## Investment Objectives





## Investment Objectives

1. 35,400<sup>^</sup> additional dwellings and papakāinga are accommodated by a wastewater system by 2050, with 3% population growth accommodated to 2120.
2. Significant reduction in the environmental footprint of the wastewater system by 2050<sup>\*</sup>.
3. A strong and enduring partnership between tangata whenua and council that achieves a shared wastewater vision for Tauranga.
4. Tauranga's wastewater system is resilient against disruptions and natural hazards

*<sup>^</sup> Indicative figure. Aligns with minimum scope geographical coverage and associated population (broadly, UFTI). Figure to be confirmed once provision for Māori land connectivity equity in urban areas is established.*

*<sup>\*</sup> Considers reduced wastewater production; greater re-use of treated wastewater; reduced GHG emissions, energy use, wet weather overflows, odour; enhanced biosolid re-use.*

## Potential Scope & Key Service Requirements



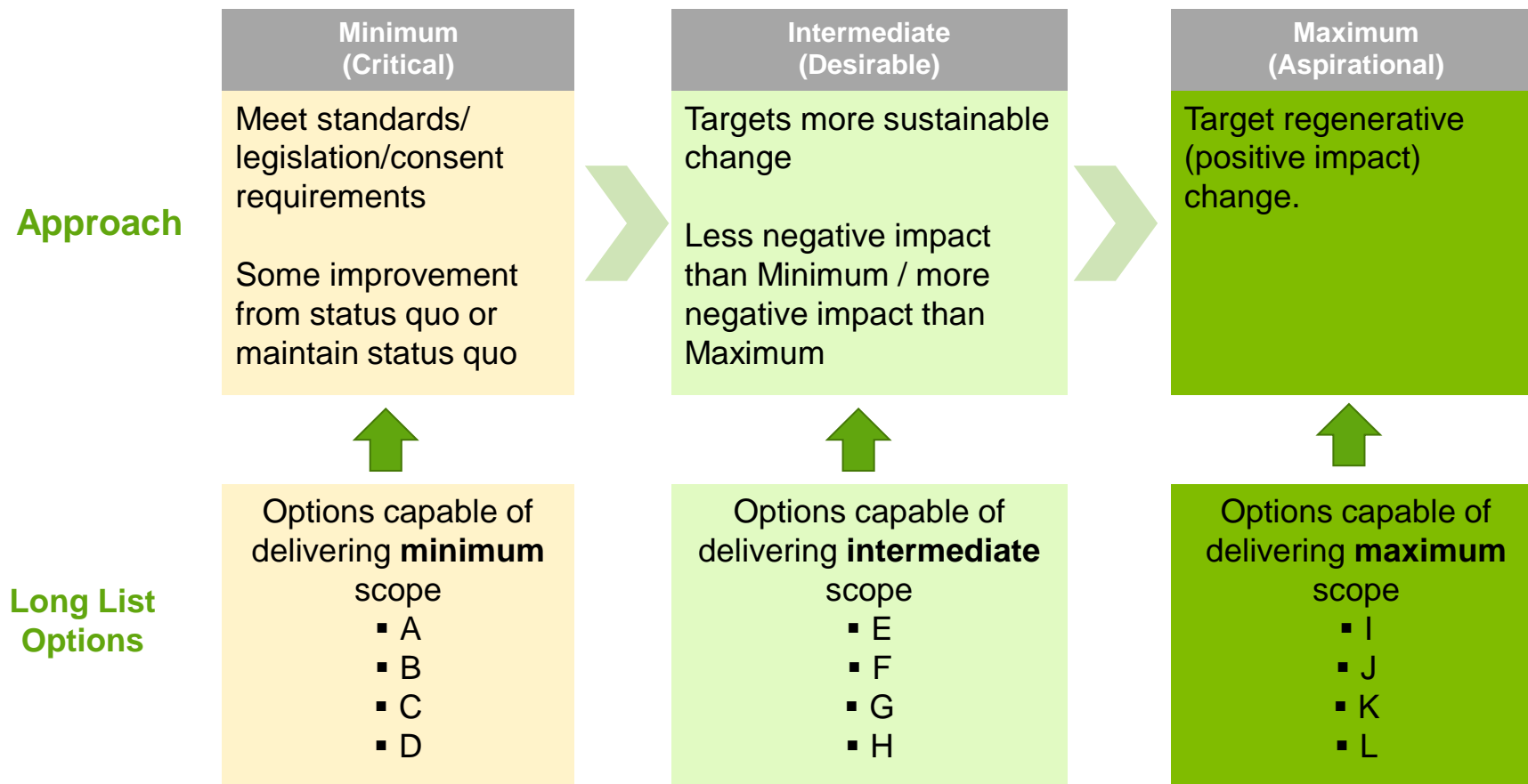
## Scope & Key Service Requirements (“KSRs”)



- Set what is in and out of scope
- Set out the degree/scale of change required of a successful proposal
- Three levels of ‘scope’:
  1. Minimum—required to deliver **essential/core** service requirements (the “must haves”)
  2. Intermediate—required to deliver **essential and desirable** service requirements, and
  3. Maximum scope—required to deliver the **essential, desirable and aspirational** service requirements.
- Defining KSRs is a significant undertaking – scale, complexity, and number of unknowns.

**Long List Options are targeted to the KSRs**

## Scope & Key Service Requirements - Approach



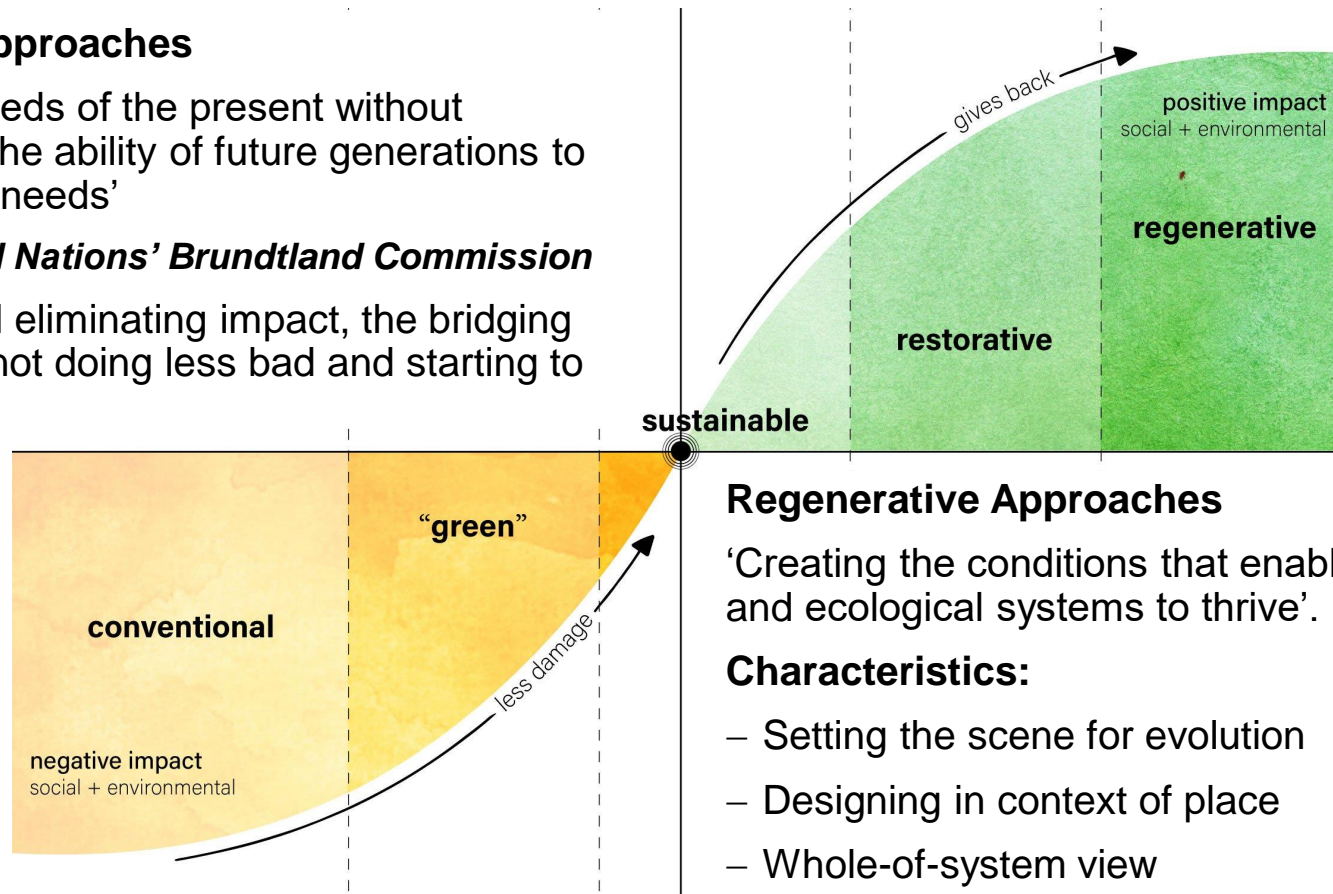
# Definitions – Sustainable, Regenerative

## Sustainable Approaches

‘Meeting the needs of the present without compromising the ability of future generations to meet their own needs’

**1987, the United Nations’ Brundtland Commission**

‘Minimising and eliminating impact, the bridging point *between* not doing less bad and starting to do ‘more good’.



## Regenerative Approaches

‘Creating the conditions that enable vital social and ecological systems to thrive’.

### Characteristics:

- Setting the scene for evolution
- Designing in context of place
- Whole-of-system view

# Scope & Key Service Requirements (“KSRs”)



## Growth and Development

1. Adequate geographical area is serviced
2. Growth and development is enabled
3. Population growth managed to align with wastewater servicing capacity

## Tangata whenua partnership and values

5. Gives greater effect to tangata whenua values
6. Enables strong, enduring partnerships with tangata whenua
7. Improves wastewater service equity
8. Provides greater equity in wastewater decision making\*

## Environmental Impact

9. Enables positive environmental impact (at key WWTP sites/ surrounding environment and network)
10. Enables a reduction in wet weather overflows
11. Seeks to avoid direct wet weather wastewater overflows to wai receiving environments\*
12. Enables reduced treated wastewater discharges to coast

13. Enables reduction in wastewater production
15. Produces high-quality treated wastewater
16. Enables treated wastewater reuse
17. Enables enhanced biosolids management
18. Enables greater energy re-use, capture and generation
19. Enables reduced energy consumption
20. Green house gas emissions reduction timeframes are met
22. Delivers required Levels of Service

## Resilience and Adaptability

23. Provides resilience to Climate Change-related hazards
24. Enables adequate operational resilience
25. Enables appropriate adaptability

*Please note: non-consecutive numbering is deliberate, for ease of traceability. KSRs will be re-numbered once decisions are made regarding inclusion.*

*\* Inclusion in PBC scope to be confirmed by WWMRC*

## Growth and Development

			Scope levels			
KSR		Level/ metric	Minimum (Critical)	Intermediate (Desirable)	Maximum (Aspirational)	Out of Scope
1	Adequate geographical area is serviced	Catchments or similar	Existing/planned coverage: Urban Tauranga + Ōmokoroa + Te Puna (existing serviced area) + intensification + planned growth areas ('greenfield') – Te Tumu – Tauriko West – Lower Belk – Keenan Road – Ohauti South* – Domain Rd South* – Upper Belk Road – Merrick Road – Upper Joyce Road	Minimum scope PLUS**  Inclusion of WBoP areas in proximity to those already serviced by TCC. – Te Puke – Rangioru – Te Puna (remaining areas) – (Lower) Minden	Intermediate scope PLUS**  Inclusion of WBoP areas where there is expected mutual benefit (to WBoP and TCC) from collaborating to support future servicing needs. – Katikati (?) – Aongatete (?)	Tbc (likely informed by new Water Service Entity)

\*Private plan changes

\*\*Sub-regional study may further inform Intermediate and Maximum scope



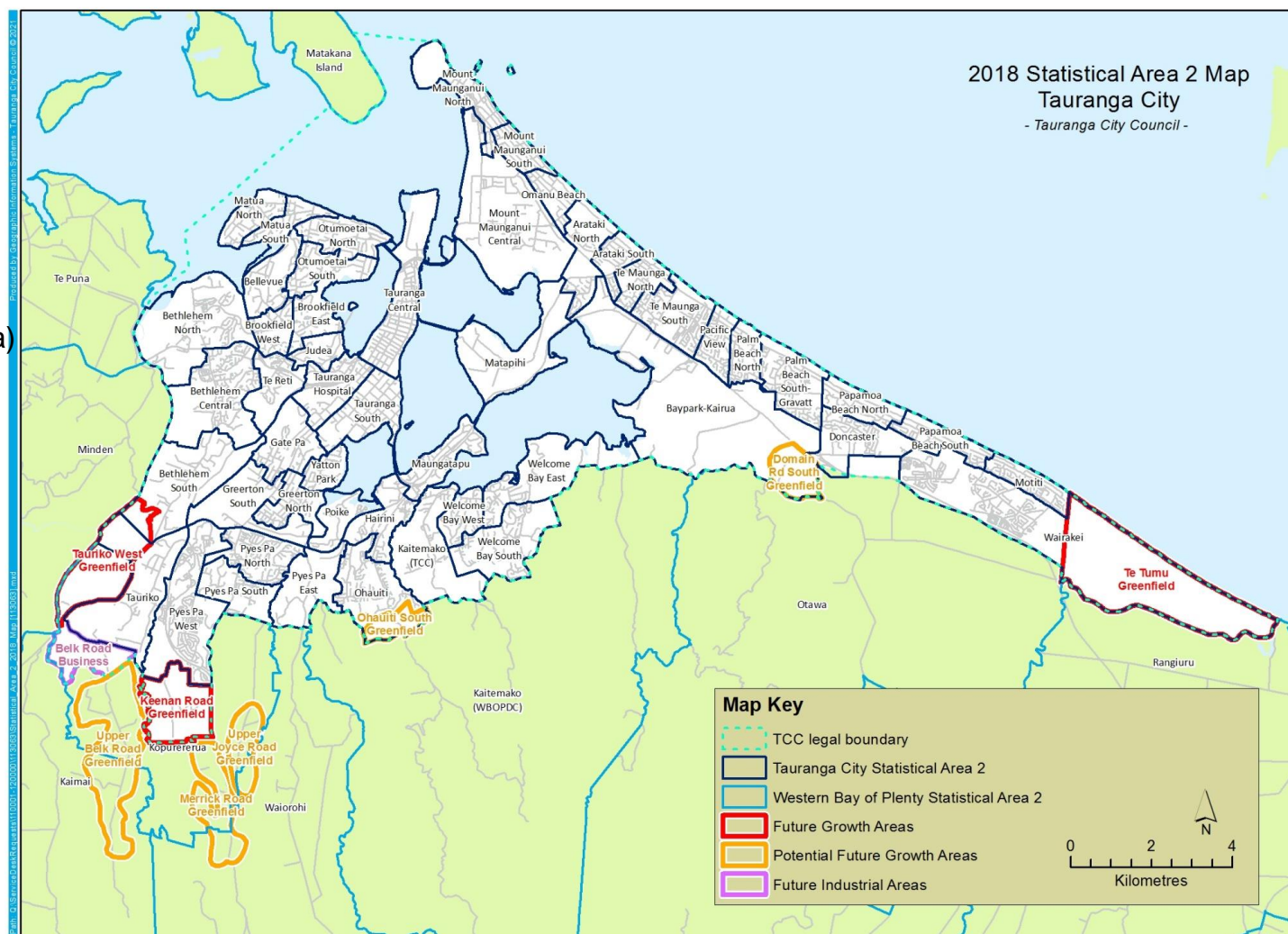
## Geographical Area - Minimum

### Minimum (Critical) Scope

Existing coverage & planned growth:

- Urban Tauranga
- Ōmokoroa
- Te Puna (existing serviced area)
- Intensification
  - Te Papa, Otūmoetai & surrounds
  - Mt Maunganui to Bayfair/Arataki
- Planned growth areas ('greenfield'):
  - Te Tumu
  - Tauriko West
  - Lower Belk
  - Keenan Road
  - Ohauti South\*
  - Domain Rd South\*
  - Upper Belk Road (2063+)
  - Merrick Road (2063+)
  - Upper Joyce Road (2063+)

*\*Private plan changes*



## Geographical Area - Intermediate

### Intermediate (Desirable) Scope\*

Minimum scope PLUS inclusion of WBoP areas in proximity to those already serviced by TCC:

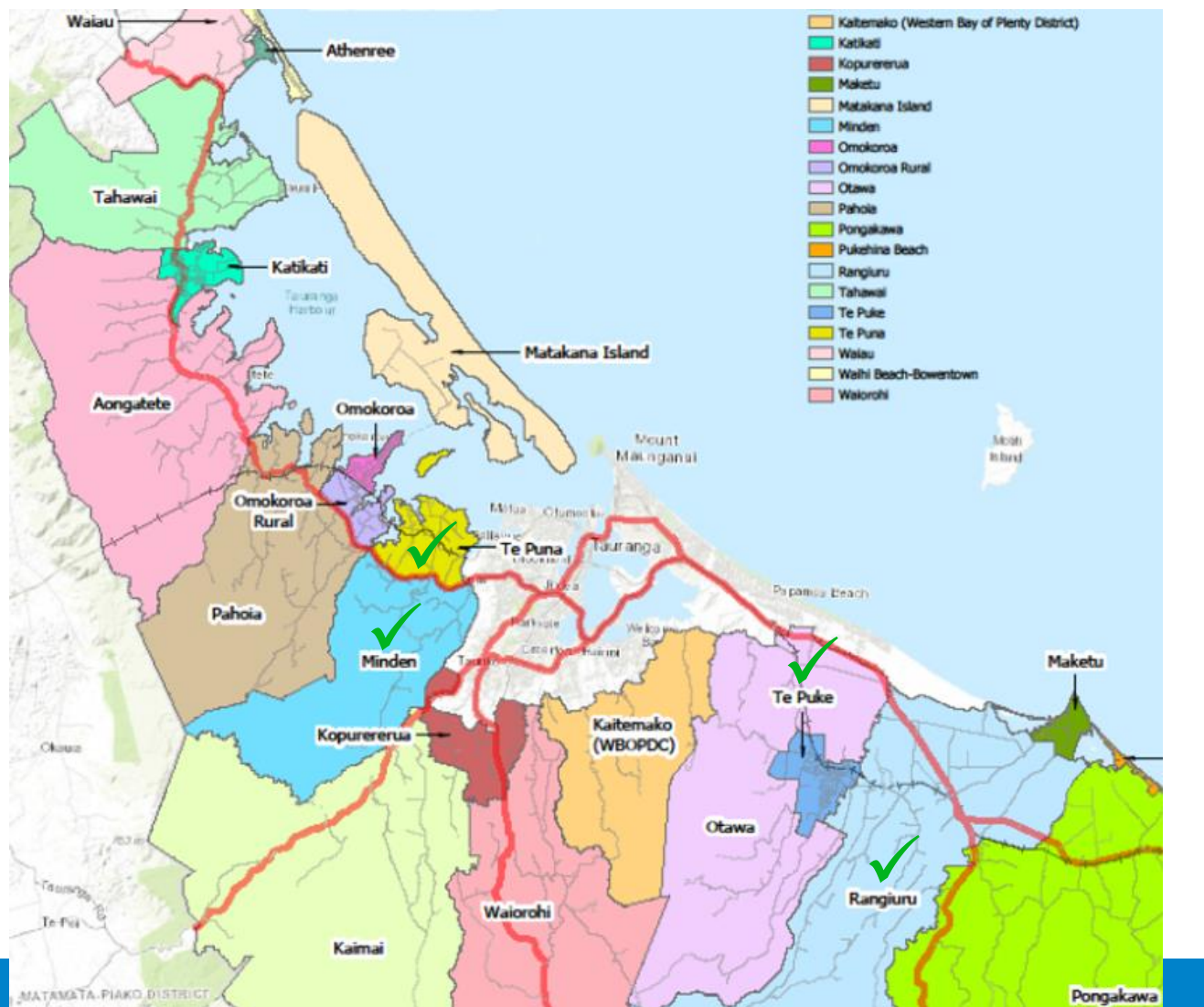
- Minimum scope

PLUS

- Te Puke
- Rangiora
- Te Puna (remaining areas)
- (Lower) Minden

*Intermediate scope areas would not necessarily be serviced by existing TCC system.*

*\*Sub-regional study may further inform Intermediate scope*





## Geographical Area - Maximum

### Maximum (Aspirational) Scope\*

Intermediate scope PLUS  
WBoP areas where there is  
expected mutual benefit from  
collaborating to support future  
servicing needs:

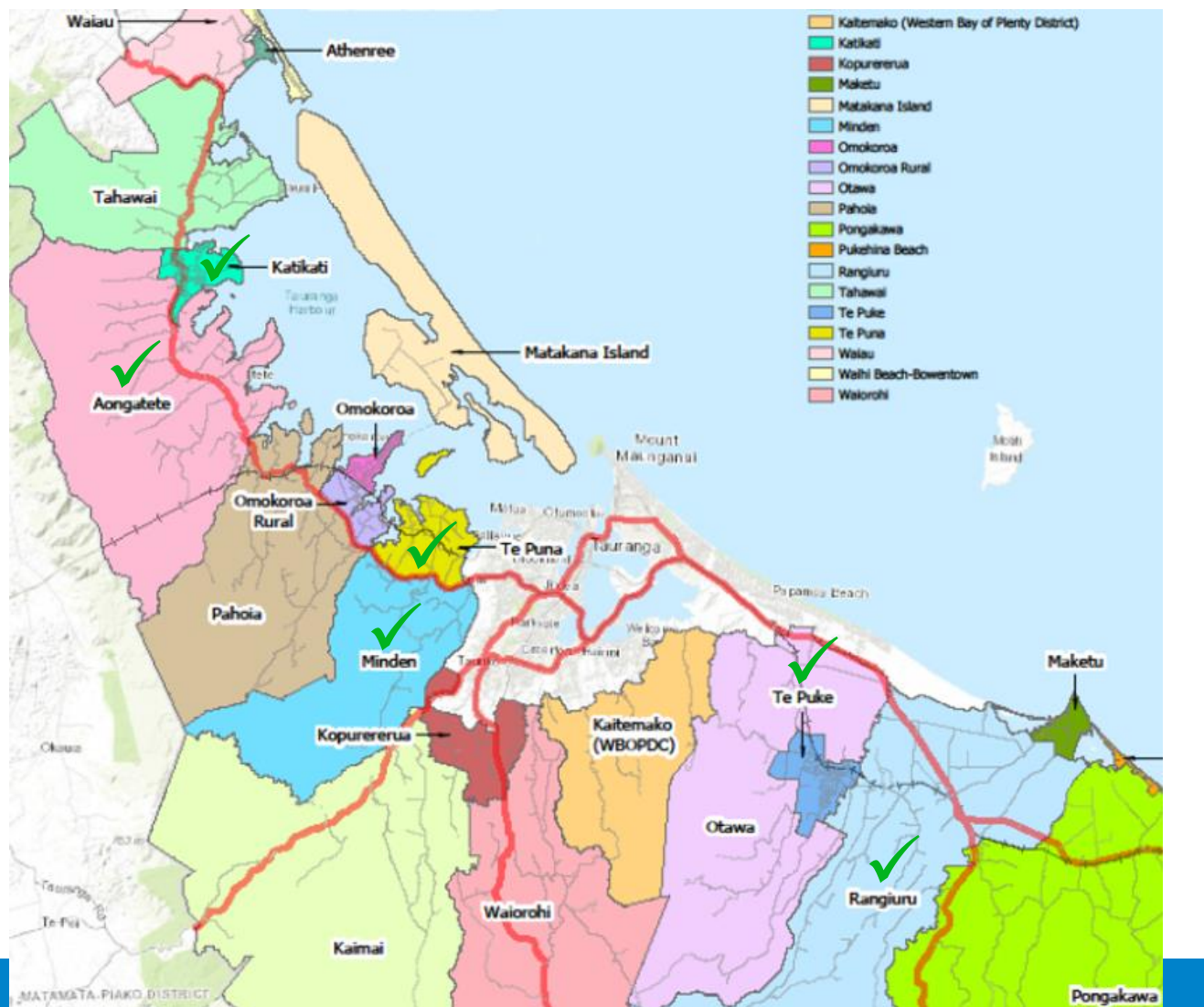
- Intermediate scope

PLUS/consider

- Katikati (?)
- Aongatete (?)

*Maximum scope areas would not  
necessarily be serviced by existing  
TCC system.*

*\*Sub-regional study may further  
inform Maximum scope*



## Growth and Development

		Scope levels				
KSR		Level/ metric	Minimum (Critical)	Intermediate (Desirable)	Maximum (Aspirational)	Out of Scope
2	Growth and development is enabled*	Serviced (connected) population, 000s	2018: 139 2048: 216 (+53%) 2118: 291 (+34%)	2018: 139 2048: 238 (+69%) 2118: 359 (+52%)	2018: 139 2048: 248 (+76%) 2118: 372 (+54%)	More than maximum scope
		Serviced (connected) dwellings, 000s	2018: 58 2048: 90 (+53%) 2118: 121 (+34%)	2018: 58 2048: 99 (+69%) 2118: 150 (+52%)	2018: 58 2048: 103* (+76%) 2118: 155* (+54%)	
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\* Longer term population and geographical scopes may not be serviced by existing TCC scheme.

It is assumed that non-residential flows will increase at same proportion as today.

Serviced (connected) population and dwelling figures to be reviewed once provision for Māori land connectivity in urban areas is established (Refer KSR 7 for wastewater connectivity equity for Māori land within Tauranga's City limits).

## Tangata whenua partnership and values (1)

*Between now and in the lead up to the new Water Service Entity operating, how can we lay the foundations for a genuine, collaborative, partnership approach (that provides for co-design and co-governance)?*

			Scope levels			
KSR	Level/ metric	Minimum (Critical)	Intermediate (Desirable)	Maximum (Aspirational)	Out of Scope	
5	Gives greater effect to tangata whenua values <i>(enabling active protection and informed decision-making)</i>	Various <ul style="list-style-type: none"><li>Legislative and policy requirements met:<ul style="list-style-type: none"><li>Te Mana o Te Wai given effect to</li><li>local tangata whenua values given effect to across all three water decision-making.</li><li>Enables Māori NPS-FM compulsory values (mahinga kai), and other values identified by tangata whenua (including associated attributes/targets) as defined in Regional Natural Resources Plan, to be <b>met</b>.</li></ul></li><li>Local tangata whenua values and history of water assets/land understood and embedded across Council, community.</li></ul>	Minimum PLUS: <ul style="list-style-type: none"><li>Enables Māori NPS-FM compulsory values (mahinga kai), and other values identified by tangata whenua (as defined in Regional Natural Resources Plan) to be <b>exceeded</b>.</li><li>Enables greater tangata whenua connectivity with te taiao.</li></ul>	Intermediate PLUS: <ul style="list-style-type: none"><li>Enables Māori NPS-FM compulsory values (mahinga kai), and other values identified by tangata whenua (as defined in Regional Natural Resources Plan) to be <b>exceeded+</b>.</li></ul>	Less than minimum scope	
6	Enables strong, enduring partnerships with tangata whenua <i>(enabling active protection and informed decision-making)</i>	Decision-making quality, authority and capacity <ul style="list-style-type: none"><li>Te Tiriti o Waitangi and Treaty of Waitangi Partnership Principles are given effect to.</li><li>3 Waters legislative requirements met (incl. co-governance provisions).</li><li>Partnership is enabled and effective at all levels (including co-design) <i>(active protection and informed decision making)</i></li><li>Partners are enabled by timely, relevant, high-quality information <i>(informed decision-making)</i></li><li>Partners have sufficient capability and capacity to act effectively</li></ul>	No Intermediate scope set	No Maximum scope set	Any reduction in decision-making authority	
	Partnership health/maturity	Partnership health is prioritised, sufficiently resourced and reported on through long term mechanisms/fora	No Intermediate scope set	No Intermediate scope set		

## Tangata whenua partnership and values (2)

*Between now and in the lead up to the new Water Service Entity operating, how can we lay the foundations for a genuine, collaborative, partnership approach (that provides for co-design and co-governance)?*

			Scope levels			
KSR		Level/ metric	Minimum (Critical)	Intermediate (Desirable)	Maximum (Aspirational)	Out of Scope
7	Improves wastewater service equity	Consistency between provision for Māori and non-Māori land connectivity in TCC City limits	Planning for Māori land development/connectivity within Tauranga City limits enables tāngata whenua development plans.	Planning for wastewater infrastructure for Māori land within the City limits is sized the same way as neighbouring land. If tangata development plans indicate a higher level of development than neighbouring land, then the higher of the two is used.	No Maximum scope set	
8	Provides greater equity in wastewater decision-making <i>(enabling cultural redress)</i>	Extent to which impact on iwi/hapu from existing arrangements taken into account in wastewater decisions.	Iwi and hapū of Tauranga Moana impacted by wastewater infrastructure are supported in their visions for the restoration of their whenua / wai / taiao, giving special regard to impact of Te Maunga wastewater infrastructure on Ngā Pōtiki whenua, wai and taiao.		Iwi and hapū of Tauranga Moana impacted by wastewater infrastructure are supported in their visions for the restoration <b>and return</b> of their whenua / wai / taiao, giving special regard to impact of Te Maunga wastewater infrastructure on Ngā Pōtiki whenua, wai and taiao.	

**KSR 8 not agreed in tangata whenua review hui – scope/wording to be confirmed by WWMRC**

## Questions for WWMRC (1) - Scope / Cultural Redress

We would like your feedback and decision on the following proposal:

Inclusion of a Key Service Requirement (KSR #8) relating to the extent to which the impact on iwi/hapu from existing arrangements is taken into account in wastewater decisions.

Specifically, our WWMRC Ngā Pōtiki rep has proposed the KSR, as below.

1. Can cultural redress be included in the scope of the PBC?
2. If so, is the proposed Minimum and Aspirational scope wording, as below, acceptable?

			Scope levels			
KSR	Level/ metric		Minimum (Critical)	Intermediate (Desirable)	Maximum (Aspirational)	Out of Scope
8	Provides greater equity in wastewater decision-making  <i>(enabling cultural redress)</i>	Extent to which impact on iwi/hapu from existing arrangements taken into account in wastewater decisions.	Iwi and hapū of Tauranga Moana impacted by wastewater infrastructure are supported in their visions for the restoration of their whenua / wai / taiao, giving special regard to impact of Te Maunga wastewater infrastructure on Ngā Pōtiki whenua, wai and taiao.		Iwi and hapū of Tauranga Moana impacted by wastewater infrastructure are supported in their visions for the restoration <b>and return</b> of their whenua / wai / taiao, giving special regard to impact of Te Maunga wastewater infrastructure on Ngā Pōtiki whenua, wai and taiao.	

## Environmental (1)

Environmental (1)			Scope levels				
KSR		Level/ metric	Minimum (Critical)	Intermediate (Desirable)	Maximum (Aspirational)	Out of Scope	
Discharges and Overflows	9	Enables positive environmental impact (at key WWTP sites/ surrounding environment and network)	Extent of positive environmental impact	No deterioration from status quo from wastewater activity and meets relevant standards (NPS-FM values etc) and consent requirements	No environmental impact / some positive impact to surrounding environment from wastewater activity	Positive impact to the surrounding environment	Planned deterioration from status quo
	10	Enables a reduction in wet weather wastewater overflows	# Wet weather overflows/ 1000 connections/ year. 5 yearly average to be used.	Provides for minor level of deterioration for network but not beyond consented/ regulated standards.	No deterioration from # overflows at 2021.	Less wet weather wastewater overflows than Intermediate scope.	># than for design event
	11	Seeks to avoid direct wet weather wastewater overflows to wai receiving environments	Extent of direct wet weather wastewater overflows to wai receiving environments	No increase in extent of direct wet weather wastewater overflows to wai receiving environments	Reduction in extent of direct wet weather wastewater overflows to wai receiving environments	Minimise direct wet weather wastewater overflows to wai receiving environments	
	Inclusion and wording of KSR 11 not agreed by the Project Team – to be confirmed by WWMRC						
	12	Enables reduced treated wastewater discharges to coast	Proportion of treated wastewater discharged to coast	No increase in discharge (L/p/day) to coast during dry weather flows	Minimise discharge to coast during dry weather flows	Discharge to coast during (defined) wet weather peaks	Direct discharge of treated wastewater to freshwater
Dry Weather Overflows follow at 'Resilience and Adaptability'							



## Questions for WWMRC (2) – Seeking to avoid direct wet weather wastewater overflows to wai receiving environments

We would like your feedback and decision on the following proposal:

Inclusion of a Key Service Requirement (KSR11) relating to direct wet weather wastewater overflows to wai receiving environments.

1. Should a Key Service Requirement for the PBC be to *‘seek to avoid direct wet weather wastewater overflows to wai receiving environments’*?
2. If this KSR is to be included, is the proposed wording below, in particular, *‘seeks to avoid’* acceptable?

acceptable?			Scope levels			
KSR	Level/ metric		Minimum (Critical)	Intermediate (Desirable)	Maximum (Aspirational)	Out of Scope
11	Seeks to avoid direct wet weather wastewater overflows to wai receiving environments	Extent of direct wet weather wastewater overflows to wai receiving environments	No increase in extent of direct wet weather wastewater overflows to wai receiving environments	Reduction in extent of direct wet weather wastewater overflows to wai receiving environments	Minimise direct wet weather wastewater overflows to wai receiving environments	

## Environmental (2)

Environmental (2)				Scope levels			
	KSR		Level/ metric	Minimum (Critical)	Intermediate (Desirable)	Maximum (Aspirational)	Out of Scope
Wastewater production + conservation	13	Enables reduction in wastewater production	Residential (L/p/day) Industrial Residential (HEU)	Retain existing levels; 225L per person per day (status quo)*	215 L/person/day	210 L/person/day	Any reduction below workable volumes
	15	Produces high-quality treated wastewater	Contaminant composition / concentration detail	Compliance with: <ul style="list-style-type: none"><li>Resource Consents</li><li>Existing and incoming relevant policy statements and environmental standards (NPS-FM; NES WW Discharges and Overflows)</li></ul>	Minimum scope PLUS + suitable for industrial re-use + suitable for agricultural re-use	Minimum scope PLUS + suitable for industrial reuse + suitable for agricultural re-use + suitable for domestic re-use (non-potable)	Any planned increase in contaminant composition / concentration of treated wastewater
Treated Wastewater quality reuse	16	Enables treated wastewater reuse	Treated wastewater reuse level	Existing treated wastewater reuse levels + consented reuse	Minimum scope PLUS + Increased treated wastewater reuse levels	Maximise re-use of treated wastewater	Planned reduction in re-use levels

\* 2022 Wastewater production = 220 (L/pers/day)

## Environmental (3)

			Scope levels				
KSR		Level/ metric	Minimum (Critical)	Intermediate (Desirable)	Maximum (Aspirational)	Out of Scope	
Energy and Residuals re-use	17	Enables enhanced biosolids management	Volume (% Beneficial reuse or % disposal to landfill)	Existing levels or improvement	Improvement from existing levels	Maximise re-use of biosolids	Planned reduction in re-use levels
			Biosolid quality	Existing levels or improvement	Improvement from existing levels	Maximise re-use of biosolids	Planned reduction in quality
	18	Enables greater energy re-use, capture and generation*	Proportion of energy re-used	Energy reuse: reuse covers % of total energy used	Energy reuse: reuse covers ++% of total energy used	Maximise energy re-use and capture.	
			Proportion of energy generated by system	Co-generation (at Wastewater Treatment Plants)	Increased levels of co-generation	Maximise energy generation.	

*\*not limited to bio energy*

## Environmental (4)

			Scope levels				
KSR		Level/ metric	Minimum (Critical)	Intermediate (Desirable)	Maximum (Aspirational)	Out of Scope	
Efficiency + Emissions	19	Enables reduced energy consumption	% reduction	Energy efficiency initiatives continue (Use existing metrics)	Refer stocktake metrics +% reduction	Refer stocktake metrics ++% reduction	
	20	Enables green house gas emissions reduction timeframes to be met	Net emissions to zero by (year)	2050; compliance with legislation	2040	2030; early adopter, change leader	
Level of Service	22	Delivers required Levels of Service	Dry weather overflows (refer KSR 24)  Compliance with resource consents  Emergency response  Complaints	Levels of Service are met	Levels of Service are met	Levels of Service are met	Reduction in performance  Scope and standards tbc (Taumata Arowai and WSE)

## Resilience and Adaptability

			Scope levels			
KSR		Level/ metric	Minimum (Critical)	Intermediate (Desirable)	Maximum (Aspirational)	Out of Scope
23	Provides resilience to Climate Change-related hazards	Sea level rise scenarios	RCP8.5 (required under RPS for long term projects)	RCP8.5	RCP 8.5+	
		Rainfall scenarios	RCP8.5 (required under RPS for long term projects)	RCP8.5	RCP 8.5+	
24	Enables adequate operational resilience	Potential to react operationally to service interruptions	Some flexibility for non-BAU situation with general time to recovery in line with current incident response plan	High flexibility for potentially multiple non-BAU situations to occur with general time to recovery in line with current incident response plan +	Very high flexibility for potentially multiple non-BAU situations to occur in line with current incident response plan ++	
		Asset condition (incl. Outfall)	Meets applicable standards	Exceeds applicable standards	Exceeds applicable standards+	
		Dry weather overflows (blockages)	Meets Level of Service requirement (or applicable incoming standard)	Exceeds applicable standards	Minimise dry weather overflows	
25	Enables appropriate adaptability	Requirement	Critical for options with >50-year benefits and desirable for options with <15 year-benefits.	Per minimum scope	Per minimum scope	

## Long List Option Assessment Criteria



## Assessment Criteria – where do they fit?

- Used to evaluate and 'down size' a **long list of options** to a short list

**Key Service Requirement**

Minimum Scope	Intermediate Scope	Maximum Scope
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**Long List Options**

Options capable of delivering <b>minimum</b> scope <ul style="list-style-type: none"> <li>▪ A</li> <li>▪ B</li> <li>▪ C</li> <li>▪ D</li> </ul>	Options capable of delivering <b>intermediate</b> scope <ul style="list-style-type: none"> <li>▪ E</li> <li>▪ F</li> <li>▪ G</li> <li>▪ H</li> </ul>	Options capable of delivering <b>maximum</b> scope <ul style="list-style-type: none"> <li>▪ I</li> <li>▪ J</li> <li>▪ K</li> <li>▪ L</li> </ul>
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**Long List Assessment Criteria**



**Short List Programme Options**

A + C	G	K+L
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## Scoring system (indicative)

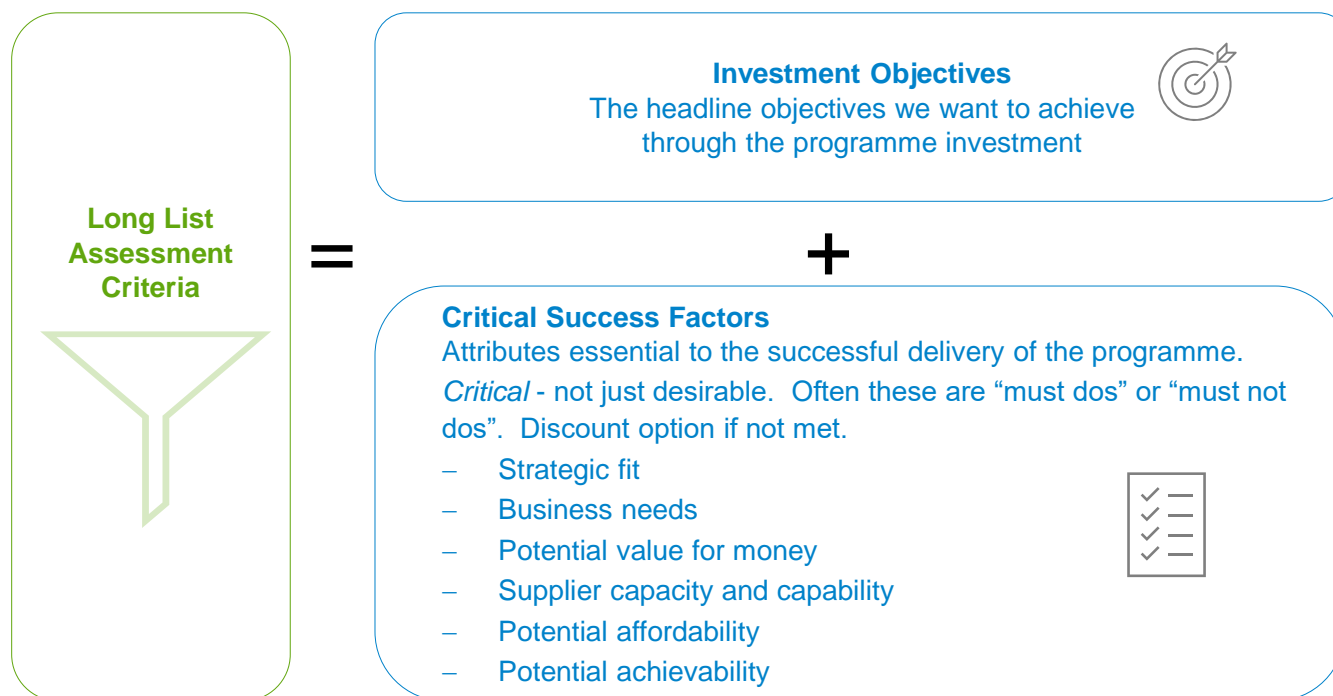
- Options that do not meet an evaluation criterion (score '0') should be discounted (removed)
- Options are rewarded if they exceed a criterion

Score	Criteria	Description
0	Does not meet	The option does not meet any elements within the criteria
1	Meets with major reservations	The option addresses a few of the elements within the criteria
2	Meets with minor reservations	The options addresses most of the elements within the criteria
3	Meets	The option meets all of the elements within the criteria
4	Exceeds	The option meets all the elements of the criteria and provides additional benefits within the criteria



## Assessment Criteria

- Two parts: Investment Objectives + Critical Success Factors (CSFs)



## Investment Objectives

1. 35,400<sup>^</sup> additional dwellings and papakāinga are accommodated by a wastewater system by 2050, with 3% population growth accommodated to 2120.
2. Significant reduction in the environmental footprint of the wastewater system by 2050<sup>\*</sup>.
3. A strong and enduring partnership between tangata whenua and council that achieves a shared wastewater vision for Tauranga.
4. Tauranga's wastewater system is resilient against disruptions and natural hazards

*<sup>^</sup> Indicative figure. Aligns with minimum scope geographical coverage and associated population. Figure to be confirmed once provision for Māori land connectivity equity in urban areas is established.*

*<sup>\*</sup> Considers reduced wastewater production; greater re-use of treated wastewater; reduced GHG emissions, energy use, wet weather overflows, odour; enhanced biosolid re-use.*

## Assessment Criteria – Critical Success Factors (CSFs)



- Attributes essential to the successful delivery of the programme
- **CSFs are critical** - not just desirable
- If an option does not meet one of these it should be discounted from further analysis.

Category	Broad Description
Strategic fit	How well does the option align with national, regional and city strategies, policies and plans? How well does it integrate with other programmes and projects?
Business Needs*	How well does the option meet the agreed investment objectives, related business needs and service requirement?
Potential value for money	How well does the option optimise value for money (the optimal mix of potential benefits, costs and risks)?
Supplier capacity and capability	How well does the option match the ability of potential suppliers to deliver the required services? Is it likely to result in a sustainable arrangement that optimises value for money?
Potential affordability	How well can the option be met from likely available funding and match other funding constraints?
Potential achievability	How well is the option likely to be delivered given the organisations ability to respond to the changes required, and matches the level of available skills required for successful delivery.

\* BBC/default name (includes organisational, tangata whenua and community needs as appropriate)

## CSFs - Strategic Fit

*New, relevant material to be incorporated once enacted*

### Alignment with Legislation, National Policy and Standards

Type	Critical Success Factors	
Legislation	<ol style="list-style-type: none"> <li>1. Local Government Act 2002</li> <li>2. Resource Management Act 1991</li> <li>3. Resource Management (Enabling Housing Supply and Other Matters) Act 2021</li> <li>4. (incoming, draft) Resource Management Act replacement legislation</li> <li>5. Marine and Coastal Area (Takutai Moana) Act 2011</li> <li>6. Waste Minimisation Act 2008</li> <li>7. Water Services Act 2021</li> <li>8. <i>(to be incorporated) Water Service Entity Act 2022</i></li> </ol>	<ol style="list-style-type: none"> <li>8. Climate Change Response (Zero Carbon) Amendment Act 2019</li> <li>9. Heritage New Zealand Pouhere Taonga Act 2014</li> <li>10. Relevant Treaty of Waitangi Settlement Act(s)               <ol style="list-style-type: none"> <li>1. Tapuika Claims Settlement Act 2014</li> <li>2. Waitaha Claims Settlement Act 2013</li> <li>3. Ngāti Pūkenga Claims Settlement Act 2017</li> <li>4. Ngāti Ranginui DOS</li> <li>5. Ngāi Te Rangi and Ngā Pōtiki DOS</li> </ol> </li> </ol>
National Policy Statements, Environment Standards and guidelines	<ol style="list-style-type: none"> <li>1. National Coastal Policy Statement 2010</li> <li>2. National Policy Statement for Freshwater Management 2020</li> <li>3. Resource Management (National Environmental Standards for Freshwater) Regulations 2020</li> <li>4. Applicable incoming policy/standards from Three Waters reforms</li> <li>5. National Environmental Standards for Sources of Human Drinking Water (once updated, 2023)</li> </ol>	<ol style="list-style-type: none"> <li>6. National Policy Statement for Highly Productive Land 2022</li> <li>7. National Policy Statement Urban Development 2020.</li> <li>8. National Environmental Standard for Air Quality</li> <li>9. Relevant Water NZ Good Practice Guidelines (tbc)</li> <li>10. Water New Zealand Good Practice Guide for the Beneficial Use of Organic Waste Products on Land 2017 (draft )</li> <li>11. Aotearoa New Zealand's First National Adaptation Plan</li> </ol>

## CSFs - Strategic Fit

*New, relevant material to be incorporated once adopted  
(for example, LTP updates and core strategies and plans)*

### Regional and Local Policies, Strategies and Plans

Type	Critical Success Factors
Regional	<ol style="list-style-type: none"> <li>1. Bay of Plenty Regional Policy Statement</li> <li>2. Bay of Plenty Regional Natural Resource Plan</li> <li>3. Bay of Plenty Regional Coastal Environmental Plan 2019</li> <li>4. Urban Form and Transport Initiative (UFTI)</li> </ol>
Local	<ol style="list-style-type: none"> <li>1. Long Term Plan 2021-2024</li> <li>2. Infrastructure Strategy 2021-2024</li> <li>3. Tauranga City Plan</li> <li>4. Infrastructure Development Code</li> <li>5. Relevant Iwi/Hapū Protocol Agreements</li> <li>6. TCC Waste Management and Minimisation Plan 2022-2028</li> <li>7. <b>Relevant Hapū/Iwi Management Plans*</b></li> <li>8. <i>To be incorporated, once adopted (August 2023)</i> <ul style="list-style-type: none"> <li>– Tauranga Taurikura 2022-2032 - Environmental Strategy (draft)</li> <li>– Relevant (draft) Action and Investment Plans (AIP): Climate AIP; Nature and Biodiversity AIP.</li> </ul> </li> </ol>

*\*Proposed for inclusion in Critical Success Factor criteria - to be confirmed by WWMRC.*


## CSFs – Business Needs

### Opportunity to reflect specific, performance/merit-based ‘bottom lines’

Type	Critical Success Factors	
Business Needs (organisational, tangata whenua and community)	1. Must be capable of accommodating UFTI required growth (standalone or as part of a package).	9. Must meet operational resilience requirements (i.e. capable of maintaining a seamless service).
	2. Must not increase dry weather wastewater production per person.	10. Must not discharge treated wastewater directly to natural wetlands, groundwater, rivers, lakes and streams**.
	3. Must not increase wet weather overflows above that for design event.	11. Must not discharge treated or untreated wastewater directly to the harbour during typical operation.
	4. Must improve environmental footprint from wastewater system.	12. Must not require additional reclamation of Rangataua Bay.
	5. Must enable greater collaboration and enhanced partnership with tangata whenua.	13. Must not create unmanageable risks to public health.
	6. Must give greater effect to tangata whenua cultural values*.	14. Must not compromise TCC ability to meet regulatory requirements.
	7. Must not increase inflow and infiltration to the wastewater network for Council infrastructure.	15. Must not compromise TCC ability to meet Level of Service obligations.
	8. Must provide an acceptable level of resilience to natural hazards, including:	16. Is expected to be consentable under the Resource Management Act 1991 (and its replacement).
	i. climate change-related hazards	
	ii. seismic events.	
		<i>* Additional CSF#6 detail provided at next slide</i>
		<i>** CSF10 agreed by Project Team 10th May 2023</i>

## Exploring CSF#6 - 'Must give greater effect to tangata whenua cultural values'

- Attributes *essential* to the successful delivery of the programme (**critical** - not just desirable):

- Strategic fit
- **Business needs** 
- Potential value for money
- Supplier capacity and capability
- Potential affordability
- Potential achievability

### CSF 6. 'Must give greater effect to tangata whenua cultural values'\*

These values being...

- Tapu is not transgressed by wastewater management decision making.
- Human waste, including sewerage, menstrual and mortuary waste, is very tapu.
- The mauri of taiao is paramount.
- The connection tangata whenua have to taiao is supported.
- The mana of tangata whenua with respect to taiao is upheld—for example, an abundance of kaimoana enables tangata whenua to provide at hākari and strengthens the mana of the iwi / hapū.

*\* Agreed by Project Team 10th May 2023*

## Other CSFs

Type	Critical Success Factors
Potential value for money	For this proposal, Value for Money is considered optimal where Value is (primarily) where the performance of the option is acceptable when considered alongside the costs and risks associated with that option.
Supplier capacity and capability	For the proposal, this relates to the ability of potential suppliers to deliver identified options (applies to both infrastructure and non-infrastructure responses).
Potential affordability	Options are considered in terms of their capital, whole-of-life and operational costs to understand their affordability. This where financial sustainability is assessed.
Potential achievability	<ol style="list-style-type: none"><li>1. Technical complexity at implementation must not prohibitively onerous.</li><li>2. Network integration requirements at implementation must not be prohibitively onerous.</li><li>3. Operational requirements are not prohibitively complex or onerous.</li></ol>



## Questions for WWMRC (3) – Long List Option Assessment Criteria

We would like your feedback and decision on the following proposals:

**1. Inclusion of new CSF (17): Must not disturb additional urupā or wāhi tapu sites.**

This would see a given option assessed and scored against how well it meets this criterion.

**2. Inclusion of strategic fit with Hapū and Iwi Management Plans (HIMP) as a CSF**

This would see a given option assessed and scored against how it fits strategically with relevant HIMPs.

Currently an assessment of strategic alignment with relevant HIMPs is to be undertaken alongside '*Other attributes that need to be given regard to, and/or are of interest*' – and not scored directly in the Long List option evaluation.



## SWOT Analysis



## Long List Option SWOT Analysis

- a SWOT analysis will be prepared to support Long List option evaluation

### **SWOT**

- **Strengths**
- **Weaknesses,**
- **Opportunities**
- **Threats**



**1. How well each option meets the Assessment Criteria**

**2. How well each option performs against other attributes that need to be given regard to, and/or are of interest**

## Long List Option SWOT Analysis

Other attributes that need to be given regard to, and/or are of interest:

1. Benefit duration and commencement
2. Benefits/disbenefits for water supply and stormwater ('one wai' thinking)
3. Adaptability to changing environmental factors (growth, climate change)
4. Alignment with 'Tangata Whenua considerations' (**detail next slide**)
5. Strategic alignment with relevant Iwi Management Plans:
  - i. Ngāti Pūkenga Iwi ki Tauranga Trust Iwi Management Plan, 2013
  - ii. Ngāti Tapu Ngāi Tukairangi Hapū Management Plan, 2014
  - iii. Waitaha Iwi Management Plan, 2014
  - iv. Tapuika Environmental Management Plan, 2015
  - v. Ngāi Te Rangi Iwi Resource Management Plan, 1995
  - vi. Tauranga Moana Iwi Management Plan - A joint Environmental Plan for Ngāti Ranginui, Ngāi Te Rangi and Ngāti Pūkenga, 2016
  - vii. Tūhoromatanui - Ngā Pōtiki Environmental Plan 2019 – 2029
6. Ability to incorporate new technology(s).
7. For new technology, the extent to which it has been proven.

These attributes are not directly scored, however we will collect this information during the SWOT analysis.

Where there is alignment with a given CSF, for example CSF6 – *Must give greater effect to tangata whenua cultural values*, an option may be rewarded (score changed from 3 to 4) if it performs well against relevant attributes *in addition* to meeting all elements of a given CSF criterion.

# Long List Option SWOT Analysis

SWOT analysis  
(Strengths,  
Weaknesses,  
Opportunities,  
Threats), includes:

1. How well each  
option meets the  
Assessment Criteria

2. How well each  
option performs  
against other  
attributes that need  
to be given regard  
to, and/or are of  
interest (for  
example, Tangata  
whenua  
considerations)

## #4 – Tangata whenua considerations\*

1. A preference to manage the wastewater within the rohe or catchment it is sourced from.
2. Strong opposition to discharge of wastewater to water, freshwater, recreation areas, marine environment, food crops and stocks, and urupā .
3. Less discomfort of waste being used in generating electricity (where waste is not mixed with water), applied to forestry, and used on non-food crops.
4. The ability of Papatūānuku to restore mauri to wastewater is a significant factor for approval of land discharges. It is expected that treated wastewater will penetrate the ground in a meaningful way—residence time is an indicator of this.
5. Participation by tangata whenua in wastewater management (operationally and at a decision-making level) a requirement.
6. A preference for higher quality of treatment of all contaminants (for both treated wastewater effluent, and biosolids).
7. The reduction in the use of water as a medium for transporting waste, recognising the whole of water cycle.
8. Support for infrastructure-enabled Māori housing supply.
9. Strong opposition to having a WWTP near marae, papakāinga and tangata whenua communities.
10. Consent by consent consultation under the RMA is considered process driven, transactional, short-term, and adversarial. Preference is for strategic and long-term relationships.

*\* Agreed by Project Team 10th May 2023*

## Questions for the WWMRC - Summary



## Questions for WWMRC (1) - Scope / Cultural Redress

We would like your feedback and decision on the following proposal:

Inclusion of a Key Service Requirement (KSR8) relating to the extent to which the impact on iwi/hapu from existing arrangements is taken into account in wastewater decisions.

Specifically, our WWMRC Ngā Pōtiki rep has proposed the KSR, as below.

1. Can cultural redress be included in the scope of the PBC?
2. If so, is the proposed Minimum and Aspirational scope wording, as below, acceptable?

		Scope levels				
KSR	Level/ metric	Minimum (Critical)	Intermediate (Desirable)	Maximum (Aspirational)	Out of Scope	
8	Provides greater equity in wastewater decision-making <i>(enabling cultural redress)</i>	Extent to which impact on iwi/hapu from existing arrangements taken into account in wastewater decisions.	Iwi and hapū of Tauranga Moana impacted by wastewater infrastructure are supported in their visions for the restoration of their whenua / wai / taiao, giving special regard to impact of Te Maunga wastewater infrastructure on Ngā Pōtiki whenua, wai and taiao.		Iwi and hapū of Tauranga Moana impacted by wastewater infrastructure are supported in their visions for the restoration <b>and return</b> of their whenua / wai / taiao, giving special regard to impact of Te Maunga wastewater infrastructure on Ngā Pōtiki whenua, wai and taiao.	

## Questions for WWMRC (2) – Seeking to avoid direct wet weather wastewater overflows to wai receiving environments

We would like your feedback and decision on the following proposal:

Inclusion of a Key Service Requirement (KSR11) relating to direct wet weather wastewater overflows to wai receiving environments.

1. Should a Key Service Requirement for the PBC be to '*seek to avoid direct wet weather wastewater overflows to wai receiving environments*'?
2. If this KSR is to be included, is the proposed wording below, in particular, '*seeks to avoid*' acceptable?

acceptable?			Scope levels			
KSR	Level/ metric		Minimum (Critical)	Intermediate (Desirable)	Maximum (Aspirational)	Out of Scope
11	Seeks to avoid direct wet weather wastewater overflows to wai receiving environments	Extent of direct wet weather wastewater overflows to wai receiving environments	No increase in extent of direct wet weather wastewater overflows to wai receiving environments	Reduction in extent of direct wet weather wastewater overflows to wai receiving environments	Minimise direct wet weather wastewater overflows to wai receiving environments	



## Questions for WWMRC (3)– Long List Option Assessment Criteria

We would like your feedback and decision on the following proposals:

**1. Inclusion of new CSF (17): Must not disturb additional urupā or wāhi tapu sites.**

This would see a given option assessed and scored against how well it meets this criterion.

**2. Inclusion of strategic fit with Hapū and Iwi Management Plans (HIMP) as a CSF**

This would see a given option assessed and scored against how it fits strategically with relevant HIMPs.

Currently an assessment of strategic alignment with relevant HIMPs is to be undertaken alongside '*Other attributes that need to be given regard to, and/or are of interest*' – and not scored directly in the Long List option evaluation.

## Next Steps

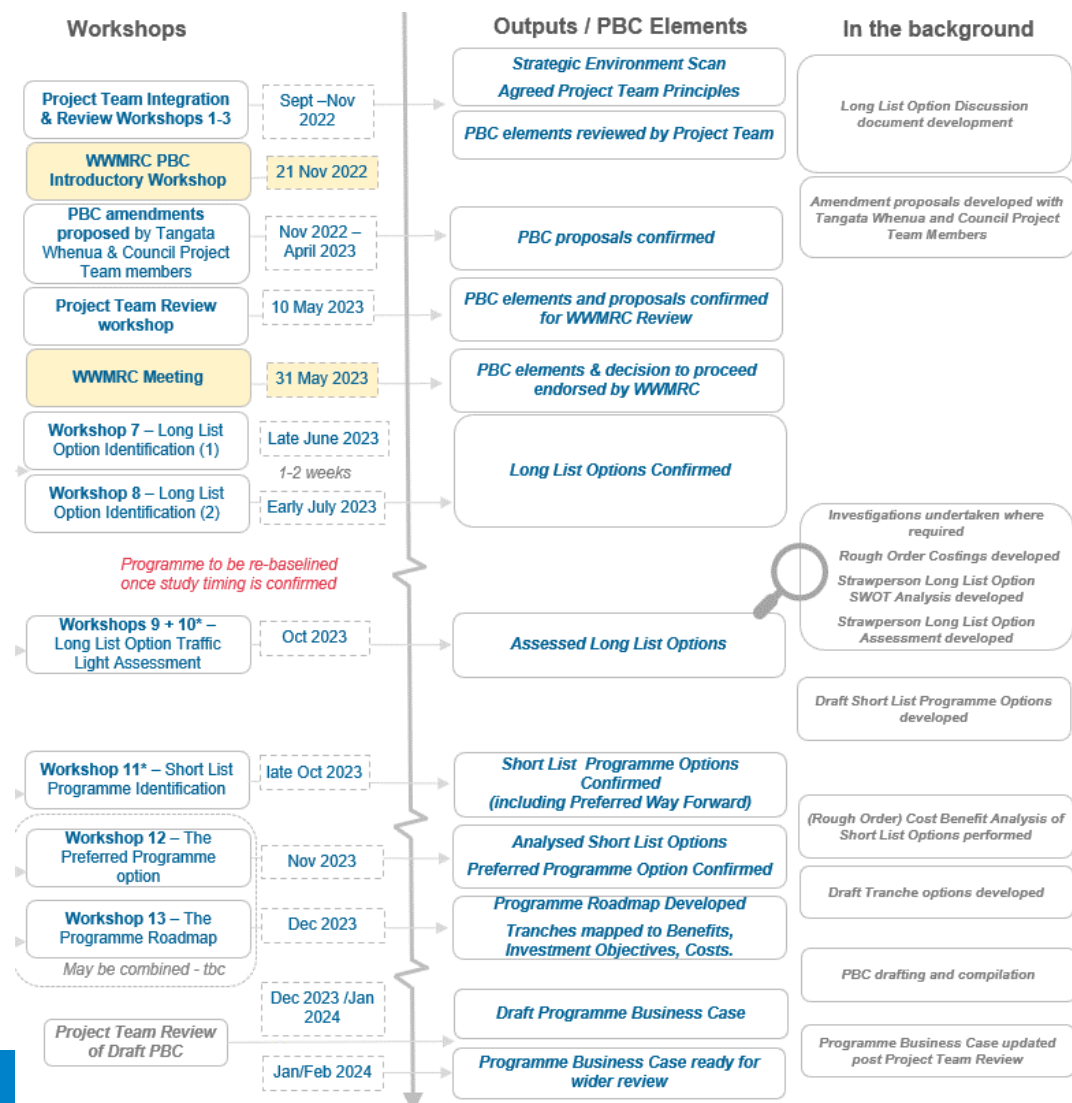


# High-Level Programme

## Next Project Team Workshops: Long List Option Identification Workshops

### Key Programme Risks

- Stakeholder engagement and availability (workshop-based process).
- Timing of studies needed to understand and assess long list options.



## WASTEWATER PROGRAMME BUSINESS CASE WWRMC REPORT RECOMMENDATIONS 31 MAY 2023

### RECOMMENDATIONS

That the Wastewater Management Review Committee:

- (a) Receives the report "Wastewater Programme Business Case".
- (b) Endorses the Wastewater Programme Business Case outputs (as summarised below and set out in more detail in paragraph 7 and Attachment 1 of this report).
  - Investment Logic Map: confirms problem statements and define benefits from investment
  - Benefits, Key Performance Indicators and Measures: baseline and target values to be confirmed
  - Investment Objectives
  - Key Service Requirements (KSRs) and the degree of change for each (minimum, intermediate, maximum) the programme investment is expected to deliver. These are broad, and include growth and geographical coverage, tangata whenua partnership and values, environmental considerations and resilience requirements.
  - Scope parameters: the scope boundaries for the investment (based on the KSRs). Only options within the range of minimum, intermediate and maximum will be assessed.
- (c) Notes that the Wastewater Programme Business Case outputs do not include the four matters set out in resolution (d) below as these have not been confirmed for inclusion by the project team and require decisions by the Committee before being included.
- (d) Decides on the following four matters proposed for inclusion in the Wastewater Programme Business Case noting that the starter options provided to the Committee are not exclusive and there may be further options.
  - i. **Scope regarding Cultural Redress:** A proposal to include a Key Service Requirement (8) relating to the extent to which the impact on iwi/hapū from existing arrangements is taken into account in wastewater decisions.
    - a. Should cultural redress be included in the scope of the Programme Business Case?
    - b. If so, is the proposed Minimum and Aspirational scope wording acceptable?
  - ii. **A new Key Service Requirement 'seeks to avoid direct wet weather wastewater overflows to wai receiving environments':**
    - a. Should this new Key Service Requirement be added?
    - b. If so, is the proposed wording, in particular, 'seeks to avoid' acceptable?
  - iii. **Inclusion of a new Critical Success Factor in the long list criteria which would see a given option assessed and scored against how well it meets the following:**
    - a. (CSF17) Must not disturb additional urupā or wāhi tapu sites.
  - iv. **Inclusion of a new Critical Success Factor in the long list criteria which would see a given option assessed and scored against how well it meets the following:**
    - a. Strategic fit with Hapū and Iwi Management Plans (HIMP)
- (e) Approves external engagement on the Wastewater Programme Business case subject to the following:
  - i. endorsement being given on the outputs agreed for inclusion in resolution (b), and decisions being made on the four matters proposed for inclusion at today's meeting in resolution (d)
  - ii. the draft engagement plan being circulated to members of the Committee for feedback; and
  - iii. the final engagement plan being approved by the Chairperson and the Deputy Chairperson of the Wastewater Management Review Committee.
- (f) Approves the subsequent stages of the Wastewater Programme Business Case (noting these are indicative dates only).
  - i. Two workshops (late June/July 2023) to carry out long-list option identification.
  - ii. Assessment of confirming long-list options to occur late 2023.
  - iii. Short-listing, programme road-map development and drafting of Wastewater Programme Business Case to occur in late 2023-early 2024

**Tauranga City Council Wastewater Programme Business Case****Tangata Whenua Paper**

**From:** Des Heke, Whitiora McLeod, Te Rangimārie Williams (the **Tangata Whenua Representatives**)

**To:** Tauranga City Council Wastewater Programme Business Case Project Team (the **Project Team**)

**Date:** 29 August 2023

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**Background**

1. Ngāi te Rangi, Ngāti Ranginui and Ngā Pōtiki a Tamapahore are represented by the Tangata Whenua Representatives on the Project Team. There are no agreed terms of reference for the Project Team, however, the Tangata Whenua Representatives broadly understand the purpose of the Tauranga City Council (**TCC**) Wastewater Programme Business Case (**WWPBC**) to be to undertake long-term and holistic strategic wastewater planning for the Tauranga district which can inform future funding bids.
2. The WWPBC follows Treasury's model for business case planning which involves making decisions on a number of matters that feed into one another. The Tangata Whenua Representatives joined the WWPBC at about the halfway point of decision-making for the WWPBC. The Tangata Whenua Representatives were offered the opportunity to go over decision-making that had already occurred and make additions, after which we would join the Project Team and collectively progress the remaining steps of the WWPBC.
3. The Tangata Whenua Representatives offered additions, some were agreed to by the Project Team, others were not. Those additions that were not agreed to by the Project Team (the **Outstanding Matters**) were presented to TCC's Wastewater Management Review Committee (**WWMRC**) for a determination on whether they should be included in the WWPBC. TCC members of the Project Team (the **TCC Staff**) presented the Outstanding Matters to the WWMRC in a report (the **TCC Report**) which contained TCC Staff perspectives on the Outstanding Matters and did not include Tangata Whenua Representatives' perspectives. The WWMRC noted this omission and have referred the TCC Report back to the Project Team with a request that:
  - a. The views of tangata whenua on any areas that required clarification be expressed in writing (the **Tangata Whenua Paper**).
  - b. The Project Team hold a subsequent meeting after receiving the Tangata Whenua Paper with a view to resolving any outstanding matters.
  - c. The WWMRC holds a further meeting to receive an update from the Project Team.
4. This Tangata Whenua Paper begins by addressing matters of process, and then responds to the directions of the WWMRC by addressing the Outstanding Matters and further matters we consider have yet to be properly addressed (**Additional Matters**).

### Matters of Process

5. Before addressing the Outstanding Matters, the Tangata Whenua Representatives wish to express our disappointment at the process that has been followed by TCC Staff in preparing the TCC Report. We do not consider it fair that the TCC Report contained no reference to our reasons or perspectives on the Outstanding Matters. The starter options within the TCC Report were not discussed with the Tangata Whenua Representatives and we were not aware this was the process that would be followed by TCC Staff. We do not consider this approach reflects good partnership or a collaborative approach. If the WWMRC did not identify the need to hear our perspectives then we may have been put on the spot to voice our opinion, or a decision could have been made absent our voice.
6. Since WWMRC met, TCC Staff have prepared a draft terms of reference. We have not yet had the opportunity to review these, however, we consider the terms of reference should address Project Team process issues, including:
  - a. **Clearly stating the purpose of the WWPBC.** Tangata Whenua Representatives have put forward ideas that we consider are long-term aspirational ideas for wastewater management in Tauranga. These have often been challenged as impossible or near impossible without clear explanation why or without first exploring our ideas i.e. our preference to discharge to land first was challenged as a 100-year pipe dream (or words to this effect) when we thought this was what the WWPBC was for. We have felt disrespected at times and uncomfortable.
  - b. **Clear consensus decision-making process with an independent facilitator.** We do not consider decisions need to be put to WWMRC, rather we consider decisions should be made by consensus amongst the Project Team. This can be facilitated by an independent facilitator who does not represent any of the parties to the Project Team.
  - c. **Approval of WWPBC work.** It is unclear what the process is for sign off by TCC Councillors, however, when that time comes, we consider there needs to be a process by which iwi entities are also afforded the opportunity to endorse the work its representatives have engaged in.

### Outstanding Matters

#### Key Service Requirement 8

KSR	Level/ metric	Minimum (Critical)	Intermediate (Desirable)	Maximum (Aspirational)
8	Provides greater equity in wastewater decision-making (enabling cultural redress)	Extent to which impact on iwi/hapu from existing arrangements taken into account in wastewater decisions.	iwi and hapū of Tauranga Moana impacted by wastewater infrastructure are supported in their visions for the restoration of their whenua / wai / taiao, giving special regard to impact of Te Maunga wastewater infrastructure on Ngā Pōtiki whenua, wai and taiao.	iwi and hapū of Tauranga Moana impacted by wastewater infrastructure are supported in their visions for the restoration and return of their whenua / wai / taiao, giving special regard to impact of Te Maunga wastewater infrastructure on Ngā Pōtiki whenua, wai and taiao.

7. The reason for the inclusion of KSR8 is to recognise that successive local councils have targeted Ngā Pōtiki and Māori land for public works infrastructure. For wastewater, Ngā Pōtiki have been particularly targeted and have suffered significant impacts as a result with Ngā Pōtiki lands taken

under public works legislation to support wastewater infrastructure, wastewater infrastructure going through a significant Ngā Pōtiki urupā and being established right next to the main food source for Ngā Pōtiki and a number of Tauranga Moana iwi and hapū. KSR8 intends to ensure these historical and ongoing effects are taken into account when making decisions.

8. TCC Staff have raised a number of issues with KSR8 (these are summarised in italics), we respond to each as follows:
  - a. *Reference to KSR8 as “cultural redress”*: TCC Staff have phrased KSR8 as “cultural redress”. Tangata Whenua Representatives have at no stage referred to what we are seeking in KSR8 as “cultural redress” and we do not consider we are seeking “cultural redress” through KSR8. We are interested in the TCC Staff definition of “cultural redress”. We consider that framing what we are seeking to address through KSR8 as “cultural redress” is an attempt to make this KSR8 more than what it is and that generates fear. Our desire is to have bad decisions of the past addressed and impacts of those taken into account when decision-making, there is no request for cultural redress.
  - b. *The maximum (aspirational) scope level for KSR8 (Tauranga Moana iwi and hapū are supported in their vision for the return of their whenua/wai/taiao) is outside the scope of WWMRC (terms of reference do not enable WWMRC to provide for cultural redress or return of lands) and the WWPBC (TCC Staff noting that if Council were to return land to Ngā Pōtiki there are other processes that need to be followed)*: As set out above, we do not agree that KSR8 is asking for cultural redress and we do not think this is the right way to phrase this. We further note that TCC Staff say later in the report that there are elements of redress in KSR5-7 (an assessment we do not agree with) but are not challenging those for being out of scope. Most importantly, **KSR8 is not asking WWMRC or the WWPBC to provide for cultural redress or return of lands**. TCC Staff describing KSR8 in this manner is misleading, misinterprets our intention, and causes confusion. We are asking that a key service requirement for a future wastewater management system is that the system **supports** tangata whenua vision to have land returned. For us, this includes meaning that action will not be taken in the WWPBC that would mean tangata whenua could not pursue their aspirations in this respect, and that it is not automatically assumed that wastewater infrastructure would remain on tangata whenua lands that were taken under public works legislation.
  - c. *Singling out of Ngā Pōtiki*: it is unclear why TCC Staff have raised this in the TCC Report as they have provided no explanation for this point. The Tangata Whenua Representatives have been clear through the WWPBC process that it is not just Ngā Pōtiki who have suffered as a result of the placement and operation of wastewater infrastructure. We have indicated that all tangata whenua must be engaged on the WWPBC, particularly those groups who are adversely impacted by the placement and operation of wastewater infrastructure in their rohe. For TCC Staff to raise this as an issue in a public report without this perspective is dangerous to inter-iwi/hapū relationships as it suggests that Ngā Pōtiki have not considered affected iwi / hapū. In saying this, the reality **is** that Ngā Pōtiki and other hapū / iwi **have** been treated differently. If there was another hapū / iwi who had a large proportion of their land taken, that had their food basket decimated by TCC infrastructure, and had their urupā destroyed, then we would expect those effects to be

taken into consideration. We consider that raising this as a point is creating an issue out of something that is not an issue here.

- d. *Concerns with the wording “Provide greater equity in wastewater decision-making”*: this wording was suggested by the Tangata Whenua Representatives to reflect that it would not be fair (i.e. equitable) to continue to generate significant effects to tangata whenua who have already borne significant effects and that this should be taken into account in wastewater decision-making. We are happy to change the definition of the KSR to better reflect this if TCC are uncomfortable with the wording.
- e. *Overlapping with other KSRs* (we note for each of these overlaps raised by TCC Staff that no explanation is provided as to why TCC Staff consider these to be overlaps so we only offer our perspective on why we do not agree that there are overlaps):
  - i. *Definition of KSR8 overlapping with intent of KSR5 (giving greater effect to tangata whenua values) and KSR6 (enabling strong partnerships)*: The historical and ongoing effects of wastewater infrastructure have disproportionately impacted certain iwi and hapū in comparison to other members of the community and other landowners. This needs to be kept front of mind in decision-making. KSR5 relates to values that dictate the tangata whenua relationship to environment, and KSR6 relates to the way in which tangata whenua and TCC operate as Treaty partners. These are all distinct matters that should be considered separately.
  - ii. *Overlap of the level/metric of KSR8 (extent to which impact on iwi/hapū from existing arrangements is taken into account in wastewater decisions) with KSR6 and minimum (critical) standard of KSR5 (local tangata whenua values and history of water assets/land understood and embedded across Council, community)*: TCC Staff do not explain which part of KSR6 they consider overlaps with this KSR8 level/metric so we just assume it is KSR6 in general.
    - 1. With respect to KSR6, this relates to Te Tiriti partnership and is focused on the structures and mechanisms that give effect to that partnership. Whilst inter-related, this is a separate issue to what we are seeking to achieve in KSR8 (as described above).
    - 2. With respect to KSR5, the Tangata Whenua Representatives consider that understanding and embedding history is very different to what KSR8 is trying to achieve i.e. actively taking the history and ongoing effects of wastewater infrastructure into account when making decisions. KSR5 relates to TCC educating themselves and their community as to that history so they are aware of the full context when participating in wastewater management. KSR8 relates to decision-making within the WWPBC that actively takes into consideration the history of ongoing effects of wastewater infrastructure i.e. that consideration makes a difference to decision-making.
  - iii. *Overlap of KSR8 minimum (critical) requirement (Iwi and hapū of Tauranga Moana impacted by wastewater infrastructure are supported in their visions for the restoration of their whenua / wai / taiao, giving special regard to impact of Te Maunga wastewater*



*infrastructure on Ngā Pōtiki whenua, wai and taiao) with KSR5: as explained above, KSR5 deals directly with tangata whenua values in terms of values that drive tangata whenua relationship to taiao. KSR8 deals with the impacts of wastewater decisions of successive local governments on tangata whenua.*

- iv. *The degree that decision-making equity may assist service equity that is addressed in KSR7: KSR7 is focused on ensuring Māori land can connect to wastewater services. KSR7 does not specifically address the historical and ongoing impacts of wastewater decision-making on tangata whenua.*
  - v. *KSR 5-7 already provide significant provision for tangata whenua cultural values and effects on them in the process: this comment implies there is a limit to the amount of provision for tangata whenua cultural values and effects and that that limit is determined by TCC – not by tangata whenua, who are the ones affected and best able to describe those effects. We do not agree with this approach and do not want this statement to take away from the very important need for KSR8.*
9. Given the numerous points raised by TCC Staff in opposition to KSR8, it is clear to the Tangata Whenua Representatives that TCC Staff are strongly opposed to KSR8. However, we do not consider that any of the reasons presented by TCC Staff are legitimate reasons to exclude KSR8. At times TCC Staff have expressed the intention of KSR8 incorrectly, generating fear and confusion. The TCC Report sets out that TCC Staff have recognised and championed the need and desire to achieve strong and enduring partnerships with tangata whenua. We consider that the approach TCC Staff have taken with the TCC Report does not reflect this and has, in fact, taken large steps backwards from a strong and enduring partnership. In producing the TCC Report, TCC Staff have done the opposite of taking a collaborative approach.

*Key Service Requirement 11: Seek to avoid direct wet weather wastewater overflows to wai receiving environments*

10. The Tangata Whenua Representatives included KSR 11 to ensure untreated wastewater is not being directly discharged to water in times of overflow. This currently occurs under existing consents TCC hold that enable untreated wastewater to be discharged to Te Tāhuna o Rangataua and Tauranga Harbour when wastewater infrastructure is at capacity. KSR11 aligns with our perspective that wastewater should not be discharged directly to wai receiving environments due to the offensive nature of wastewater and the significance of wai as a taonga to tangata whenua. We respond to TCC Staff points on KSR11 as raised in the TCC Report:
- a. *KSR 10 seeks an overall reduction in wet weather overflows which would result in less need for direct wet weather wastewater overflows to wai receiving environments: KSR10 might reduce the extent of wet weather wastewater overflows to wai, however, we do not consider KSR10 will sufficiently protect tangata whenua values and relationships to taiao. We want stronger action taken to protect our values and consider a specific KSR requiring this is necessary.*
  - b. *Use of the word 'avoid' even when prefaced with 'seeks to' means TCC will be required to 'keep away from something or try not to do something' which for TCC means to cease use of, and not renew consents for, the two consented direct wet weather overflow points: the ultimate end point for the Tangata Whenua Representatives is that there is no direct*

discharge of wastewater to water. However, we acknowledge that in some circumstances total avoidance may not be achievable, particularly in the short-term where there are no other options, this is why we have used the wording “seeks to”. We do, however, wish to plan for a future where direct discharge to water is not an option i.e. emergency wet weather overflows at least go to land-based treatment first before being discharged to any wai receiving environment. We do not consider this means TCC needs to cease the use of, or not seek to renew consents for the two consented direct wet weather overflow points, as long as there is a plan to cease this practice. We do not consider legal advice is required on the meaning of “seeks to avoid” as we are not in an RMA or legal process. This is a matter that can be resolved amongst the Project Team. We raise our discomfort that at the 10 May Project Team hui, the Tangata Whenua Representatives were told that if TCC could no longer hold these consents that there would need to be a trade-off which would likely be the need to keep the wastewater pond that is due to be decommissioned. We do not consider it appropriate that TCC Staff make these types of comments without first exploring various options.

*New Critical Success Factor 17 ‘Must Not Disturb Additional Urupā or Wāhi Tapu Sites’*

11. We requested CSF17 in response to the impact wastewater infrastructure has already had on Ngā Pōtiki in disturbing a significant urupā and a desire to ensure there was no further disturbance of urupā and wāhi tapu. The existing disturbance has generated extremely adverse and serious effects to Ngā Pōtiki. In response to TCC Staff points we note:

- a. *The RMA already requires recognition and protection of the relationship tangata whenua have with wāhi tapu:* the RMA requires many things which are touched on by various KSR’s and CSF’s, this has not been used as a reason to not include any other KSR or CSF. We do not consider this a relevant matter to CSF17 and do not understand why TCC Staff have made this comment.
- b. *As currently drafted there is uncertainty around:*
  - i. *What is meant by ‘disturb’ i.e. near a wāhi tapu or upgrading existing infrastructure that go through wāhi tapu.*
  - ii. *What is meant by ‘additional’ i.e. exclude urupā or wāhi tapu sites where there is existing infrastructure or would it include changes to that infrastructure i.e. larger pipes*
  - iii. *What areas are ‘urupā’ or ‘wāhi tapu sites’ i.e. whether CSF17 covers ‘Significant Māori Areas’ in the Tauranga City Plan or includes other areas identified by tangata whenua outside of the plan.*

We consider all these uncertainties can be addressed and discussed within the Project Team. We note that many of the elements of the WWPBC could be picked apart for uncertainty in one way or another, but those elements are not facing the same scrutiny CSF17 and other Outstanding Matters are.

- c. *CSF17 does not relate to and appears to go beyond the Tauranga City Plan provisions relating to SMA’s:* we have not been provided any analysis to support this assertion, nor was any analysis provided to the WWMRC which we consider inappropriate. It is not clear why TCC Staff consider there is a lack of alignment with the plan provisions, nor is it clear why there must be alignment with the plan, particularly given the plan will eventually change and it is quite conceivable changes will go beyond what already exists in the plan.

Again, the Project Team has not considered other CSF's against the Tauranga City Plan provisions to consider whether there is alignment or not.

- d. *Specific sites have not all been identified, so it will be difficult to assess with any certainty, an option against CSF17: if there is a good relationship in place with affected tangata whenua, then tangata whenua can assist in the assessment of an option against CSF17.*

*New Critical Success Factor – assess option against strategic fit with hapū and iwi management plans (HIMPs)*

- 12. The Tangata Whenua Representatives requested to include this criteria as a Strategic Fit CSF to ensure that any options meet the values of hapū and iwi as reflected in HIMPs. A strategic assessment against HIMPs may be an opportunity to capture whakaaro from iwi / hapū who have yet to engage in this process or are unable to engage due to resourcing issues. It appears as though TCC Staff do not want this criteria to sit as a Strategic Fit CSF and want it to remain under “SWOT analysis” criteria so that it is not critical that a wastewater planning option meets the criteria, but it is an attribute that must be given regard to, i.e. the impact of this criteria is weakened.
- 13. TCC Staff provide a long list of reasons against including this criteria as a CSF. Rather than repeat each of those reasons, we make the following comments:
  - a. Genuine engagement with iwi and hapū is not straightforward and can be time consuming. This is reality and there are many benefits to genuine engagement with iwi and hapū.
  - b. Whether or not an HIMP should be considered or not can easily be determined by asking the iwi / hapū who created the HIMP whether the policies are up to date or not.
  - c. The review of any HIMP will be strategic and so there will be no need to undertake a provision by provision assessment on matters that are not related to wastewater.
  - d. The Project Team has not reviewed the content of each Regional or Local Plan that falls under the Strategic Fit CSFs so it is unclear why TCC Staff need to point out that the Project Team has not reviewed the content of each relevant HIMP.
  - e. TCC Staff's perceived issue of interpreting an HIMP incorrectly can be resolved by checking with the iwi / hapū who created the HIMP.
  - f. The Regional and Local plans will include a significant amount of information and direction that will extend beyond the scope of the WWPBC which TCC may not wish to be used as assessment criteria, yet they are still included as a Strategic Fit CSF. It is not clear why TCC Staff raise this as an issue with respect to HIMPs.

#### **Additional Matters**

- 14. The Tangata Whenua Representatives consider the following Additional Matters have not yet been resolved by the Project Team:
  - a. *Key Service Requirement 1 – Adequate geographical area is serviced:* the Tangata Whenua Representatives do not support increasing the geographical scope beyond where Te

Maunga WWTP already takes wastewater from. This is based on the premise that Ngā Pōtiki do not wish to treat wastewater on Ngā Pōtiki whenua from iwi / hapū well removed from the Ngā Pōtiki rohe.

- b. *Critical Success Factor 10*: we consider the wording should be “Must not discharge treated wastewater directly to natural freshwater receiving environments”. This is the wording we thought had been captured at the 10 May 2023 Project Team hui but is not reflected in the minutes for that hui or the wording of CSF10. We prefer this wording as it allows a wide interpretation ensuring wider protection of wai receiving environments in the event that the current wording does not capture all freshwater wai receiving environments.
- c. *KSR or CSF addressing flow of wastewater*: the wording of CSF10 was interpreted by TCC Staff at the 10 May 2023 Project Team hui to mean that discharge into the constructed wetlands at Te Maunga and then out to sea would be fine given wastewater was not going directly to natural freshwater receiving environments. We made clear that we did not have direction on appropriate receiving environment of treated wastewater post-treatment at the Te Maunga constructed wetlands and we would need to consider this with iwi entities. We further raise that it is questionable as to whether the Te Maunga constructed wetlands have the qualities of an actual wetland so that wastewater is receiving the treatment required from a tangata whenua values perspective. We consider this is a significant issue to tangata whenua that will involve wānanga amongst iwi entities.
- d. *Discharge to seawater*: we raised a desire to include a KSR or CSF that requires that discharge of wastewater to seawater is phased out. Tangata whenua have directed that the same principles that apply to freshwater also apply to seawater and that there is a strong preference to have no wastewater infrastructure impacting our wai environments. Requiring this discharge to be phased out and not completely prohibited is a compromise on tangata whenua behalf.
- e. *Long-List SWOT Analysis #4 – Tangata Whenua Considerations*: tangata whenua have a strong preference to separate waste streams, particularly mortuary waste. We asked this to be included under SWOT Analysis #4 but this has not been reflected.

#### Reflections

- 15. The level of detail that has gone into preparing the TCC Report, and in particular the number of arguments levelled against our desired inclusions to the WWPBC, has been overwhelming to respond to. It has been incredibly disheartening to read these arguments, particularly in a context where we were not afforded the opportunity to present our positions to the WWPBC. We consider the process followed by TCC Staff to be a serious breach of our trust and consider that there is a lot of work to do to restore trust on our behalf that this is a safe process to be a part of.

#### A Way Forward

- 16. Prior to the Project Team hui to discuss the Outstanding and Additional Matters, we consider that a hui is required between TCC Staff and Tangata Whenua Representatives to discuss the process matters that have been raised in this Tangata Whenua Paper. We also consider it would be useful to hold an independently facilitated session that explores what good Te Tiriti partnership looks like and how we can reflect this in a genuine manner through the WWPBC.



## **Wastewater Programme Business Case Working Group Terms of Reference**

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## Document Information

### Document Properties

This table describes this version of the document.

<b>Document Name</b>	Wastewater Programme Business Case Working Group Terms of Reference
<b>Author</b>	Nicola Houlding
<b>Owner</b>	Wally Potts
<b>Version Number</b>	v1.0
<b>Date created</b>	20 June 2023
<b>Last updated</b>	20 June 2023

### Document History

This table provides a history of changes to this document.

<b>Version No.</b>	<b>Date</b>	<b>Summary of Change</b>
1.0	20 June 2023	Draft for Working Group Review

## Document Review and Sign-off

### Document Review

This table lists review parties and status of the review.

<b>Name</b>	<b>Title</b>	<b>Review Status</b>

### Acceptance of Terms of Reference

By meeting minute of the Working Group on [date]

## Background

Tauranga City Council has commenced a Programme Business Case (PBC) for investment in the City's future wastewater programme. The PBC considers how future investment should best provide for rapid growth and development, reflect contemporary and tightening environmental expectations, give greater effect to tangata whenua cultural values, and provide resilient wastewater infrastructure.

The PBC defines key issues, investment objectives and service requirements for future investment in the wastewater scheme (network and treatment plants). Its findings will guide strategic planning for the wastewater activity, inform future detailed business cases, resource consenting processes and key strategic documents. The intention is that the PBC will set the scene and position the City well for when it potentially moves into a new water services entity.

## Purpose

The Wastewater PBC Working Group exists to provide high-quality, timely advice to inform development of the PBC. It brings together Council subject matter experts, tangata whenua members of the City's Wastewater Management Review Committee (WWMRC), engineering, cultural, planning, and business case consultants. It provides a key mechanism to collaborate with tangata whenua, and collectively consider concerns and aspirations regarding the City's wastewater scheme into the longer term.

## Scope

The scope of the Working Group is to:

1. Consider, develop and agree the various elements of the Wastewater PBC.<sup>1</sup>
2. Receive and consider material developed, and any other information required, to inform the PBC.
3. Ensure the perspectives of the organisations represented on the Working Group are shared, considered, and reflected in PBC content<sup>2</sup>.
4. Identify, recommend, and (where appropriate) commission studies or investigations required to inform option analysis.
5. Provide agreed PBC content to the WWMRC for consideration and endorsement<sup>3</sup> at agreed milestones. As a minimum, the Working Group are to present to and seek WWMRC endorsement of the following PBC elements:
  - a) Problem and Benefit Statements
  - b) Investment Objectives
  - c) Scope and Key Service Requirements

<sup>1</sup> As required by the [Better Business Case](#) framework.

<sup>2</sup> In accordance with Short Form Agreements or individual Statements of Work held with Council regarding Working Group membership.

<sup>3</sup> In accordance with the [Wastewater Management Review Committee Terms of Reference](#).

- d) Long List Option Assessment Criteria
  - e) Long List Options (to be assessed)
  - f) Short List Programme Options
  - g) Programme Roadmap
  - h) Programme Business Case (Final Draft)
6. Identify content that requires escalation to the WWMRC for additional consideration and discussion (in addition to that referred at 5., above), where appropriate.
  7. Ensure risks and issues are identified and managed, PBC development progress is on target to achieve agreed outcomes, and that stakeholder engagement, communication and issue resolution is supported and resourced.
  8. Review and provide timely feedback on draft PBC content.

## Membership

Role	Name	Organisation
<b>Members</b>	Wally Potts	Tauranga City Council (Sponsor)
	Whitiora Mcleod	Ngāi Te Rangi (WWMRC representative)
	Des Heke-Kaiawha	Ngāti Ranginui (WWMRC representative)
	Te Rangimarie Williams	Ngā Potiki
	Jane Groves	Tauranga City Council (Project Manager)
	Claudia Hellberg	Tauranga City Council
	Radleigh Cairns	Tauranga City Council
	Paula Hunter	Stantec
	Garry Macdonald	Beca
<b>Observers</b>	Kelvin Hill	Tauranga City Council
	Karrie Downey	Tauranga City Council
<b>Secretariat</b>	Kristina Hermens	Beca (Consultant Project Manager)
	Nicola Houlding	Canopy Consulting (Facilitator/Business Case Consultant)

Members may delegate to a substitute who has the authority to represent them (see **Apologies**, below).

Subject Matter Experts may be invited to join Working Group meetings as required to inform detailed analysis. Others relevant to the work in hand may also be invited. Members may seek advice from outside the Working Group to inform their analysis.

## Member Responsibilities

Member responsibilities are to:

1. work collaboratively with other Working Group members, sharing knowledge and experience and taking on board others' perspectives.
2. prioritise in-person participation at Working Group meetings and workshops.



3. prepare for and actively participate in Working Group meeting and workshops, contributing to discussion to support the Working Group decision-making process.
4. champion the PBC and the outcomes sought through it.
5. foster relationships with relevant stakeholders<sup>4</sup>, acting as a conduit between the Working Group and their organisation (as required through individual Short Form Agreements or Statements of Work held with Council).

### Quorum

Meetings of the Working Group must have a quorum of **four** members with at least one member representing Tauranga City Council and one member representing tangata whenua representatives of the Wastewater Management Review Committee. The quorum is required for decisions to be made, including confirming PBC elements for endorsement by the WWMRC (for example, Key Service Requirements, Assessment Criteria), approving draft papers, agreeing actions to manage risks and so on.

The Sponsor may decide that any decision made by quorum is subject to consultation with a specific member of the Working Group who is absent, before that decision can be finalised.

### Decision making

Working Group decisions will be by consensus, if possible. Where PBC elements (for example, Key Service Requirements, Assessment Criteria) are agreed by the Working Group, this agreement will be reflected in relevant meeting minutes. Content agreed by consensus will be presented to the WWMRC as agreed content, for endorsement.

Should the Working Group not reach consensus, it may, with agreement of the Sponsor, seek input from Subject Matter Experts or other advisors to the extent that this may reasonably inform or support achievement of consensus.

Should, having considered such advice, the Working Group still be unable to reach consensus, or believes that broader executive consideration is required, the matter will be escalated to the WWMRC, along with options and recommendations. Matters for escalation to the WWMRC will be confirmed at the relevant Working Group meeting and will be reflected in the meeting minutes.

The form in which such matters are to be escalated to the WWMRC (unless otherwise agreed by the Working Group) will be separate papers, each setting out the perspectives and recommendations of respective authors. The form will be confirmed at the relevant Working Group meeting and reflected in the meeting minutes.

All reporting to the WWMRC must meet WWMRC reporting deadlines.

### Apologies

Members are expected to treat meetings of the Working Group as a high priority and attend as often as possible. Members who are not able to attend a meeting or workshop may notify in advance of the meeting that they will be represented by a substitute or proxy. Members are

<sup>4</sup> To be confirmed with the development of a Stakeholder Management Plan.

responsible for fully briefing any substitute or proxy prior to the meeting to participate and make decisions on their behalf. Substitutes or proxies from each organisation should be consistent where possible.

### Meeting Structure and Frequency

The Working Group will meet as required by the Project Manager, to develop and complete the required Programme Business Case<sup>5</sup> elements.

An agenda is to be provided **one week** in advance of each meeting, and opportunity provided for members to raise relevant matters for inclusion. Items to be included must be notified to the Project Manager at least **three working** days in advance of a Working Group meeting.

Working Group meetings will operate in accordance with the Working Group meeting pack agenda and will be facilitated by the business case lead/facilitator, or others, by invitation.

### Meeting pack

A meeting pack will be provided one week in advance of each meeting or workshop. Members are to undertake to read the meeting pack and be prepared to contribute to discussion and the decision-making process at Working Group meetings and workshops.

### Actions

The Secretariat is responsible for formally recording the Working Group actions and decisions, and distributing these to Working Group members within three working days after the meeting.

### Reporting

The Programme Business Case Working Group reports to the Wastewater Management Review Committee.

<sup>5</sup> As required by the Better Business Case approach.

## 9.2 WWMRC Activity Report

**File Number:** A15131521

**Author:** Jim Summers, Consents Officer

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

### PURPOSE OF THE REPORT

1. To provide information to the Wastewater Management Review Committee on the status of wastewater network and associated projects.

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### RECOMMENDATIONS

That the Wastewater Management Review Committee:

- (a) Receives the report "WWMRC Activity Report".

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### DISCUSSION

#### RC62878 – Te Maunga Outfall Discharge Consent

2. All required sampling within consent limits.

#### RC62882, RC62883, RC62885 – Overflow Emergency Discharge (Chapel Street & Te Maunga)

3. Seepage into the harbour is being measured monthly. All results have been within consent limits with no significant changes since desludging began.
4. No emergency discharges from Chapel or Te Maunga Wastewater Treatment Plant (WWTP) since the previous committee meeting in June 2023.

#### Wastewater Overflows

5. Since the previous committee meeting in June 2023 there have been 23 blockages that have been notified to council. 18 did not leave the network and were contained to land. Two discharged to the stormwater system, and three potentially made the receiving environment. These were all notified to BoPRC, Toi Te Ora and local hapu/iwi RMA reps. Water quality sampling was undertaken, and warning signage placed in the relevant areas until results indicated no further impacts on water quality.

#### RC62722 & RC62723 - Te Maunga & Chapel Street Odour

6. No odour complaints received for Te Maunga or Chapel Street since the last WWMRC meeting.

#### Inflow and Infiltration (I&I)

7. When stormwater and groundwater enters the wastewater network this can provide a number of issues to the functionality of the wastewater network. The effects are wide ranging but mainly reduce the capacity within the wastewater network from unwanted inputs.
8. TCC's engineer will provide an update on TCC's I&I strategy, and what the next steps are.

#### Desludging Pond 1

9. The contractor has removed over 6000 dry tonnes of sludge from Pond 1 since the start of the desludging.
10. The desludging programme is currently on schedule with Conhur working 24-hour shifts.

11. Two sludge cells on Tip Lane landfill are filled and stabilised with saw dust.
12. BoPRC attended site on July 2023 and were satisfied with compliance with the consent.

**Clarifier 3**

13. Construction contract has been awarded to HEB and construction has commenced.
14. To date works completed are topsoil stripping, site establishment, sheet piles and installation of a dewatering system.
15. Bulk excavation is due to commence late September 2023.
16. Nga Potiki has been commissioned to provide monitoring service during excavation.

**Bioreactor Two**

17. Construction of the internal grid CFA piles is complete. Piles are being tested and checked for compliance with the specification. Defective piles will be repaired in due course.
18. Perimeter wall remedial works are in the planning phase with work expected to commence early October 2023.
19. Delays have occurred, pushing the completion date of the ground improvement works to March 2024.
20. Balance of works Contract (above ground works) is scheduled to commence in April 24 and take 15 months to complete.

**Landward Section of Outfall**

21. This project has been completed.

**Marine Section of Outfall**

22. The marine outfall has been cleared of debris (pieces of grout) and inspected by CCTV.
23. The CCTV inspection data is being reviewed to assess the condition of the pipeline. Results are expected in about 6-9 weeks' time

**New Inlet Works**

24. Work has commenced on the decommissioning of the existing odour bed and replacement with new technology with a smaller footprint. This will be completed in the 3rd quarter of 2024.
25. Work is progressing with the assessment of concept options for the New Inlet Works. Once a preferred option is selected, procurement of mechanical plant will commence.
26. Preliminary design of the NIW will commence in the 3rd quarter of 2024, after the mechanical plant supply contracts have been awarded.

**Site Investigations**

27. Site investigations (geotechnical, groundwater, environmental) will commence later this year for Bioreactor 3 and Picket Fence Thickener 3.

**Environmental Mitigation & Enhancement Fund (EMEF)**

28. Next steps are for the appointment panel (made up of committee members) to assess and appoint the independent panel members. Once the panel is in place applications to the fund can reopen.

**ATTACHMENTS**

Nil

### 9.3 Treated Wastewater for Street Tree/Garden Irrigation

**File Number:** A15148013

**Author:** Jim Summers, Consents Officer

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

#### PURPOSE OF THE REPORT

1. To get feedback from the Wastewater Management Review Committee (WWMRC) on the potential reuse of treated wastewater for street tree and garden irrigation throughout Tauranga.

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#### RECOMMENDATIONS

That the Wastewater Management Review Committee:

- (a) Receives the report "Treated Wastewater for Street Tree/Garden Irrigation".
- (b) Provide feedback on the reuse of treated wastewater for watering street trees and potentially other locations

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#### EXECUTIVE SUMMARY

2. A changing climate, population and economic growth all put pressure on Tauranga's water supply. Tauranga City Council (TCC) are committed to maintaining and enhancing the health of our source water streams.
3. The use of treated wastewater to irrigate urban open spaces is considered a practical solution to address water resource scarcity and is commonly used in arid or semi-arid parts of the world.
4. The Spaces and Places team have been planting an increasing number of juvenile trees as part of its numerous projects and more planting is proposed for 2023/24 which will increase the pressure on their fresh water supply.
5. Tauranga's wastewater system currently discharges treated wastewater via the Te Maunga Wastewater Water Treatment Plants (WWTPs) ocean outfall 950m offshore.
6. As part of any consenting of the network and discharge through the Programme Business Case (PBC) TCC will be assessing a number of alternative options and the reuse of treated wastewater will be one of those.
7. Reuse of treated wastewater is already undertaken in some areas of New Zealand and TCC have also previously utilised this option for Omanu Golf Course
8. There are a number of challenges that would need to be addressed for Council to begin using treated wastewater in this way. Staff are keen to discuss the potential for a trial with the committee.

#### DISCUSSION

9. TCC introduced the Water Watchers Plan as a city-wide plan to manage water demand and protect stream health all year round and demonstrate our commitment to water conservation.
10. Water use which falls outside of the Waters Plan approval are required to have a Smart Water Plan.

11. The Spaces and Places team are required to submit Smart Water Plans for water needed during the months of December to March for watering green spaces i.e. sports fields, reserves, street trees, gardens. Bore water is often used to irrigate sports fields.
12. The current water approvals only meet minimal needs of these green spaces resulting in juvenile trees taking longer to establish and risk putting newly planted trees and plants under stress especially over the first summer post planting.
13. The recently adopted Environment Strategy and Nature and Biodiversity Action Plan will see more trees planted across the city. Additional trees will support climate change mitigation, provide amenity and ensure council meets targets to increase tree canopy and indigenous vegetation. However, in the short-term, this will likely increase demand for water until the new plantings reach a level of maturity.
14. Treated wastewater is used to irrigate reserves in Christchurch and Taupō uses treated wastewater to irrigate ryegrass pasture.
15. Taupo District Council uses treated wastewater to irrigate the Kinloch Golf Course via a sub-surface irrigation system. This has been operational for a number of years.
16. Bay of Plenty Regional Council (BoPRC) granted a consent in October 2005 which authorises the use of treated wastewater at various sites throughout Tauranga. This consent expires in April 2040 (Attachment 1).
17. Historically treated wastewater was used to irrigate the Omanu golf course, this was discontinued around 2008. Reasons for discontinuing this use included golfers noticing an odour after irrigation. Since spray irrigation was last used, technology has improved, and it is unlikely treated and disinfected wastewater would have a detectable odour.
18. The consent is quite stringent in its requirements meaning that at times Council could not meet the conditions of consent however there was no additional disinfection of the water at the time prior to usage.
19. With the requirement for 'greenification' of the city and the increased level of service that this involves, and Council's commitment to maintaining and enhancing the health of our source water streams while giving effect to Te Mana o Te Wai, TCC would like to re-explore the use of treated wastewater for irrigation of trees and gardens.
20. Staff are keen to investigate a trial using disinfected treated wastewater from Te Maunga on the newly planted trees and gardens along Maunganui Rd and in Papamoa. This would require investigating consenting, health and safety, and operational requirements before reporting back to the committee.
21. Although there could be significant environmental benefits of this type of re-use, staff would like to understand potential positives and negatives from tangata whenua and whether the committee would support staff continuing to investigate and progress such a trial.
- 22.

## ATTACHMENTS

1. **RC62886 - Treated Wastewater Irrigation Consent - A15147999** [📄](#) 

Consent Number: **62886****Bay of Plenty Regional Council****Resource Consent**

Pursuant to section 105 of the Resource Management Act 1991, the **Bay of Plenty Regional Council**, by a decision dated 9 September 2005, **Hereby Grants** to:

TAURANGA CITY COUNCIL

Private Bag 12022  
TAURANGA

A discharge permit pursuant to section 15(1)(b) of the Resource Management Act 1991 to **Discharge Reclaimed Water From the Chapel Street Wastewater Treatment Plant on to Land at Various Sites in the Tauranga District** subject to the following conditions:

**1 Purpose**

For the purpose of discharging secondary-treated and UV disinfected reclaimed water from the Chapel Street wastewater treatment plant by spray irrigation to various sites within the Tauranga district.

**2 Discharge Quantity**

The daily quantity of reclaimed water discharged shall not exceed 8,750 cubic metres.

**3 Location**

Irrigation of reclaimed water shall be limited to eight sites within the Tauranga City boundary as listed below:

- a) Tauranga Domain (main field)
- b) Sulphur Point Reserve (north of the BMX track)
- c) Roadside reserves each side of the causeway to Mount Maunganui
- d) The grass runways at the Airport
- e) The Airport Reserve (an area of agricultural land between the airport and Omanu Golf Course)
- f) The Omanu Golf Links
- g) Bayfair Reserve
- h) Links Reserve

Consent Number: **62886****4 Water Treatment and Water Quality**

- 4.1 All water discharged under the conditions of this consent shall, as a minimum, be secondary-treated and UV disinfected in the Chapel Street Wastewater Treatment Plant. Discharge shall immediately cease where effluent has not been secondary treated or UV disinfected.
- 4.2 The reclaimed water discharge to irrigation shall meet the following quality standards:
- a) The geometric mean total suspended solids concentration shall not exceed 35 g/m<sup>3</sup>, and
  - b) The geometric mean *Escherichia coli* concentration shall not exceed 200 per 100 mL.
- In each case the geometric mean shall be calculated from at least 5 consecutive samples collected in each month during the irrigation season.
- 4.3 The permit holder shall undertake an investigation into the relationship between UV transmittance and *Escherichia coli* concentrations in the treated wastewater, and shall investigate the possibility of specifying a UV transmittance threshold level, above which irrigation of reclaimed water would cease. The results of this investigation shall be reported to the Regional Council within 12 months of the issue of the new consent.

**5 Treated Wastewater Monitoring**

- 5.1 The permit holder shall maintain an easily accessible sampling point at the Chapel Street UV facility where a representative sample of reclaimed water can be obtained for the analyses specified in conditions 5.4, 5.5 and 5.6.
- 5.2 All quality analysis pursuant to conditions 5.5 and 5.6 shall be carried out as set out in the latest edition of "Standard Methods for the Examination of Water and Wastewater" – APHA – AWWA – WPCF or such other method as may be approved by the Chief Executive of the Regional Council or delegate.
- 5.3 All quality analysis of the wastewater discharge shall be undertaken in a laboratory with IANZ or similar accreditation.
- 5.4 The permit holder shall monitor and record the flow rate of reclaimed water disposed to irrigation.
- 5.5 The permit holder shall collect a "24-hour flow proportional composite sample" of reclaimed water on at least 5 days in each month during the irrigation season. Each sample shall be tested for suspended solids.
- 5.6 The permit holder shall collect a grab sample of reclaimed water on at least 5 days in each month during the irrigation season. Each sample shall be tested for *Escherichia coli* bacteria concentration.



Consent Number: **62886****6 Irrigation Methods and Control**

- 6.1 Irrigation at all locations will take place at night, between the hours of 7 pm and 7 am, except at the Airport and Airport Reserve where irrigation may take place at any time.
- 6.2 The permit holder shall place and maintain signs at the main access points to each irrigation area. The signs shall advise that reclaimed water ("treated wastewater") is irrigated at each site, and (except at the Airport and Airport Reserve) advise against entry to those areas between the hours of 7 pm to 7 am.
- 6.3 The method of irrigation may be by a medium or low pressure irrigation system, or by subsurface irrigation.
- 6.4 The following buffer zone minimum distances shall apply (buffer zones are measured from the outside wetted diameter of a sprinkler or jet to the boundary or concern):
- Open waterways: 20 m (except on Omanu Golf Course where irrigation nozzles directed away from the water course may be within 5 m of the central water course)
  - Groundwater bore (domestic consumption): 20 m
  - Property boundaries: 10 m for medium pressure sprinklers  
5 m for low pressure sprinklers  
0.5 m for subsurface irrigation
  - On the north west boundary of the Airport adjacent to Te Awanui Huka Pak's property, a 60 m buffer zone shall be maintained.
- 6.5 The irrigation systems will be monitored and controlled by automatic mechanisms to immediately stop any irrigation cycle where wind is causing spray drift onto neighbouring properties, or breaching buffer zone distances.
- 6.6 The manager at each irrigation site shall record and maintain the following records:
- a) A daily soil-moisture balance over the irrigation season, or use other suitable technology to measure and record soil moisture deficit.
  - b) A log of daily water applications including application depth, duration and block irrigated.
- 6.7 The irrigation application will only be used to control soil moisture deficits. Water shall not be applied to areas which are not in moisture deficit and applications shall not increase moisture levels above field capacity.
- 6.8 The application of reclaimed water shall not result in surface ponding or run-off to watercourses.

**7 Management Plan**

- 7.1 The permit holder shall prepare a Management Plan for each of the irrigation sites. This plan shall include all requirements of this permit pertaining to each irrigation site. A copy of the plan shall be submitted to the Regional Council within three months of this permit being granted. The plan shall include, but not be limited to:

Consent Number: **62886**

- Hours of irrigation;
- Frequency and duration of irrigation;
- Type of irrigation to be undertaken;
- Applicable buffer distances;
- Applicable public notification; and
- Name and contact of irrigation manager

7.2 Each irrigation site shall have one person nominated as the irrigation manager responsible for ensuring the conditions of the Management Plan are adhered to. The permit holder shall notify the Regional Council in writing of the names of the irrigation managers for each site.

7.3 The permit holder shall undertake the discharge, authorised under this consent, in accordance with the Management Plan described in condition 7.1.

## 8 **Reclaimed Water Irrigation Management**

The permit holder shall be responsible for the overall management of the irrigation of reclaimed water, and shall undertake the following:

- a) Maintain a register of operational sites
- b) Before the permit holder authorises a site for irrigation of reclaimed water it must be satisfied that the site and the staff can meet all conditions of this permit.
- c) The permit holder shall be responsible for training individual irrigation site staff to ensure that they understand and comply with the Management Plan.
- d) The permit holder shall undertake an annual audit of all irrigation sites using reclaimed water to ensure that all sites comply with the Management Plan. A report on this audit shall be submitted to the Regional Council by 31 July each year. This report shall detail any areas of each system that do not comply with the plan and any actions to amend problems causing non-compliance.

## 9 **Review of Permit Conditions**

The Regional Council may under section 128 of the Resource Management Act 1991 initiate a review of the conditions of these permits on the fifth anniversary of the commencement of these permits and on every 5 years thereafter.

The review of conditions shall be for the purpose of:

- a) Reviewing the effectiveness of the standards in these permits in meeting environmental outcomes; and
- b) Reviewing any refinements to, or reduction in, the monitoring programmes specified in this permit; and
- c) Implementing any recommendations of the Review Committee made in accordance with the requirements of consent number 62878; and

Consent Number: **62886**

- d) Implementing any recommendations made in the Monitoring, Upgrade and Technology Review Report prepared in accordance with the requirements of consent number 62878.

The review of conditions shall allow for:

- a) The deletion or amendment of any of the conditions of this permit; and/or
- b) The addition of new conditions as necessary to avoid, remedy or mitigate any adverse effects on the environment, including any unforeseen adverse environmental effects.

If necessary and appropriate the review, as provided for under this condition, may require the permit holder to adopt the Best Practicable Option to prevent or minimise significant adverse effects on the environment.

10      **Term of Permit**

This permit shall expire on 30 April 2040.

11      **Resource Management Charges**

The consent holder shall pay the Bay of Plenty Regional Council such administrative charges as are fixed from time to time by the Regional Council in accordance with section 36 of the Resource Management Act 1991.

- 12      **The Permit** hereby authorised is granted under the Resource Management Act 1991 and does not constitute an authority under any other Act, Regulation or Bylaw.

DATED at Whakatane this 17th day of October 2005

For and on behalf of  
The Bay of Plenty Regional Council

J A Jones  
**Chief Executive**

**10 DISCUSSION OF LATE ITEMS**

**11 CLOSING KARAKIA**