Minutes of the BLUFF WASTEWATER CONSENT WORKSHOP, Held in the victoria room, civic theatre, 88 tay street Invercargill on  
 Thursday 19 September 2024 at 2.00 PM

Present: Cr G M Dermody (Chair)

Mayor W S Clark

Cr R Bond

Cr P Boyle

Cr S J Broad

Cr T Campbell

Cr I Pottinger

Cr L F Soper (via zoom)

Cr B Stewart

Rev E Cook – Māngai – Waihōpai

Mrs P Coote – Kaikaunihera Māori – Awarua

In Attendance: Mr R Fife – Bluff Community Board (via zoom)

Mr M Day – Chief executive

Ms E Moogan - Group Manager – Infrastructure

Mr A Snow – Contractor – Senior Project Manager

Ms J Campbell – Legal (via zoom)

Mr J Bradley – Stantec (via zoom)

Mr A Collins – Harrison Grierson (via zoom)

Mr G Caron – Digital and Communications Visual Adviser

Ms M Broad – Executive Support

1. Apologies

Cr D Ludlow

1. Bluff Wastewater Consenting Project Workshop

The Chair opened the workshop noting the presentation would be held first then open for questions.

Ms Moogan outlined the purpose of the workshop to discuss the consenting process for Bluff Wastewater and any potential upgrades to the plant to achieve a consent at the end of next year. She then took the meeting through a powerpoint presentation.

Outlined developments since the last update to the Committee. Shortlist scored by the Working Group against technical criteria under the Resource Management Act (RMA) to reach a Best Practicable Option (BPO).

Noted the last Infrastructure and Projects Committee meeting and status quo discussion. Working Group met and agreed unanimously on a preferred option for recommendation for the Governance Group. Awaiting formal sign off from some members of the Governance Group, however did receive verbal endorsement of the preferred option.

In response to a query of the calculation of the whole of life cost, Ms Moogan explained this was made up of the capital cost and operating costs per annum for potential life of the consent, this then feeds into affordability. Noted colour coding green, amber and red, amber technically being affordable but Council would need to take money from other areas of the Long-term Plan to make affordable for the community. Costs done over 35 year period.

Attending experts online introduced, Andrew Collins, Planner - Harrison Grierson, taking through preferred option and Janette Campbell, independent barrister advising on next steps in terms of the Resource Management Act and Fast Track consent process, Jim Bradley, Stantec technical expert.

Ms Moogan acknowledged the process the Working Group has undertaken over almost a year, the time and cost invested to date and the size of the project for the community and Council. Noted this is a Working Group recommendation only, with all factors taken into account it is believed to be the best option for stakeholders, affordability and the community. Final decision ultimately lies with Council.

Mr Collins spoke to the presentation. Outlined the preferred scheme 1F status quo with treatment and discharge to naturalistic wetland. Noted why other land discharge options discounted due to unsuitability and costs. Spoke through considerations regarding status quo and recommendations as to why 1F seen as the Best Practicable Option over other options available. Noted further site investigation and cost refinement required.

Outlined why status quo was considered throughout the process but not included in the final options and not rescored by the working group. Noted tangata whenua views, the Regional Coastal Plan and specific national policy gives preference to post treatment discharges that have land contact, which 1F has. Felt status quo 1A would have less certain consenting outcomes and wouldn’t meet outcomes of partnership approach.

Outlined steps and documentation that would be required once a Best Practicable Option accepted by Council which would lead to the lodgement of consent. Decision of notification would be decision of Environment Southland, believe that if 1F adopted broad consensus could be non-notified outcome.

Ms Campbell spoke to consenting methods available when option selected - traditional resource consent noted provisions in Act on how consent would be progressed given issues that have been grappling with and directives of tangata whenua and mana whenua concerns, or possibility of fast-track option.

Fast-track not in law yet, select committee still to report back. Expectation the Bill will likely pass before Christmas and ready for applications in the new year. To use Fast track, the Bill has to be passed and Bill emended before it becomes an Act – under RMA if make a new application 6 months prior to expiry can continue to operate, no provision for this under Fast Track, appears to be omission, submitters have raised with Select Committee. Would need this roll over right provision to be included in fast track legislation to be able to use for Bluff and fast track legislation would need to be in place before current consent expires or roll over rights. Potential slow start to Fast Track legislation.

Application would need to be processed in time prior to consent expiry

In response to a query as to whether the fast-track legislation process better suited to roading infrastructure projects than wastewater consents, Ms Campbell noted it was pretty agnostic, had used the old fast tracking system, this Act broader enabling all infrastructure projects.

Mr Fife noted the Bluff Community Board meeting held on Monday was a good session and was present at the Governance Group meeting yesterday when the preferred option was received. Didn’t oppose option 1F, noted the need for the community board to discuss. Areas of concern related to discharge and raised existing UV system if could be improved to kill further bacteria and near end of life, adding replacement to project.

Mr Whaanga noted he didn’t attend the Bluff Community Board Meeting, that a Tea o Marama Inc representative attended the Working Group, acknowledged work undertaken and number of things to consider mahanga kai aspect, kaitiaki responsibility to look after others who will harvest from the area. Opportunity of aquaculture in the area including land based, ensuring clean water and opportunity to expand. Appropriate and cost-effective wastewater treatment plant important always considered option tertiary treatment ultraviolet important then to land suits and valuable as an option to Iwi. Noted this is the first option the Working Group has agreed to for a number of reasons, including costs this would be best option

Cr Campbell queried why 1F not 1G, and maintenance costs for 1F yearly expense. Mr Collins responded regardless of consent method policy statements still important driver of consideration referring to consultation with tangata whenua.

The impact of not being seen to have given consideration to those policies whether it could lead to issues, delays and cost impacts queried. Ms Campbell reinforced this.

Regarding cost question, Ms Moogan noted this is relating to maintaining the natural wetlands. Mr Bradley noted the maintenance of the planting and some on collection, ongoing maintenance of a natural system. It was noted not getting the maintenance right has caused problems with some other Councils, Stantec have outlined risk of sedimentation entering coastal marine area and potential bird issues will also need to be managed.

Mayor Clark queried Mr Collins, when noting consulted with Bluff Community is it just with Bluff or the wider city. Mr Collins noted team effort and ICC project managers have been leading. Has been with fishing industry and Bluff Community Board via Governance meeting, also on ICC website. No separate project consultation with wider community except through long-term plan. Mayor Clark noted cost to wider community. Noted status quo considered up until initial shortlist. Noted not shown in slides to show what 1A cost is except verbal of $4million. Queried if this is a whole of life cost to repair or replace the pipe. Ms Moogan noted 1A included relining of pipe capital cost, no additional operational cost over and above what is already in place. Mayor Clark when quote 1F whole of life cost queried if includes relining or replacement of pipe, Ms Moogan confirmed yes.

Mayor Clark queried during process of consultation as a panel if any buy in from TAMI and Awarua rūnaka. Working Group position Mr Collins noted TAMI representative on working group, who liaised with rūnaka representatives throughout the process. Advice received from TAMI rep started the process with land disposal options, during discussion strongly in favour of option 1F with considerations taken into account as were other members of the Working Group. Did note she couldn’t represent wider rūnanga without taking back for their review.

Ms Moogan noted the Project Governance Group in addition to TAMI representative also have an Awarua representative. When put up preferred option representative noted didn’t have formal sign off but had verbally discussed preferred option still had to go through formal sign off. Have requested from TAMI and Awarua rūnanga seeking formal comment prior to the Infrastructure and Projects meeting where the recommendation will formally be bought to Council.

Mayor Clark asked Mr Collins if in deliberation would it be a surprise to note that 4 of the 5 options being considered including 1A as a benchmark involve a discharge to ocean. Mr Collins noted no. Mayor Clark noted Iwi position to him have indicated do not support discharge to sea/river. Mr Collins noted TAMI representative preference to discharge to land, in this case considerations affordability, technical feasibility and other considerations Working Group representative adjusted position to support 1F seen as preferable to status quo. Ms Moogan noted representative at pains to make clear more swayed at technical difficulties of finding suitable land sites rather than affordability.

Mayor Clark queried whether there was any research in New Zealand that taking discharge plant water through land or rock quarry improves quality that subsequently goes to water. Mr Collins noted not environmental scientist but understanding won’t be improving quality, advantage of being more culturally acceptable, importance in planning context.

Mayor Clark – As part of advice to council asked if asked Environment Southland 2013 Coastal plan and if current 1A is compliant. Mr Collins noted Working Group members have liaised with consenting/compliance staff at Environment Southland aware well functioning plant fitting consent conditions any new application will be considered in context with policy context applicable now.

Mayor Clark noted 2013 Coastal Plan still relevant for current and new consent would be applied for, queried if any change in legislation or plan from Environment Southland, Mr Collins noted update to plan but unsure when, believe will be current this will trigger activity status which will be discretionary, noted other documents which will also be considered. Janette – depends how long consent takes to process with Iwi support could be a fast process, if longer process, possible that a new coastal plan or other policy would have some degree of relevance.

Cr Dermody queried if or when changes due to National Coastal Plan, Ms Campbell noted large Government work stream, national policy statement for Infrastructure due may be relevant, unclear of timing or effect.

Mayor Clark noted Environment Southland won’t change its policy for sometime work on this plan takes time.

Cr Bond comment end of life for UV treatment query if alternative option that is better. Ms Moogan noted there is additional treatment that can be added. Costs involved with improving what is already a good level with minimal improvement. Noted will need to renew current could look at doing at time of upgrade to plant. Mr Bradley noted UV effective at removing pathogens explained how this works, however removal of particles in the water would make more effective, technology fine filtration to increase UV effectiveness available or higher dose UV other perimeters in Assessment of effects also takes into account of nutrients, whether removing nitrogen/phosphorus in terms of receiving environment and under resource management act mixing zone, looked environmental quality zone around pipe, noted then becomes a cost benefit, nice to do.

Cr Bond noted 20% of water being tested, query what is being tested for. Ms Moogan noted testing for covid, drugs aren’t done as standard testing done on national basis from time to time. Mr Bradley usual testing regime in terms of resource consent list of contaminants being tested for includes heavy metals and some organic chemical. Noted number of wastewater plants now testing emerging contaminants no national standards yet. Consent has both compliance list parameters for end of discharge pipe and monitoring of environment, assessed periodically. Ongoing watch for changes. Cr Bond asked if testing done on kai moana for adverse effects on contaminants Ms Moogan noted original consent testing done on food sources done annually however found starting to deplete stores and discussion approx. 10 years ago, have looked at as part of consent conditions could undertake.

Cr Stewart noted heard collection of shellfish an issue but he hasn’t seen evidence of people collecting shell fish in the area. Noted supporter of 1A. Query of water going through land what will water quality be like, will it be better or worse. Ms Moogan noted going through wetland doesn’t provide further environmental benefit. Discharge will be same or similar to current discharge with addition of have sedimentation issue outlined earlier. Cr Stewart Smell query, Ms Moogan noted not expected experts agreed.

Mr Whaanga noted question regarding wetland and ability to uptake, understanding wetlands like the kidney of the earth water cleanse. More land for cleansing of more chance of removing contaminants would like more land however going with what is there. Last 10 years doing research on emerging contaminants in New River Estuary. New contaminants coming out in various products, finding is turning up in shellfish in the estuary. Traditional knowledge for cleaning cleansing.

Cr Campbell noted 1A satisfies technical requirements of discharge, 1F partial satisfaction of cultural concerns. Difference approx. $10million investment in satisfying cultural concerns, want to know 1F supported by Iwi before taking it forward, if not supported might as well be 1A.

Mr Whaanga noted a working party member attended the Governance Group meeting and the preferred option 1F won’t be endorsed until their working group meeting was held.

Rev Cook noted Governance not employee of TAMI if go back to 1A will be no support, will be opposition, non-compliant with coastal plan, doesn’t meet discussion on partnership. With wetlands looking to remove contaminants not removed with UV. 1F doesn’t meet all criteria going to ocean, but addresses some concerns and compromising would address most of the concerns and better outcome than present. Noted could not speak for Awarua meeting to be held but noted addresses most of the concerns.

Mr Collins noted 1A coastal plan discretionary activity can be approved or declined not so much complying with coastal plan but more complying with resource consent – noted compliant, next consent may be different

Mayor Clark noted has in writing from Environment Southland that current consent compliant with coastal plan. They noted caveat when going for next consent need to be mindful of Bluff Hill status unsure if that covers coastal part where outfall is.

Mayor Clark noted regarding testing query from Cr Bond understanding Environment Southland test within 100m of outfall and has in writing not aware it is causing issues. For Ms Campbell question issue if apply under Resource Management Act outside 6 month period before lapsing of consent roll over till issues resolved, does that same roll over impact potentially occur with Fast Track noted Local Government conference Ministers comments on expectation wastewater consents schedule 2 of Act, no specifics. Ms Campbell no rollover right in Fast Track Bill will need to amend to make use of Fast track bill, has been asked for could be if oversight currently no rollover right. If there isn’t one won’t be an option.

Mayor Clark noted response to Cr Stewart query on wetland water quality response that no effect noted sediment, deterioration in quality and birdlife contamination, wetlands or rock gully don’t improve quality and wetlands possibly decrease it. Ms Moogan noted risk possibility of lower quality output due to sediment and birdlife, queried with Mr Bradley unless high water event expected to be minimal, Mr Bradley agreed given plant type and flow velocity, noted number in NZ, particularly naturalistic following treatment. Occurred in last 20 years given planning aspects Mr Collins outlined. Approx. 75% of NZ wastewater to ocean

Ms Moogan noted Stantec have indicated although not environmental improvement to discharge, establishment of wetland gives improvement of ecology for the area.

Cr Boyle queried any discussion on changes discharge to wetlands would make to the wetlands. Mr Bradley noted consideration of the salt issue addressed with appropriate planting, Cr Dermody noted salt levels unique to Bluff given industry

Mrs Coote noted information on testing of kaimoana, disappointed testing hasn’t been done. Noted Chapter 7 Coastal Plan, discharge of contaminants range of effects noted, Iwi have a position on that hence discharge to land. Informal discussions with aquaculture group at Ocean Beach and fisherman have approached.

Cr Dermody gave thanks to Mr Collins, Mr Bradley and Ms Campbell for their expertise and input and to Ms Moogan and the team at Invercargill City Council.

Ms Moogan noted next steps, report to Infrastructure and Projects on 8 October for Committee to put recommendation to Council.

Cr Campbell noted will depend if Iwi will support or not, Cr Dermody queried if 8 October will give Iwi enough time, Mr Whaanga indicated a decision would be made prior to the meeting.

There being no further business, the meeting finished at 3.25pm