
Minutes of a meeting of the Nelson Regional Sewerage Business Unit

Held in Ruma Marama, Civic House, Trafalgar Street, Nelson

On Friday 14 March 2014, commencing at 8.34am

Present: D Hiser (Independent), Councillor R Copeland and Mr D Shaw (Nelson City Council), Councillors B Dowler and M Higgins (Tasman District Council)

In Attendance: M Hippolite (Iwi Representative), P Wilson (Industry Customers' Representative), Senior Asset Engineer – Solid Waste (J Thiant), Management Accountant (A Bishop), and Administration Adviser (L Canton)

1. Apologies

There were no apologies.

2. Interests

It was noted that forms would be issued for members to update their interests.

3. Public Excluded late item

Document number A1154048, tabled document refers.

The Chairperson tabled a memo advising that there would be a verbal Chairperson's report as a public excluded late item. She explained that a procedural resolution was required before the joint committee could consider this item. A correction was noted to the recommendation, substituting 'minor item' for 'major item'.

Resolved

THAT the public excluded item regarding Chairperson's Report be considered at this meeting as a minor item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable the NRSBU Joint Committee to be updated on the matter in a timely fashion.

Hiser/Dowler

Carried

4. Confirmation of Minutes – 31 January 2014

Document number A1139620, agenda pages 5-12 refer.

It was noted that item 7.2 contained a duplicate and should be deleted.

It was agreed that the 28 November 2014 meeting be moved to 9am start.

Resolved

THAT the minutes of a meeting of the Nelson Regional Sewerage Business Unit, held on 31 January 2014, as amended, be confirmed as a true and correct record.

Shaw/Higgins

Carried

5. Status report

Senior Asset Engineer – Solid Waste, Johan Thiart, presented the report. In response to a question, he advised that the Group Manager Infrastructure had advised it was not appropriate for Nelmac to meet with the Joint Committee.

Concern was expressed that the Joint Committee was responsible for ensuring the Nelson Regional Sewerage Business Unit (NRSBU) ran smoothly on behalf of two councils, and it was difficult to meet this responsibility if the Joint Committee did not have a full understanding of the performance and operations of its contractors.

In response to a further question, Mr Thiart explained that he had been instructed that in the future he was to provide only technical advice, rather than management advice, to the Joint Committee. He added that, as an employee of Nelson City Council (NCC), the advice he provided to the Joint Committee must be based on NCC's perspective rather than on an independent perspective.

Members noted that until this point, they had been satisfied that impartial advice had been provided by officers assigned to the NRSBU and, as a Joint Committee of both Councils, impartial advice was required going forward. It was agreed that the matter would be discussed further during the public excluded Chairperson's Report.

Resolved

THAT the Status Report – 14 March 2014 (A452094) be received.

Dowler/Shaw

Carried

6. Checklist (Board Work Plan)

In response to a question, Mr Thairt confirmed that the June items were proceeding on time.

7. Staff Report – 14 March 2014

Document number A1145728, agenda pages 15-20 refer.

Resolved

THAT the Staff Report – 14 March 2014 (A1145728) be received.

Shaw/Higgins

Carried

7.1 Item 1.1 - NRSBU 2014/15 Business Plan

The Joint Committee noted that NCC's legal adviser had advised NCC that the distribution of surpluses as set out in the 2014/15 Business Plan was in order. It was confirmed that NCC's legal adviser could not provide legal advice to the NRSBU.

It was further noted that the NRSBU did not currently have an independent legal adviser. It was noted that the Memorandum of Understanding (MOU) allowed the Joint Committee to allocate funds to securing independent advice if necessary, but that neither Mr Thairt nor Ms Hiser had the authority to do so without a resolution of the Joint Committee.

7.2 Item 1.2 - Biosolids Discharge Permit Report/Effluent Discharge Permit Assessment Report

Mr Thairt provided a verbal update, explaining that individual outliers in heavy metals had been found during testing for the reports. He added there were elevated levels of naturally occurring nickel in the area due to the influence of the Dun Mountain belt, which exceeded the levels allowable under the Resource Consent. Mr Thairt said he had since provided additional information to the consenting authority, and that while the individual sample showed an issue, composite sample results did not.

Mr Thairt said he would discuss the possibility of a variation to the consent with the consenting authority, to allow test results to be based on composite samples, noting that there were no health issues associated.

7.3 Item 3 - Operations and Maintenance Contract

It was noted that as the Joint Committee was primarily responsible for the Bell Island operation and required a more detailed explanation that

Nelmac has met all of the requirements of its contract for this period. Mr Thiart agreed to provide this to the next meeting.

7.4 Item 4 - Biosolids Contract

Mr Thiart explained the intended terms of the biosolids spraying contract that was about to be tendered.

It was agreed that the Joint Committee did not need to see the structure of the contract, but that it should be informed of the outcome of the tender process so that it could resolve to enter into a contract.

7.5 Item 5 - Level of Service

In response to questions, Mr Thiart advised that there was no conclusive answer on the cause of the breach of consent that occurred when treated effluent was discharged outside the allocated discharge period on 20 January 2014, but that a process was now in place to prevent a recurrence.

It was suggested that the incident did not align with the Staff Report that contractors were performing as required under their contract. Members noted that this was a non-compliance that should be reported on in relation to the operator's performance.

It was also noted that the contractor had not notified the District Health Board and iwi as was required under a breach of a Resource Consent.

7.6 Item 6 - 2012 Action Plan Implementation

With regard to line 4.3 'Internal review of customer charging model', it was noted that Alliance had handed back capacity under the Trade Waste agreement in error and that this capacity had been taken up by the two Councils. Mr Thiart was talking with the two councils to confirm whether they were willing to reverse this change.

7.7 Item 8 - General

The Joint Committee expressed discomfort at covering the costs of Mr Wilks' attendance at the biosolids conference. They noted that such activities would normally be part of an individual's professional development and at their own cost. However, it was also suggested that there was some benefit to the two councils in having the sustainable practices of the NRSBU publicised and it was therefore appropriate to make some contribution.

Resolved

THAT the NRSBU contribute \$1,000 to the Rabbit Island Forest Manager, Mr Wilks' costs of attending the biosolids conference in April 2014.

Shaw/Copeland

Carried

8. Financial Report

Document number A1111020, agenda pages 21-22 refer.

Management Accountant, Andrew Bishop presented the report. He highlighted the reduction in fixed contributions, which he said was due to the valuation being lower than anticipated, and Alliance's reduction in fixed charges.

Resolved

THAT the Nelson Regional Sewerage Business Unit Financial Statement for the Period Ended 31 January 2014 (A1111020) be received.

Dowler/Shaw

Carried

9. Cawthron Institute Report – Coastal Effects of the Bell Island Regional Sewerage Discharge: July 2013 Mussel Monitoring Survey

Document number A683969, agenda pages 23-40 refer.

Mr Thiart explained that this report was produced on regular basis under the resource consent for discharge to the estuary. He noted that the report showed no adverse effects from the discharge of effluent to the estuary.

Resolved

THAT the Cawthron Institute Report – Coastal Effects of the Bell Island Regional Sewerage Discharge: July 2013 Mussel Monitoring Survey (A683969) be received.

Hiser/Copeland

Carried

10. Scion Research Report – 2013 Annual Report on the Biosolids Research Trial at Rabbit Island

Document number A1150622, agenda pages 41-69 refer.

The Joint Committee noted that the report indicated there were benefits in the application of biosolids at Rabbit Island.

In response to questions about the possible negative effects of biosolids spraying, Mr Thiart said that the main issue was the longevity associated with heavy metals, which could be accelerated by acidification of the soil, and this was being closely monitored.

It was suggested that it may be useful for the Joint Committee to develop a short report quantifying the benefits to both councils of biosolids application at Rabbit Island. It was further suggested that the outcome of the report be the subject of a press release or story in Live Nelson.

Resolved

THAT the Scion research Report – 2013 Annual Report on the Biosolids Research Trial at Rabbit Island (A1150622) be received.

Copeland/Dowler

Carried

Attendance: The meeting adjourned for morning tea from 10.14am to 10.29am.

11. Exclusion of the Public

Resolved

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of the matter to be considered	Reason for passing this resolution in relation to the matter	Particular interests protected (where applicable)
<p>Chairperson's Report</p> <p>This is a verbal update from the Chairperson. It will comprise an update</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(a) <p>To protect the privacy of natural persons</p>

on recent discussions between the Chairperson and the Mayors and Chief Executives of Nelson City Council and Tasman District Council regarding actions taken by a Nelson City Council officer.	result in disclosure of information for which good reason exists under section 7	
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Hiser/Copeland

Carried

The meeting went into public excluded session at 10.30am and resumed in public session at 11.22am.

12. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Higgins/Shaw

Carried

There being no further business the meeting ended at 11.22am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date