

Minutes

Community Liaison Group meeting – November 2020

Present: Alastair M - Tonkin + Taylor, David S – Local resident, David – Coast Rd resident, Craig I – Local resident, Sally-Ann M - Affected party, Christine G – Local resident, Jason T – Affected party, Barry G - Local resident, Scott M - Cleanfill Operator, Derek K – Council Officer, Bob M - Cleanfill Operator, Dawn M – Resident & WCB member, Kerri B – City Councillor, Dave D - HCC Staff, Campbell B – Mayor, Parvati R – Council Officer, *18 attendees -8 HCC staff/contractors*

#	Topic to discuss	Notes from meeting	Discussion & Actions arising
1	Outstanding actions from previous CLG meeting	<p>CLG members</p> <p>Provide information about perceived inaccuracies in information provided</p> <p>Alastair</p> <p>Update SMP for “76th truck” Provide detail about the review of the NMP Circulate draft minutes Address and / or pass on queries from Sally-Ann and David re. information provided</p> <p>Dave</p> <p>Discussion document regarding long-term provision of a cleanfill.</p> <p>To consider the request regarding Page Grove site in the cleanfill site discussion document</p> <p>Seeking of an alternative chair(s) and minute-taker for CLG meetings</p>	<p>Discussion + Points raised: Group agrees to rotate Chair for this meeting, a CLG member to take minutes</p> <p>T+T have updated the SMP re: the 76th truck No discussion</p> <p>Review circulated of the NMP. New peer review of the new noise audit requested.</p> <p>Apology the Group received in June from Mayor regarding mis-information about RMA 95a is still not recorded in the minutes anywhere.</p> <p>DD suggests we share the roles within the meeting as he has exhausted all avenues.</p> <p>CLG members suggested to rotate chair and minute taker for balance.</p> <p>Constructive conversation encouraged.</p> <p>Action point: Peer review of newest noise audit/report to be supplied to CLG</p>
2	Complaints register	<p>To discuss concerns about the information contained within complaints register</p>	<p>Discussion: Example given of #5 on the complaints register, email read showing that Council was in fact sent the video. As they replied saying “Thank you for the video.”</p> <p>Example of #7 read that the complainant was in fact contacted and on the phone had a detailed discussion regarding the vehicles/activity on site. Emails sent between parties saying: “noise reading will be taken”, and what the machinery was. Complaint was clearly confirmed.</p> <p>Two examples were read out at the CLG meeting only as they are simple and easy to understand – there are others. Ask for it to be documented that the</p>

			<p>Regulatory Committee has been given false information, this is concerning. An independent investigation asked for.</p> <p>A major issue/concern that the Auditor was potentially supplied with this incorrect 'Table of Complaints'.</p> <p>Evidence was provided to the Regulatory Committee that there are 2 complaints missing from the 'Table of Complaints'. HCC Team responded on the day saying that there were 2 complaints missing. However, there are other complaints, only two were supplied to the Regulatory Committee that day for brevity.</p> <p>Concerns raised about process, concerns that CLG members get interrupted and shut down.</p> <p>T+T raise that complaints come in from multiple sources eg: Facebook & Twitter: this is one of the challenges we face.</p> <p>CLG member responds and assures T+T and HCC that the complaints being discussed here & at the Regulatory Meeting are official and all have RFS "Request For Service" numbers.</p> <p>Action Point: Council Officer to supply CLG with the complaints register that was given to the first Auditor (Dr Doole) due to concerns raised at the Regulatory Committee Meeting that the table of complaints is incomplete and incorrect.</p> <p>Recent issue raised: Sediment on Road asked to be cleaned all the way to Wood Street, but when investigated by complainant it wasn't, (video and photo evidence can be supplied) this is an example that resolution of complaints is not being fulfilled to the satisfaction of the complainant. This is a re-occurring issue and speaks to the above problem.</p> <p>Issue raised that often when CLG members talk with HCC – we are given new places to send, phone, email official complaints. The HCC and GWRC websites give RFS numbers.</p> <p>Concern that the Complaints Register did not contain complaints from either the GWRC or the Operator. SMP states that the complaints should all be supplied to HCC and therefore should be given to the Regulatory Committee and therefor to the Auditor in order to see the complete and true records of complaints.</p> <p>Complainant was only just given the enforcement email in late 2020.</p> <p>Action point: Enforcement email to be added to minutes: enforcement@huttcity.govt.nz</p>
3	Christmas closedown dates	Closing down 12pm 22 nd Dec Resume operations 11 th Jan	Operator confirms these dates.

4	Next independent audit	Scheduled for February 2020 – date TBC Charlie Hopkins from Catalyst Group will pick up audit responsibilities	<p>CLG members to identify preferred date / time, Alastair confirms the Audit needs to happen by early Feb. CLG ask if they will be given the chance to korero with Mr Hopkins as auditor this is confirmed.</p> <p>T+T says they are learning from their mistake and will give CLG facetime with Charlie. Show of hands – re: who is coming to the next audit. Many hands raised.</p> <p>T+T suggests Sundays are good days. CLG members want to go when it is operational. Health and Safety challenges are raised by T+T.</p>
5	Planting	Complete for the season – minor maintenance works will continue HCC has placed an order for plants in 2021 with two local nurseries	<p>Discussion: Stage 2 is being planted. Cap will be planted in 2021.</p> <p>Local people suggested by CLG eg: Kiwi Plants Ltd</p> <p>Action point: Dave D to pass details to Parks and Gardens.</p>
6	Volume received	TBC at meeting	<p>Discussion: T+T asked to supply details of volume received, request for the reports to be supplied regularly, Dave D suggested a one pager of reporting – a dashboard.</p> <p>Question asked about the depth of glass and top soiling screening. Eg: depth of cap – reply was 2-300ml on the top</p> <p>Request for truck numbers to be supplied with a daily total.</p> <p>Action Point: Alastair to get details of truck numbers out to CLG after meeting.</p> <p>SMP states a few reports should come to CLG – it's possible that some are not coming to CLG – can we check/inventory please? Suggestion to compile regular monthly reporting to present to CLG.</p> <p>Action Points: One pager/dashboard report to be made for CLG.</p> <p>SMP inventory to be done offline</p>
7	Issues observed	Non-Compliance of SMP	<p>Discussion: potential non-compliance within the SMP re: Point 5 on page 11 and request is made to see SMP non-compliance register.</p> <p>Questions raised about more regular tracking of sediment onto road. Observation that it seems to have become very dirty again.</p> <p>Operator - A truck did not use the wheel wash last week. You already know, you are fully aware of the response to that.</p> <p>CLG question - What is happening this week that there is still sediment? Is there a bigger issue at play?</p> <p>Operator - As soon as operator is made aware of mess on the road, they clean it up.</p> <p>DD responds that the weather has a part to play, torrential rain, this could explain the recent regular</p>

		<p>mess on the road. Bad weather does affect it and these guys to keep an eye on it. Operator cleans it up as soon as possible.</p> <p>CLG member reminds those present that the meeting is for the residents to raise issues, eg: repeated issues of sediment on the road. This is the forum to raise them, Member says "I'm not comfortable with a tone and attitude that suggests it's not ok to do that."</p> <p>Councillor Brown to CLG member - you need to appreciate that this is an open forum. What's your problem?</p> <p>CLG response: It's not appropriate for the Operator to take a tone and an attitude with residents when they raise issues as this is what these meetings are for.</p> <p>SMP Non-Compliance discussion:</p> <p>CLG - Re: Condition 14 of the Consent discussed in Jan, HCC stated "these are not the construction works envisioned by this condition", But the SMP page 11 Point 5 demonstrates that that road was specifically outlined as construction in the SMP.</p> <p>DD - we have had long discussions about this, we have explained it at numerous meetings. What do you want from this?</p> <p>CLG - What I want from you is that that needs to be registered as an SMP non-compliance because it was. There is supposed to be a register of non-compliance of the SMP and the CLG would like to see that register.</p> <p>HCC – we are still of the opinion as regulator that this is a separate issue. It was in the SMP as a comment, not specifically a condition. It's in the past.</p> <p>CLG – it's not the past, it is this current consent. There was an admission, there was an apology at the CLG meeting in Jan and it is not recorded in the minutes or recognised as non-compliance.</p> <p>T+T – this has been talked to death, it was not our position that there was non-compliance. We had an email exchange.</p> <p>Operator – this is about the 4th time this has come up. It's becoming a bit like 'The Sally-ann Show'. If it's got to be non-compliant, then let's make it non-compliant, give it to the Auditor, subject closed and Sally-ann will be happy.</p> <p>CLG – we want the process to be followed, there is a difference of opinion and a potential conflict of interest.</p> <p>Operator – I thought it was dealt with three or four years ago.</p> <p>Operator - It should be treated as/recorded as 'non-compliant'</p> <p>CLG - This needs to be recorded and be trackable. Is there a register where this should be tracked and logged.</p>
--	--	---

		<p>T+T - Yes it was provided to the auditor</p> <p>CLG - However Condition 14 was not there, it needs to be recorded. Emails are not recordings, it needs to be officially recorded. Good record keeping is an issue here. Good process, good complaints, issues and non-compliance records. EG: We need good quality minutes with an action register.</p> <p>We shouldn't have to rely on email traffic to find this information.</p> <p>T+T - Right at the start of the formation of this group we wanted this to be a relatively informal discussion, you may have an issue re: HCC record keeping. That is a separate issue.</p> <p>CLG – we believe there has been a breach of a consent, there should be a complaints register that records this. If it has only been dealt with in emails, then where is it logged?</p> <p>HCC – it is logged in the consents file.</p> <p>CLG – it's our experience that there are multiple files and things go missing. This is about record keeping. It's not a one off issue</p> <p>CLG – This alleged non-compliance issue, did it go to the Auditor?</p> <p>T+T – the consent requires that register of complaints to be kept, whether that register contained this – I suspect not.</p> <p>CLG – someone has alleged a breach, did the regulator say it was not – so did this go to the Auditor to look into?</p> <p>CLG – What we had understood in January/March was honesty, transparency and owning mistakes – then when we spoke to the Auditor – she had no knowledge of the January breach. The problem is the first part of the interactions with Council said “it's not a breach because of its not 'construction' then the SMP was raised which shows that it is specifically listed as 'construction', that point was ignored by HCC. A new piece of evidence was raised re: this is in fact a SMP breach and it is not recorded as such.</p> <p>An email is read out looking for a resolution, with HCC staff saying 'keep talking about it at CLG'.</p> <p>HCC offers to add it to the register so that we can move on.</p> <p>CLG – we would like it to go to the Auditor to be investigated.</p> <p>When there is both operational and regulatory arms you need to go over and above, be able to look at the record and the register, we need to all be able to look at it – agree with it and move on.</p> <p>T+T</p> <ol style="list-style-type: none"> 1) This Group goes above and beyond. This process is happening. 2) Share documents. Keep one source
--	--	--

			<p>document. The potential for things to get lost is a fair one.</p> <p>Mayor – There is a massive issue there in IT systems. There hasn't been any investment there for 20 years. It's a big area we have identified.</p> <p>Action points: Group agrees to let the independent /external Auditor investigate and decide on this point. Re: no notification of the construction of the access road in Jan 2020.</p> <p>HCC makes a note to add this alleged breach to the register</p> <p>CLG request to see SMP non-compliance register</p> <p>Request from CLG to reference the SMP regarding this issue in discussions with the auditor</p> <p>T+T – sure that emails went to the previous auditor about this</p> <p>CLG – that was before the SMP was pointed out.</p> <p>Action point: All non-compliance to go on the dashboard for reporting</p>
8	Alternative sites		<p>DD - Things in the pipeline. Notes gone to the Corporate Leadership Team. We have a list of every asset that HCC owns, criteria will assess the site. It's a full list of all suitable sites, once it comes back, we will visit the sites, check the road access etc...</p> <p>T+T clarifies - because this Group may get nervous when they see the list. You will see possibly some sites that are listed like a 'regional park', - I want it in the minutes – I fear a misinterpretation, we are not considering knocking down native bush and putting in a cleanfill. I want to be very explicit. I don't want this to be taken out of context.</p> <p>Operator – Questions why are we discussing this, this has nothing to do with our operation of this Cleanfill?</p> <p>DD – Out of openness and being fair, we are discussing this. The crux of it is – 'is Wainui going to have a cleanfill moving forward?' and I can assure you that Wainuiomata will not have a cleanfill.</p> <p>Operator responds: Every meeting we have – this topic comes up – I thought it had been answered in the past. Why are we discussing this here? I don't think it should be discussed here.</p> <p>DD – Council are not pursuing a cleanfill in Wainui, if there is a private individual, then it will go through the process.</p> <p>Operator – there are already other tips, they are not getting the same scrutiny as this one, can we bring it back to this cleanfill?</p> <p>CLG – Has the Council had discussions with other councils to see what is happening in the whole region?</p> <p>T+T yes there are lots of formal national discussions about this. Waste is discussed across the country.</p>

		<p>CLG – The quality of life, being a resident here has been severely impacted, with repeated non-notified extensions of this cleanfill. So having an item tabled about what alternative sites are planned gives us hope that there is not another non-notified plan. It's because of that that we don't trust this process.</p> <p>T+T - it's been tabled that there will be no extension at 130 Coast Road. That commitment has been made across the board.</p> <p>CLG – We want to see that actions are being taken that demonstrate this.</p> <p>T+T - this is why this is a discussion point, however its important to note that this group does not have quasi-judicial powers. The people in this room have no ability to dictate to a private operator re: operating in Wainui, or anywhere for that matter.</p> <p>CLG – is the Wainui landfill on the potential site list?</p> <p>DD – yes it will be on the list, but under this administration: this Mayor and this CE there is no appetite to operate a cleanfill in Wainui.</p> <p>Mayor – that is exactly right. The report coming out in Jan/Feb will come out with a report with Silverstream. If Council decides not to operate a cleanfill then a private operator can. Cast Iron commitment from Council not to operate a Cleanfill in Wainuiomata. There will be a process of elimination.</p> <p>CLG – We are here because this Cleanfill was started under a non-notified consent back in 2009, then it became limited-notified, it went to a Hearing, the locals did not want the cleanfill. Council asked for 10 years, then agreed to 6. It was consented to close in 2017 and it didn't.</p> <p>That commitment to this community and to the people in this room, the trust, was broken. This CLG is set up to restore that trust and to show willingness to work together collaboratively going forward.</p> <p>You've already seen a strong demonstration of how if elected members do not want to put this right, then they will not be re-elected.</p> <p>Part of what the CLG is doing is giving the community their voice back. We have a voice and we deserve to be heard, I don't think it's appropriate for people that take vast sums of money from HCC to come into this meeting and tell us what is appropriate and not appropriate to discuss. I waited many years to have this meeting. It's important that all of us are heard</p> <p>We have ten years of built up hurt and broken commitments to get on the table, if you don't want to hear that then you don't have to stay. If there is minutiae that you don't want to hear that's ok.</p> <p>I'm more engaged and more committed than ever to be working with Council regarding process and accountability and meaningful consultation.</p> <p>This process involves having sometimes difficult & uncomfortable conversations so that we can move</p>
--	--	--

			<p>forward.</p> <p>I'm here in a spirit of rebuilding trust, holding people to account so that we can move forward. Putting blocks in place saying what we can and can't discuss is not appropriate.</p> <p>The Wainuiomata Community Board did not know that the cleanfill had been extended, that's how dangerous non-notification is. Private cleanfill operators can go to the Community Board and I hope the Community has an opportunity to feedback, that's the purpose. RMA non-notification is a problem for Council. People have to be able to participate, have to have a voice and that was stolen from us repeatedly.</p> <p>T+T – This is turning into a conceptual discussion about the RMA. It's not a conducive discussion to be having here.</p> <p>At the resource consenting stage there is a very important balance between the ability to have a say and the ability to make decisions and provide outcomes for anybody engaging in that process with certainty, cost efficiencies, and time efficiencies in mind, I think the position you have taken there is incorrect but I think this is moving beyond the purpose of this.</p>
9	Other matters	<p>CLG raise:</p> <p>Outstanding items in minutes</p> <p>Changes to acoustic reports to be dated at the stage of any amendments made. EG: when you add Darren's signature – can it be clear that that was added to the acoustic report after the fact and when.</p> <p>Next meeting date discussion re: audit</p>	<p>CLG – despite the differences we have had we'd like to thank Alastair for his Chairing of the meetings so far. (applause)</p> <p>Operation Site visit requested re: we want to see the site in operation and hear the noise effects, see the dust.</p> <p>Question raised re: as we approach the closing of the Cleanfill – how do you ensure that the glass is kept well below the surface. Discussion re: screening of soil.</p> <p>Action point: DD to find out the depth of the top to report back & plan 'operational' site visit</p> <p>CLG - June Meeting Minutes – T+T were going to update them re: the outstanding item omitted from minutes, Mayor Barry's electioneering commitment re: RMA</p> <p>T+T – I don't remember that discussion and am not comfortable inserting it.</p> <p>Mayor – I'd have to have a look at some words, it was 8 months ago, I'm happy to.</p> <p>CLG – I can help you with it.</p> <p>Mayor – I know what I said.</p> <p>CLG – ok so you are going to resubmit it?</p> <p>Action Point: Check that the Acoustics report has the date that Darren's signature was added. T+T think it has been done, to provide it again.</p> <p>Discussion re: date of next meeting:</p> <p>T+T were to get the date of the Audit and work</p>

		<p>backwards to get the date of the next CLG meeting. Discuss having a meeting before audit, and then after it.</p> <p>Some CLG cannot make the 4th. Many different dates are discussed.</p> <p>Shall we do that offline? Agree to do that offline.</p> <p>CLG suggest T+T to come back to us with a section of dates. Indicate that Mr Hopkins is available in Feb.</p> <p>Action Point: CLG members to confirm preferred date for Audit</p> <p>T+T - Before 13th Feb perhaps, we can be as flexible as you will let us be.</p> <p>CLG - you come up with audit dates and we will fit in. Majority Rules.</p> <p>CLG - Question about if we should have a meeting before the audit?</p> <p>T+T &HCC – suggest meeting in March after audit.</p> <p>CLG wishes everyone a Merry Christmas</p>
--	--	--

Mayors apology from June 2020 meeting:

“Mayor Barry apologised for a letter he had sent in response to residents which contained incorrect information regarding the ability to have a consent be publicly notified. He explained this information was included based on advice he had received, that could have been clearer to avoid this mistake. He also advised that he would do his best to attend each CLG meeting moving forward.”