



**THECATALYSTGROUP**  
planning and environment

Friday 22 January 2021

Parvati Rotherham  
Team Leader Resource Consents  
Hutt City Council

p. +64 6 358 6300

e. [enquiries@thecatalystgroup.co.nz](mailto:enquiries@thecatalystgroup.co.nz)

a. Level 3, 31 George Street,

PO Box 362, Palmerston North

[www.thecatalystgroup.co.nz](http://www.thecatalystgroup.co.nz)

Dear Parvati

### **Wainuiomata cleanfill community liaison group (CLG)**

In January of 2021 you asked me whether I was available to chair the CLG meetings for the Wainuiomata cleanfill. I accepted that request as I am motivated to assist the CLG (particularly the community members of the CLG) to find a pathway forwards to receiving the information that they need to participate fully, and to begin a closure process. On that basis, the CLG met in-person on 21 January 2021 at the Wainuiomata Library. After receiving the endorsement of the consent holder and the community members who attended that CLG meeting, I chaired a meeting and have prepared a series of minutes for your records.

I note that minutes are not a transcript. That is, I think that it is important to record any commitments made by members of the CLG to produce further information before, or at, the next meeting; or to record any commitments made by CLG members including Council staff to undertake certain actions in relation to the operation of the cleanfill. I think that it is unnecessary to record the various exchanges verbatim or at length and therefore the minutes appended to this letter have intentionally been kept brief. In summary, I have captured the outcomes and agreements from the 21 January meeting, but not necessary the journey taken by CLG members to arrive at those agreements. I would like to acknowledge Niamey Izzett (staff, HCC) for their assistance in running the meeting.

In my role as the chair/facilitator of the CLG meeting on 21 January, I do have several observations that I encourage Council and the CLG members to consider in their relationship over the next 18 months.

1. There is obviously tension within the CLG, but on 21 January I observed what I perceive to be an enduring albeit strained willingness to try to work together, and to 'give it a shot' despite the ill-feeling. I encourage you to embrace this, and with the voluntary easing of pressure from both parties it appears that an in-principle agreement is able to be reached in time. This agreement will be much easier to reach if it looks forwards to site closure and remediation, rather than backwards towards compliance (I revisit the point of compliance below). Despite this, what is clear is that the members of the CLG are eager to improve the functioning of the group.
2. The group may benefit by developing terms of reference, or if this already exists it is not immediately obvious and therefore could be reviewed and republished. While I encourage the CLG to establish these terms for themselves, I would recommend that the following matters may provide a useful starting position

for future discussions (based on my observations of 21 January):

- a. No 'sacred cows': all members of the CLG are open to testing their own opinions when new information is provided, and giving each other member a safe space to change their mind or hold a different opinion should they want to.
  - b. Good faith arrangement: all members of the CLG are coming together in a genuine and honest attempt to improve the function of the group. Providing authenticity and transparency in the group will provide a space where members are heard and encouraged to participate.
  - c. Clear communication: ensuring that communication is honest, polite and not burdensome; access to information is timely.
  - d. Accurate record keeping: Documents that have been published as-final are available promptly, on an open webpage and hard copy where requested.
  - e. Respect: Each member of the CLG shall direct their energy towards evidence-based decision making relating to outcomes, and not undertake personal attacks.
3. Moving to communication and record keeping. I think that it is fair to say 'what you get out of this group, will be what you put into it'. That is to say, complaints and objections from members of the CLG (or wider community) should be done in a succinct, calm and ordered manner through official channels. Responses from the Council would then need to be timely and accurately based on the best information available at that time. Also, that individuals are not missed from communications (accidentally or otherwise).
4. It is my recommendation to the CLG that they may find more value in investing their energy on an outcomes- or values-based discussion, rather than strictly on compliance. I do not say this to excuse non-compliance where it is present, but rather to remind the group of what is important, and ultimately why you are all enduring with this situation. That is, you want to live and work in a pleasant, healthy and safe environment. I would also encourage the Council to involve the community in the physical remediation of the site, e.g., open days, planting days, minor events, public consultation on designs and feedback.
5. On that basis, I propose a question to you - whether there would be value in the Consent Holder engaging with the CLG, the cleanfill operator, and the wider community to begin co-development of the Environmental Restoration Plan ahead of schedule. This will provide the CLG with the space and resources to design and create an area within your neighbourhood that reflects the values which you hold for the area. This is not to take the Group's attention away from compliance, as compliance is both important and legally obligatory, but compliance and enforcement is the job of the Council not the CLG.
6. Before the next CLG meeting an independent compliance audit of the cleanfill against the conditions of resource consent will be published, and its key findings will be presented at the next CLG meeting. Without wanting to prejudice the outcome of that audit, it is my experience that full compliance can at times often be a difficult status to achieve and I would encourage the members of the CLG that *if* any non-compliances are found, that this report is not used to batter Council. But rather used a tool to facilitate discussion regarding how issues *if identified* can be resolved to improve the quality of the environment in which you live and work.

It is important to consider that a cleanfill is an important resource for every town in Aotearoa New Zealand; cleanfills provide a space where finite resources can be recaptured and not sent to landfill. The provision of cleanfills plays a part in the provision of affordable housing and infrastructure, and in this case the cleanfill is protecting the community from a derelict sewage treatment plant. While I understand that many of you are eager to see the

closure of this cleanfill and the restoration of the pleasantness of the environment in which you live, I am sure that you do not wish to see another community within the district become affected by a new cleanfill. This will require careful planning to ensure that the chosen site is appropriate and that the effects are able to be managed. While this is beyond the ambit of the CLG, I encourage the Council to provide the CLG with updates on this site selection process to provide them with assurance that the wheels are turning.

Finally, we agreed to hold the next CLG meeting within "six weeks" of the current meeting which sets a new deadline of Thursday 4 March. I would recommend that if the group becomes functional the frequency of the CLG meetings could be reset to the 3 month period set down in the consent conditions by the commissioner. It seems likely that such an arrangement could only endure if all parties were genuinely working together.

I look forward to seeing you all at the next meeting.

Kind regards

**Charlie Hopkins**  
Principal Planner



# Minutes

## Community Liaison Group meeting – 21 January 2021

### Attendees:

Alastair M – T+T

Charlie Hopkins – Chair

Sally-Ann M – Local resident

Christine G – Local Resident

Miria – Local resident

Dave Dews – Hutt City

Gerald – Media

Campbell Barry - Mayor

Niamey I – Hutt City

Parvati Rotherham – Hutt City

Dawn M – Local Resident

Keri Brown – Councillor

Jason – Local resident

John – local resident

David S – Local Resident

David P – Local resident

Bob - Operator

Scott - Operator

Barry G – Local residents

Trish – local resident

Craig – local resident

Topic to discuss	Notes from meeting
<p>Discussion and what is wanted from independent chair</p> <p>20 min</p>	<p>Positive communication and people communicating together rather than being told what is happening.</p> <p>Chair notes that although he has been hired by HCC, he has two roles:</p> <ul style="list-style-type: none"> <li>• His role as the auditor is to consider if the clean fill is compliant or non-compliant. Audits will be completed on the evidence and facts by a colleague of the Chair, but they will not be aware of discussions and meeting minutes in order to remove bias. Charlie will still review this audit to ensure that it is relevant in the context of the CLG but Charlie will exclude himself from the decision making process.</li> <li>• His role as chair is to advocate for and facilitate the relationship of the CLG.</li> </ul> <p>The CLG is established by the Consent Holder in the conditions of consent, the purpose of which is to provide a space for discussion and feedback for the improvement of the cleanfill operations.</p> <p>Currently the community members feel there is still a lack of trust and confidence.</p>
<p>Update from Dave Dews</p> <p>5 mins</p>	<p>Dave Dews</p> <ul style="list-style-type: none"> <li>- Wants to work openly and honestly with the group, follow rules and ensure everyone is happy.</li> <li>- There have been a number of official information requests (OIR) and complaints to GWRC and MFE. This takes additionally time. If trust is there it will take less time and resources to be able to communicate directly with community members about issues and concerns.</li> <li>- OIR – requests are coming in weekly which are a slow process. Often these issues can be discussed in the meetings rather than going through the process.</li> </ul>
<p>Round table what is wanted</p> <p>15min</p>	<ul style="list-style-type: none"> <li>- Moving forward and addressing issues as they arise.</li> <li>- Working collaboratively.</li> <li>- Conditions are complied with and correspondence is provided.</li> <li>- Access to one single register of all complaints</li> <li>- Agenda needs to be set before the meeting.</li> <li>- Plain language needs to be used at the CLG, reduce the use of ‘planning-speak’.</li> </ul>
<p>Restoration Plan</p> <p>5 Min</p>	<p><b>Is there a desire to shift the groups focus to the closure of the cleanfill and what the group wants to achieve?</b></p> <ul style="list-style-type: none"> <li>- Although in conditions restoration plan states it does not need to be out till 3 months before closure of clean fill this is a minimum. If the group chooses to shift focus to outcomes then discussion of restoration plans can start in the meetings.</li> <li>- Note that there are experts within the community already and the consent holder may benefit from engaging that local expertise.</li> </ul>

	<ul style="list-style-type: none"> <li>- Dave Dews notes that 15,000 trees have been ordered.</li> </ul>
<b>COMPLIANCE</b>  <b>10 min</b>	<p>Noise will initially be monitored by Dave's team. From there it will go to Parvati team for compliance and enforcement if necessary. The CLG are to be informed throughout this process.</p> <p>Charlie asked Parvati if her team have ever undertaken compliance enforcement on HCC itself. Noted that everyone is treated the same, previously the compliance team has exercised its powers against Hutt City in regard to other matters such as</p> <ul style="list-style-type: none"> <li>- Roading and traffic have been fined for sediment on road</li> <li>- Parks and gardens have been fined for work starting without informing the compliance team first.</li> </ul> <p>Current enforcement issues with clean fill.</p> <ul style="list-style-type: none"> <li>- The clean fill have been approached to explain the possible noncompliance relating to noise.</li> </ul> <p>Parvati explained the HCC compliance process generally and then specifically to this site, and that the cleanfill and been asked to explain the potential noise non-compliance in time for the audit to be completed.</p>
<b>Quantity and volumes in clean fill</b>  <b>10 min</b>	<p>The residents would like the see site close as soon as possible, and ahead of schedule.</p> <p>Bob notes that the current track progress could see clean fill close 6 months early, but this is not definitive. Mandate 22 June 2022 – approx. 18 months from today but if current amount of fill continues, closure could be earlier.</p> <p>Current amounts; indicative of 7500 - 8500 cubic tonnes as of October.</p> <ul style="list-style-type: none"> <li>- Dave to update fill volumes when December monitoring numbers come in.</li> <li>- Note that the numbers are taken from truck space paid for as a proxy for what is on the ground.</li> </ul> <p>Dave Dews will put on database the current volumes and create visual 'dashboard' including charts to display visually.</p>
<b>History and future of clean fill within Hutt City Boundaries</b>  <b>15 min</b>	<p>Residents knew from 2009 that the clean fill was a way to remove the contamination of the Wainuiomata Sewage treatment plan that was decommissioned in 1992. The site is there to fill this contamination and once full then plant to be a reserve.</p> <p>Part of the site is identified by the Regional Council as being contaminated as demonstrated on SLUR (Selected Land Use Register).</p> <p>The process of identifying a new clean fill.</p> <ul style="list-style-type: none"> <li>- Minimum Site size: 1 Ha</li> <li>- Within HCC boundary and owned by HCC</li> <li>- Approximately 120-140 sites that would come up as suitable but this will be limited when site visits are undertaken and access and vegetation is looked at.</li> </ul> <p>Have been told a second site has been looked for since 2017 but no updates.</p> <p>Dave Dews will release documentation of future clean fill when it becomes publicly available.</p>
<b>NOISE</b>  <b>15 min</b>	<p>Apologies were relayed about the delay in noise report being circulated.</p> <p>Confirmed that there was a disagreement between the technical assessors who had a number of</p>

	<p>points they disagreed upon in the noise assessment. The delay was driven by: 1) the need to find a consensus between experts. 2) a complaint filed against the noise experts slowing down their ability to publish the report.</p> <p>Technical peer review was performed on the first noise report by HCC staff.</p> <p>At properties where the non-compliance was.</p> <ul style="list-style-type: none"> <li>- Due to the operation of the bulldozer. Once this occurred the bulldozer was moved and there has not been an issue since.</li> <li>- Agreement with property owners that further mitigation measures such as noise screens were not needed. – No further action needed.</li> <li>- The section of the site that is currently being filled is that closest portion to the boundary. The operators will build a bund along the boundary and being moving further inwards on the site, i.e., away from the road boundary. This will take approximately 6 weeks.</li> </ul> <p>The compliance check was done through a “please explain” investigation and was resolved without the need for further enforcement action. Parvati will respond to Sally-ann’s email regarding compliance enforcement of noise limits.</p> <p>Group requests to be informed of a known non-compliance regardless of the situations.</p> <p>Future testing: the CLG members have asked for:</p> <ul style="list-style-type: none"> <li>- Consistency – exact location each time for taking measures.</li> <li>- Transparency – stating when and where tests are taken in advance</li> </ul> <p>Concern about noise - loud clunk from truck and trailer gates slamming shut.</p> <ul style="list-style-type: none"> <li>- Consent holders have spoken to the managers of the truck drivers who continually do this.</li> <li>- Will continue to educate truck drivers to slow down to stop the loud clunk.</li> <li>- Site operator spoke to their procedure for education truck drivers and receiving complaints.</li> </ul>
<p><b>Further update from Bob</b></p> <p><b>5 min</b></p>	<p>Currently the fill is up to the lateral (side) edge of the fill line. Work is currently being undertaken on the ‘road’ side of the site and will now move towards the other side (moving west away from the road). This is the reason that the past 2 weeks have been louder than usual.</p> <p>Bob notes that often they do not start bulldozer on a Saturday and often only used for 2 hours a day.</p>
<p><b>Next meeting</b></p>	<p>All agreed 6 weeks. But look to extend meetings to 8 weeks after the next meeting to give more time.</p> <p>Between now and next meeting looking for</p> <ul style="list-style-type: none"> <li>• Better reporting and communication. Do not exclude people from email list</li> <li>• Dashboard to come live and go onto the Hutt City Council cleanfill web page - <a href="http://www.huttcity.govt.nz/Services/Rubbish-and-recycling/cleanfill/">http://www.huttcity.govt.nz/Services/Rubbish-and-recycling/cleanfill/</a></li> <li>• Audit will be in mid to late February and will be discussed in next meeting.</li> </ul>