

Agenda for a meeting of the Waters Governance Board to be held in the Raglan Town Hall, District Office, 41 Bow Street Raglan on **TUESDAY, 30 MARCH 2021** commencing at **10.00am**.

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GJ Ion  
**CHIEF EXECUTIVE**

## TERMS OF REFERENCE AND DELEGATION

<b>Reports to:</b>	The Council
<b>Chairperson:</b>	Ms Rukumoana Schaafhausen
<b>Membership:</b>	Mr Garth Dibley Mr David Wright Mr Gavin Ion (Chief Executive) Ms Jackie Colliar (Board Intern)
<b>Meeting frequency:</b>	Monthly
<b>Quorum:</b>	A majority of members (excluding the Board Intern)

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The Waters Governance Board is a subordinate decision-making body of the Waikato District Council established under Schedule 7 of the Local Government Act 2002.

### **Purpose and Terms of Reference:**

1. To provide governance and oversight of the development and implementation of the Council contract with Watercare Services Limited ('Watercare').
  2. To ensure the activity goals are clearly established, and strategies are in place for achieving them.
  3. To establish policies for strengthening the performance of the water activity including ensuring management and the contractor are proactively seeking to build the business through innovation, initiative, technology, new products and the development of its business capital.
  4. To monitor the performance of management through the Chief Executive.
  5. To ensure high standards of health & safety are maintained by management and Watercare and undertaking appropriate due diligence.
  6. To decide on whatever steps are necessary to protect the Council's financial position and the ability to meet its debts and other obligations when they fall due, and ensuring that such steps are taken.
  7. To ensure the water activity's financial statements are true and fair and otherwise conform to law.
  8. To ensure the water activity adheres to high standards of ethics and corporate behavior.
  9. To ensure the water activity has appropriate risk management/regulatory compliance policies in place.
  10. To look to improve environmental outcomes from this activity.
  11. To consider kaitiakitanga as part of decision-making.
  12. To monitor and ensure Watercare are meeting their obligations.
  13. To report to Council twice yearly on progress with Waters' Management.
  14. To provide innovation and ideas that could improve profitability, service levels or environmental outcomes.
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15. To hold Watercare to account over the delivery of the operational and capital programmes.
16. To work with Council to agree the overall funding requirements of the business.
17. To undertake any other matters considered relevant by the Board or referred to the Board by the Council.

**The Board is delegated the following powers to act:**

- Agree the form of the transactional arrangement with Watercare.
- Negotiate with Watercare and recommend to Council the final, or any amended, contract value for waters management.
- Conclude the contract (after Council approval of contract value) and terms and conditions, including any amendments, with Watercare.
- Ensure that transitional contract requirements are met by Watercare and Council.
- Hold Watercare to account for their performance at all levels.
- Monitor and oversee the performance of staff and Watercare in terms of the water activity.
- Consider and ensure improvements or innovation are implemented by Watercare or through the Chief Executive as appropriate.
- Approve changes to the operation of the contract with Watercare.
- Develop strategies to improve contractual performance or to improve business practices.
- Recommend to Council infrastructure strategy and Asset Management Plans for adoption.
- Develop an annual works programme (operating and capital) and submit to council for final approval.
- Approve alterations and transfers within the programme of capital and operational works as prepared for the Long Term Plan and Annual Plan, subject to the overall scope of the programme remaining unchanged and the programme remaining within overall budget.
- Set and ensure Watercare's adherence to health and safety requirements, and wellbeing practices.
- Set and maintain standards of ethics and corporate behavior.
- Consider development opportunities for the Waters' business.
- Define and set levels of service for Waters' management now and in the future.
- Responsible for the financial performance of the contract and operation.
- Approve and/or amend existing or new contracts relating to the delivery of three waters' services and operation unless additional funding by the Council is required or the approval or amendment is inconsistent with Council Policy.
- Recommend to Council any new or additional funding requirements over and above that contained within the Long Term Plan.
- Develop plans to improve the overall resilience of the Waters' networks and allow for growth.

- Consider the impact of growth on the Waters' infrastructure.
- Implement and monitor the risk management framework for the waters' management and activity.
- Approve the annual and half yearly financial statements for the Waters' operation and provide any relevant commentary to the Council.
- Annually review the Board composition, structure and succession and make recommendations to council on these matters.
- Ensure the Waters' business delivered by Watercare provides value for the community in terms of the four wellbeings.
- Determine the approach for resource consent applications for the Waters' business, and monitor progress of those applications on behalf of the Council.
- Review and monitor existing strategic resource consents.
- Ensure that Kaitiakitanga and environmental outcomes are key decision making considerations for the Board.
- Uphold the vision and strategy of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.

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**Open Meeting**

<b>To</b>	Waters Governance Board
<b>From</b>	Ian Cathcart Special Infrastructure Projects Manager
<b>Date</b>	24 March 2021
<b>Prepared by</b>	Matt Horsfield Democracy Advisor
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1301
<b>Report Title</b>	Register of Interests

## **1. EXECUTIVE SUMMARY**

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A copy of the Register of Interests is attached for the Board's information. The register will be updated following receipt of information during the year.

## **2. RECOMMENDATION**

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**THAT the report from the Special Infrastructure Projects Manager be received.**

## **3. ATTACHMENTS**

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Register of Interests – Waters Governance Board

## Register of Interests – Waters Governance Board

### Ruku Schaafhausen

<b>Companies and Trusts</b>	Te Waharoa Investments Ltd AgResearch Miro Hautupua Ltd Contact Energy Ltd Kaitaki Guardian Services Ltd
<b>Community organisations</b>	Equippers Trust Tindall Foundation Princes Trust New Zealand
<b>Other appointments</b>	Chair, Freshwater Iwi Leaders Group
<b>Property within the District</b>	Nil
<b>Any other interests</b>	Nil

### Garth Dibley

<b>Companies and Trusts</b>	Water New Zealand – Director
<b>Community organisations (membership)</b>	Electricity Networks Association – member E-Charge working group – MfE member
<b>Other appointments</b>	Director of Smartco Infratec NZ Ltd – Chairperson
<b>Property within the District</b>	Yes - Tamahere
<b>Any other interests</b>	Nil

David Wright

<b>Companies and Trusts</b>	Director, David Wright Limited Trustee, Tervuren Trust Trustee, Solomon Islands Tourism Infrastructure Development Fund (Incorporated) Chief Executive, Red Meat Profit Partnership Chair of Waimea Water Ltd Chair, Solomon Islands Airport Corporation Limited Haapa Research Limited
<b>Community organisations</b>	Chair, Tokelau Renewable Energy Steering Group Member, Audit and Risk Committee, Internet New Zealand Incorporated
<b>Other appointments</b>	Chair, Central Air Ambulance Rescue Limited Chair, Search and Rescue Services Limited
<b>Property within the District</b>	Nil
<b>Any other interests</b>	Nil

Gavin Ion

<b>Companies and Trusts</b>	Trustee and Beneficiary in a family trust
<b>Community organisations</b>	<p>Member Swimming Waikato Technical Panel</p> <p>Member Swimming New Zealand Technical Advisory Committee</p> <p>Chairperson Swimming Waikato</p> <p>Member of the Waikato Regional Sports Facility Plan Steering Group</p> <p>Member of Institute of Directors</p> <p>Member of International City Managers' Association</p> <p>Member of Chartered Accountants of Australia and New Zealand</p> <p>Member of Business Leaders Health &amp; Safety Forum Steering Group</p> <p>RMA Commissioner</p> <p>Member of the Waikato Caring for Communities Committee</p>
<b>Other appointments</b>	<p>Chief Executive, Waikato District Council</p> <p>Director, Waikato Local Authority Shared Services Limited</p> <p>Chair, Audit &amp; Risk Committee (WLASS)</p>
<b>Property within the District</b>	Nil
<b>Any other interests</b>	Nil



Jackie Colliar

<b>Companies and Trusts</b>	Te Whakakitenga O Waikato Inc Member of Te Arataura
<b>Community organisations</b>	Nil
<b>Other appointments</b>	Trustee and Chair of Taniwha Marae Waipa District Council – Co-Governance Committee Waikato Regional Council – Co-Governance Committee Waikato River Authority Board Member
<b>Property within the District</b>	Nil
<b>Any other interests</b>	Employee of Hamilton City Council Project Lead for the Subregional Three Waters project on behalf of Future Proof Project Manager of the Hamilton Waikato Metro Wastewater Detailed Business Case Project

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**Open Meeting**

<b>To</b>	Waters Governance Board
<b>From</b>	Gavin Ion Chief Executive
<b>Date</b>	9 March 2021
<b>Prepared by</b>	Matt Horsfield Democracy Advisor
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1301
<b>Report Title</b>	Confirmation of Minutes

## **1. EXECUTIVE SUMMARY**

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To confirm the minutes of the Waters Governance Board meeting held on Tuesday 23 February 2021

## **2. RECOMMENDATION**

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**THAT** the minutes of the meeting of the Waters Governance Board held on Tuesday 23 February 2021 be confirmed as a true and correct record of that meeting.

## **3. ATTACHMENTS**

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WGB Minutes – 23 February 2021

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**MINUTES** of a meeting of the Waters Governance Board Meeting of the Waikato District Council held in Committee Rooms 1 & 2, District Office, 15 Galileo Street, Ngaruawahia on **TUESDAY, 23 FEBRUARY 2021** commencing at **10.03am**.

**Present:**

Ms R Schaafhausen (Chair)  
Mr D Wright  
Mr G Dibley  
Mr GJ Ion (Chief Executive, Waikato District Council)

**Attending:**

Cr EM Patterson

Ms S Danks (Waikato Business Manager, Watercare)  
Mr M Telfer (Operations Manager, Watercare)

Mr I Cathcart (Special Infrastructure Projects Manager)  
Ms C Nutt (Waters Contract Relationship Manager)  
Mr K Stokes (Northern Infrastructure Programme Manager)  
Mr C Bailey (Finance Manager)  
Mrs LM Wainwright (Committee Secretary)

**APOLOGIES AND LEAVE OF ABSENCE**

**Resolved: (Mr Ion/Mr Wright)**

**THAT an apology be received from Ms Colliar.**

**CARRIED**

**WGB2102/01**

**CONFIRMATION OF STATUS OF AGENDA ITEMS****Resolved: (Ms Schaafhausen/Mr Ion)****THAT** the agenda for a meeting of the **Waters Governance Board Meeting** held on **Tuesday, 23 February 2021** be confirmed and all items therein be considered in open meeting with the exception of those items detailed at agenda item 7 which shall be discussed with the public excluded;**AND THAT** the Board resolves that the following items be added to the public excluded agenda as a matter of urgency as advised by the Chief Executive:

- **PEX Item 3.3 - Submission on the Water Services Bill, and**
- **PEX Item 3.4 - Board of Enquiry.**

**CARRIED****WGB2102/02****DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**CONFIRMATION OF MINUTES****Resolved: (Mr Ion/Mr Dibley)****THAT** the minutes of a meeting of the **Waters Governance Board Meeting** held on **Tuesday, 8 December 2020** be confirmed as a true and correct record of that meeting.**CARRIED****WGB2102/03**

**ACTIONS**

## Agenda Item 5

The report was taken as read and the following matters were noted:

- Te Kauwhata Water Take Consents – Watercare would not lead the consent process as it was not part of their core business. Te Kauwhata Water Association would now lead the process. The consent process is classed as high risk as listed in the Risk Register.
- Meeting with the Minister of Local Government.

**ACTION:**

The Chief Executive to:

- draft a letter outlining issues to be discussed at the proposed meeting between the Minister of Local Government and Water Governance Board representatives in Wellington,
- circulate the draft letter to Board members for comment prior to being sent, and
- agree on a meeting date with the Minister.

- Resourcing of mana whenua participation in Three Waters projects via the LTP. \$100k had been set aside for consultation/stakeholder engagement.
- Site visit to Raglan water and wastewater plants. The Board meeting scheduled for Tuesday, 30 March 2021 will be held in Raglan with the venue to be confirmed.
- Consenting Strategy – Te Kauwhata Wastewater Treatment Plant Discharge Consents (Renewal). The proposed December meeting with mana whenua had not occurred. The meeting will be held on Friday, 5 March 2021 at 1.00pm and discussions would be held on the MoU.

**Resolved: (Ms Schaafhausen/Mr Wright)**

**THAT the report from the Special Infrastructure Projects Manager be received.**

**CARRIED**

**WGB2102/04**

## **REPORTS**

### Te Kauwhata – Wastewater Treatment Plant Upgrade Membrane Aerated Bio Reactor Trial Agenda Item 6.1

Ms Danks summarised the report and noted the following benefits of the MABR (Membrane Aerated Bio Reactor):

- The technology had been trialled and proven overseas.
- Energy costs would be lower.
- Waikato Regional Council had approved the MABR technology.

**Resolved: (Mr Dibley/Mr Wright)**

**THAT the report from the Special Infrastructure Projects Manager be received;**

**AND THAT the Waters Governance Board approves the MABR trial of the Te Kauwhata Wastewater Treatment Plant upgrade at a cost of up to \$70,000 noting that the trial would allow the design parameters for the WTP upgrade to be validated and would assist with commissioning of the interim plant in late 2021.**

**CARRIED**

**WGB2102/05**

### Te Akau Water Treatment Plant – Chlorate and Bromate Non-Compliances and Operational Limitations Update

Agenda Item 6.2

Ms Danks took the report as read and noted the following matters:

- Similar non-compliant issues had been identified at Port Waikato.
- The plant was not compliant with new drinking water standards post 1 July 2021.
- Onewhero Water Treatment Plant is not chlorinated.

<b>ACTION:</b>	Watercare to provide clarification and a recommended action to the next Board meeting, addressing the public health risks at the Port Waikato and Onewhero water treatment plants.
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**Resolved: (Mr Wright/Ms Schaafhausen)**

**THAT the report from the Special Infrastructure Projects Manager be received;**

**AND THAT the Te Akau Water Treatment Plant be shut down immediately and water trucked to the plant pending a long term solution to address the non-compliance issues and public health risk.**

**CARRIED**

**WGB2102/06**

**Resolved: (Mr Wright/Mr Dibley)**

**THAT dependant on water testing results, the Chief Executive be given authority to provide an alternate water supply to the Onewhero and Port Waikato Water Treatment Plants to avert any public health risk.**

**CARRIED**

**WGB2102/07**

Three Waters Performance Report for December 2020/January 2021

Agenda Item 6.3

Ms Danks took the report as read and noted the following matters:

- The health and safety lifting frame incident that occurred in November 2020 had been rectified. Ground improvements had been completed and the outriggers had been painted yellow.
- Two operators had completed, and passed, the National Certification Water Treatment Level 4 qualification.
- Poor power quality.

**ACTION:** Watercare to provide Mr Dibley with information on power outages.

- A sustainable energy strategy had been developed for the Raglan WWTP. Watercare would be presenting a sustainable energy strategy to the Board.
- The Meremere MBR reclamation had been completed and the abatement notice had been resolved.
- Good progress had been made on desludging the ponds at Huntly and Ngaruawahia.

- The Raglan WWTP resource consent application would be lodged in July 2021.

**Resolved: (Mr Wright/Ms Schaafhausen)**

**THAT the report from the Special Infrastructure Projects Manager be received.**

**CARRIED**

**WGB2102/08**

Risk Register Update

Agenda Item 6.4

The Special Infrastructure Projects Manager summarised the risk register and noted that Watercare would provide their risk register to the next meeting of the Board.

**Resolved: (Mr Ion/Mr Dibley)**

**THAT the report from the Special Infrastructure Projects Manager be received.**

**CARRIED**

**WGB2102/09**

Health and Safety Audit

Agenda Item 6.5

The Special Infrastructure Projects Manager and Ms Danks, supported by the Chief Executive, took the report as read and noted the following matters:

- Watercare had requested Impac Services Ltd to carry out an audit to identify key risk areas.
- Council staff had prepared a schedule of planned health & safety activities in relation to the Watercare agreement for the 2021 year.
- A cultural survey would be completed on attitudes to health and safety. Watercare would carry out an MPS survey on a yearly basis related to health and safety.

**Resolved: (Mr Ion/Mr Wright)**

**THAT the report from the Special Infrastructure Projects Manager be received.**

**CARRIED**

**WGB2102/10**



**EXCLUSION OF THE PUBLIC**

Agenda Item 7

**Resolved: (Ms Schaafhausen/Mr Wright)****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 each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
PEX Item 1 Confirmation of Minutes	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
PEX Item 2 Actions		
Item 3.1 Pokeno & Tuakau Wastewater Servicing and Capacity		
PEX Item 3.2 Waters Financial Results to 31 December 2020		

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item No.	Section	Interest
PEX Item 1 Confirmation of Minutes		Refer to the previous Public Excluded reason in the agenda for this meeting.
PEX Item 2 Actions Register		Refer to the previous Public Excluded reason in the agenda for this meeting.
PEX Item 3.1 Pokeno & Tuakau Wastewater Servicing and Capacity	7(2)(b)(ii)	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
	7(2)(j)	To prevent the disclosure or use of official information for improper gain or improper advantage.
PEX Item 3.2 Waters Financial Results to 30 September 2020	7(2)(b)(ii)	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
	7(2)(j)	To prevent the disclosure or use of official information for improper gain or improper advantage.

**AND THAT Mr Telfer be permitted to remain at this meeting, after the public has been excluded, because of her knowledge of Watercare. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because of Watercare's role and responsibility for those matters.**

**CARRIED**

**WGB2102/11**

The meeting adjourned at 11.38am and resumed at 11.52am.



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### **Open Meeting**

<b>To</b>	Waters Governance Board
<b>From</b>	Ian Cathcart Special Infrastructure Projects Manager
<b>Date</b>	22 March 2021
<b>Prepared by</b>	Matt Horsfield Democracy Advisor
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1301
<b>Report Title</b>	Actions Report

### **1. EXECUTIVE SUMMARY**

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To update the Waters Governance Board on actions arising from previous meetings.

### **2. RECOMMENDATION**

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**THAT** the report from the Special Infrastructure Projects Manager be received.

### **3. ATTACHMENTS**

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Actions Register

# Waters Governance Board Actions Register

## OPEN MEETING

Meeting Date	Action	To Action	When	Status
20/11/19	<p>The Board to be provided with:</p> <ul style="list-style-type: none"> <li>▪ The proposed Te Kauwhata water take consents strategy.</li> </ul>	Ian Cathcart/ Watercare	Now May/June 2021	<p>Once the water supply contract is signed (95+% complete) WDC will continue engagement with TKWA to secure the water take.</p> <p>Met TKWA 10 March. They have met a consultant (Kelly Dell of Environmental Management Solutions) with experience of consent applications and have got the best template for an application from WRC to use as a basis. A further meeting with Watercare included is to be undertaken late March once Andrew Cornwall is back from leave to develop the strategy.</p>
11/2/2019	Investigation into forums held by other Councils in respect of engagement with mana whenua. Iwi and Community Partnerships Manager, Sam Toka, to present the vision to the next meeting of the Board.	Sam Toka / Gavin Ion	May 2021	Council has agreed on the formation of four forums to cover the District. The issue of how to recognise the time commitment from mana whenua is still to be worked through.
25/8/2020	<p><u>Waters Long Term Plan Performance Targets</u></p> <p>Watercare to report back to the next meeting of the Board with an action plan to consider real water loss results.</p>	Sharon Danks	May 2021	Water Demand Management Plan update has been tendered and awarded and will be completed in May 2021. This will also suggest improvement to reduce Water Losses.
23/2/2021	<p><u>Meeting with the Minister of Local Government</u></p> <p>Draft a letter outlining issues to be discussed at the proposed meeting between the Minister of Local Government and WGB representatives in Wellington.</p>	GI	April 2021	Minister's office would not commit to a meeting due to the recent Covid-19 lockdowns affecting alter levels.

## Waters Governance Board Actions Register

Meeting Date	Action	To Action	When	Status
	Circulate the draft letter to Board members for comment prior to being sent and agree on a meeting dated with the Minister.			
23/2/2021	<p><u>Te Akau Water Treatment Plant – Chlorate and Bromate Non-Compliance and Operational Limitations Update</u></p> <p>Watercare to provide clarification and a recommended action to the next Board meeting, addressing the public health risks at the Port Waikato and Onewhero water treatment plants.</p>	WC	April 2021	Work has been commissioned to determine the impacts on the Port Waikato and Onewhero plants.
23/2/2021	<p><u>Three Waters performance Report for December 2020/January 2021</u></p> <p>Watercare to provide Mr Dibley with information on power outages.</p>	WC	April 2021	An initial meeting has been undertaken to raise the issue and a further meeting is planned to put actions in place solve it.

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### **Open Meeting**

<b>To</b>	Waters Governance Board
<b>From</b>	Ian Cathcart Special Infrastructure Projects Manager
<b>Date</b>	30 March 2021
<b>Prepared by</b>	Carole Nutt Waters Contract Relationship Manager
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	WGB2021; ECM ID. 3040164
<b>Report Title</b>	Health and Safety Audit

## **I. EXECUTIVE SUMMARY**

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In line with clause 16.1(d) of the Agreement for Operation and Maintenance of Water, Wastewater and Stormwater Services, Council requested Watercare Services Ltd (Watercare) engage New Zealand's leading provider of health and safety solutions Impac Services Limited to undertake the annual safety audit to assess Watercare's (and any relevant subcontractor's) compliance with Health and Safety Legislation and best practice.

Targeted focus areas were agreed covering inspections, auditing and verification activities, contractor and sub-contractor management, and critical risk management activities, regarding confined space, asbestos and working alone. The audit was carried out in March 2021 and Impac Services Limited's report with findings and recommendations is attached.

## **2. RECOMMENDATION**

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**THAT the report from the Special Infrastructure Projects Manager be received.**

## **3. APPENDICES**

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- Appendix I – Health and Safety Review Watercare

# HEALTH & SAFETY REVIEW

## WATERCARE

### FOR WAIKATO DISTRICT COUNCIL



**CLIENT NAME:**

Watercare Waikato  
 Private Bag 92 521,  
 Wellesley Street, Auckland  
 1141, New Zealand

**ATTENTION:**

Sharon Danks  
 Operations Delivery Manager  
 021 220 7473  
[sharon.danks@water.co.nz](mailto:sharon.danks@water.co.nz)

**REPORT PREPARED BY:**

Danny Lochery  
 Health & Safety Specialist  
 IMPAC Services  
 M: 021 297 6125  
 E: [danny.lochery@impac.co.nz](mailto:danny.lochery@impac.co.nz)

**DATE:**

FINAL v1 11 March 2021

**PEER REVIEW:**

Lance Hiscoe  
 Health and Safety Specialist – IMPAC



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## Acknowledgements

IMPAC would like to acknowledge the valuable assistance and help of Watercare Waikato for collating a wide range of health and safety documentation for the review.

## Report limitations or disclaimer

This report has been prepared by IMPAC Services Ltd using our experience and professional judgment. This report is based on the information provided to us by the client during our engagement. Impac does not accept any responsibility for the accuracy or completeness of the information supplied.

## 1. EXECUTIVE SUMMARY

Watercare Waikato, contracted to Waikato District Council asked Impac, a risk and safety management consultancy, to conduct a task specific review on how health and safety is managed across its Waikato operations. The review centred on the Waikato District Council and Watercare Services Ltd agreement and how it is implemented throughout the organisation.

Waikato District Council owns various potable water supply and wastewater networks and treatment facilities located within its district and has arrangements with third parties to supply bulk potable water and bulk wastewater reception and treatment services to the district. Watercare has taken responsibility for asset planning, infrastructure build, asset maintenance, operations, faults resolution, existing volumetric bill, health and safety, human resources and procurement. (Note: it is of the understanding of the auditor that some of this may change which is under discussion at the time of the audit).

Waikato District Council has, as per the agreement requested that Watercare in conducting a targeted audit of Watercare focusing on Inspections and audits, Contractor and sub-contractor management critical risk activities, Confined space, Asbestos and Lone Working.

Throughout the audit it was noted that Watercare has an excellent attitude towards safety of their workforce and that of the general public. The systems and processes in place are well utilized and Watercare continually look to addressing any gaps within their systems to maintain continual improvement. However, a number of points were noted during the audit and should be addressed:

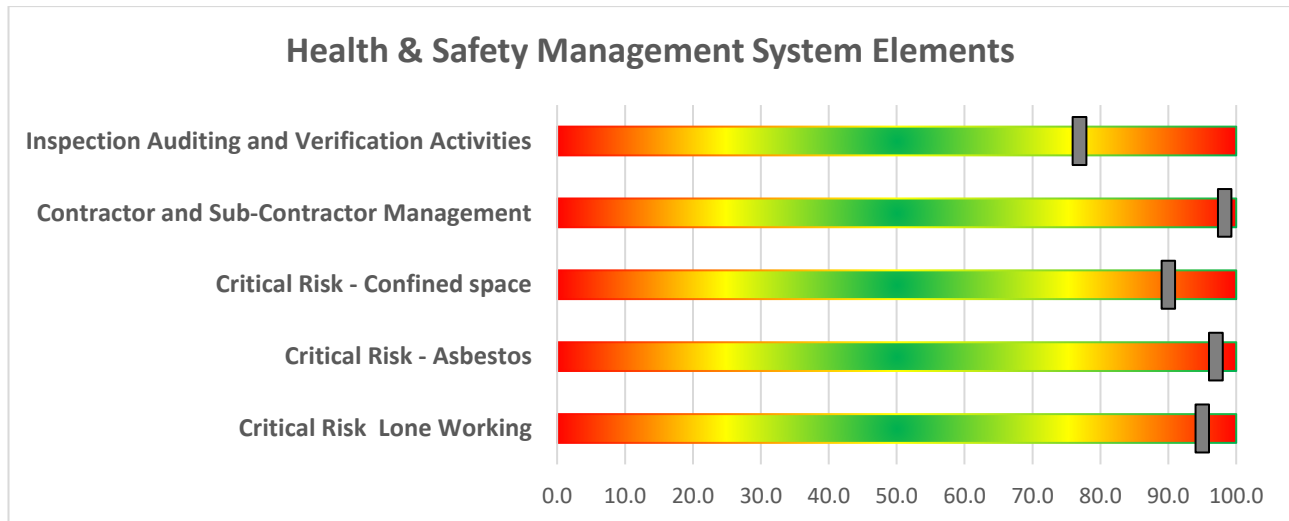
- Job Safety Analysis should be part of planning for confined space and asbestos related activity. A Standard Operating Procedure (SoP) cannot be relied upon to note specific site hazards).
- Site and workplace inspections need to be formalized, documented and closed out.
- Training records (not part of the scope of the audit) are available but are difficult to find. Recommend that a training needs assessment and matrix should be in place.
- Consider all lone work emergency situations including office-based staff and update the emergency procedure to cover the possibility of all emergency situations whether man made or natural, for all workers, not just the front facing staff.

(see the recommendations in each element).

The auditor would appreciate it if the senior management could pass on his thanks to all those who participated, or made themselves available, during the audit. It was pleasing to see a strong safety culture emerging and this is not just a top-down process but across all work activity and all workers have the authority to stop work if they deem it unsafe.

In making judgement statements about Watercare’s health and safety status, comparison is made against what would be considered good practice for an organisation of a similar size and complexity, dealing with the same or a similar range of hazards and risks.

Each of the required elements were assessed and was scored in accordance with the question set for the specific area. The table below shows where Watercare (Waikato), selected elements, Health and Safety Management System sits.



## 1.1 THE REVIEW TEAM

The review was carried out and reported by Danny Lochery, Health and Safety Specialist, IMPAC Services. The peer review was carried out by Lance Hiscoe, Principal Health and Safety Specialist, IMPAC Services.

## 1.2 METHODOLOGY

The review was carried out as follows:

1. A review of the current Watercare Health and Safety Framework documentation in relation to the schedule.
2. Discussion with staff
4. Preparation of a Health and Safety assessment report setting out IMPAC's findings and recommendations.

## 2. SUMMARY OF FINDINGS

### 2.1 INSPECTION, AUDITING AND VERIFICATION ACTIVITIES

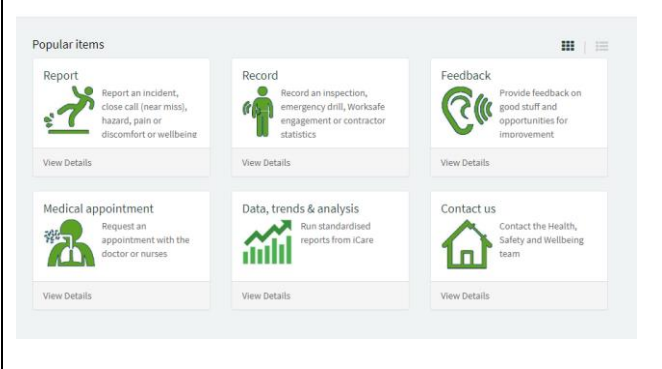
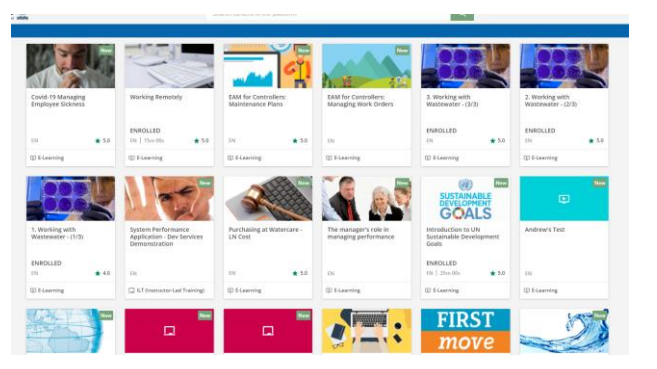
#### Objective:

Implementation and functioning of regular planned workplace inspections and verification activities with proof of site inspection and safety audits. Proof of certification and calibration of: Mobile plant and equipment Confined space equipment Load lifting and rigging equipment.

Watercare conducts a number of sites , building and office inspections but these are on a random basis. On completion they are recorded in the on-line / cloud-based programme iCare. Any recommendations or observations are logged within the system and allocated to a responsible manager for close out. However, no formal process is followed, one inspection report was an E Mail. Although a form has limitations it provides the person conducting the inspection a guide to what needs to be checked. Each area would need its own inspection form, plant, site or office to make in somewhat more meaningful.

Watercare has external audits conducted on their health and safety systems, by Telarc, their insurance provider and Impac for a targeted audit. The results and recommendations are provided to Watercare via an electronic report. However, Watercare have the 3 audits as part of their 3yr health and safety strategy plan. There was no evidence of internal review of their system other than conducting updates on documents as and when they are required. The overarching framework was last reviewed/updated in June 2020. However, the procedure HS-01.01.08 Confined space was last reviewed/updated in January 2015. It was noted that it is in the process of being updated in conjunction with the new confined space standard.

Watercare have various mobile plant, machinery and safety systems that are required to undergo inspections. Watercare have these inspections conducted by outside organisations and rely on those organisations to ensure the mobile plant, machinery and equipment is inspected within the required timeframe. The only proof that these safety critical inspections have been completed is via invoicing.

Extract iCare	Extract Immerse training programme
 <p>The screenshot shows the iCare system interface with a grid of 'Popular items'. Each item includes an icon, a title, a brief description, and a 'View Details' link. The items are: Report (Report an incident, close call (near miss), hazard, pain or discomfort or wellbeing), Record (Record an inspection, emergency drill, Worksafe engagement or contractor statistics), Feedback (Provide feedback on good stuff and opportunities for improvement), Medical appointment (Request an appointment with the doctor or nurses), Data, trends &amp; analysis (Run standardised reports from iCare), and Contact us (Contact the Health, Safety and Wellbeing team).</p>	 <p>The screenshot shows the Immerse training programme interface with a grid of training modules. Each module includes a thumbnail image, a title, a status (e.g., ENROLLED), a progress indicator (e.g., 100%), and a 'View Details' link. The modules are: Covid-19 Managing Employee Sickness, Working Remotely, EAM for Controllers: Maintenance Plans, EAM for Controllers: Managing Work Orders, Working with Wastewater (1/3), Working with Wastewater (2/3), System Performance Application - New Services Demonstration, Purchasing at Watercare - LN Cost, The manager's role in managing performance, Introduction to the Sustainable Development Goals, and Andrew's 100.</p>

**Recommendations**

1. It is recommended that Watercare put in place a structure of workplace inspections for all levels of management.
2. Consider having a dedicated inspection for specific types of work activity or building/office. This will help to provide guidance on what should be looked for. However, any form used should not distract from discussing health and safety matters with workers.
3. It is recommended that having the owners of the inspection report upload the file to iCare and allocate corrective actions to the right manager. This will negate waiting on one person to complete the inspection process.
4. Watercare should consider, if possible, run audit recommendations and outcomes from within iCare over a specific time period rather than possibility of duplication of entering the audit/inspection in iCare and the content of the inspection report and outcomes being managed via a MS excel spreadsheet.

**2.2 CONTRACTOR AND SUB-CONTRACTOR MANAGEMENT****Objective:**

Implementation and functioning of Contractor and Subcontractor Management System with appropriate procedures and evidence of application of pre-qualification, tendering, induction, monitoring and review of contracted activities and services.

Watercare have a good management process for approving and selecting their sub-contractors. When work is being undertaken there are frequent management meetings on site to ensure work is progressing in accordance with the contract. As part of the contract Watercare conduct site inspections and points of note are managed at project level. This process does not show at the Watercare senior management meetings or providing assurance at board level.

**Recommendation:**

1. It is recommended that for projects and contractor management any audit or inspection as per the schedule above in S2.1 Recommendation 1 any inspection is logged into iCare and is managed by the appropriate manager. Following this process will allow appropriate board and senior management an overview of contractor management.

### 2.3 CRITICAL RISK – CONFINED SPACE

#### Objective:

Confined Spaces The hazards and risks associated with working in confined spaces must be assessed and appropriate controls implemented to manage the risks. Confined Space Task Management Appropriate processes must be in place to ensure activities involving work in confined spaces are planned, permitted, and equipment and controls are in place as per AS 2865 2001 safe working in a confined space

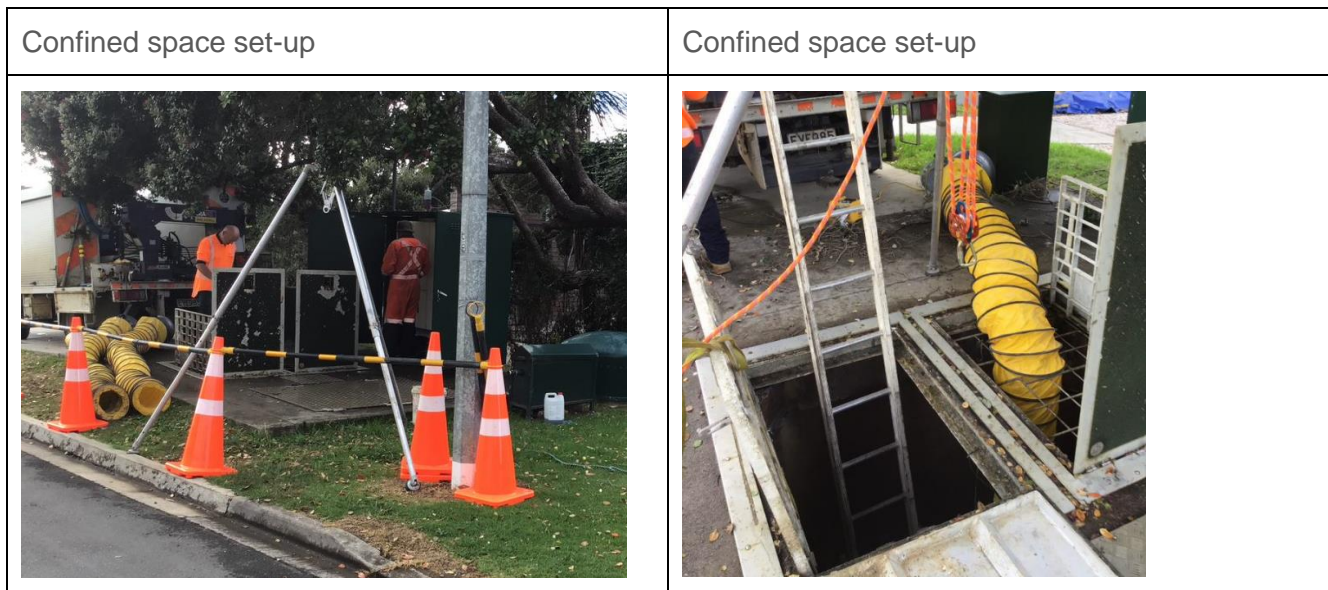
Atmospheric Testing. Where risk assessment identifies risk of a contaminated atmosphere, atmospheric testing must be conducted.

Confined Space Access Control an adequate system must be in place to track personnel entering and exiting. Training and Competency confined space training must be place, including emergency response resources.

The last time the confined space procedure was reviewed was January 2015. The procedure is currently being updated in relation with the new AS/NZS standard. Work within confined spaces is logged in the confined space entry certificate and covers all requirements of the current standard. Watercare utilise this document along with an appropriate SoP to conduct the work. Although both documents provide most of the information some aspects are missing which would be captured within a Job Safety Analysis (JSA). The entry certificate and SoP will not identify all risks with the specific site.

Training in confined space is provided by an outside training provider and certificates to trained staff are held by Watercare. However, obtaining those records was found to be cumbersome as the details are noted via a photograph numbering system only. Watercare should utilise a training needs analysis and training matrix (not sighted as this was not part of the schedule).

<p>Confined space entry certificate (permit to enter)</p>	<p>Confined space decision tree (generic risk assessment)</p>																																																																																																
	<table border="1"> <caption>Confined Space Risk Matrix</caption> <thead> <tr> <th>Confined Space Risk</th> <th>As low risk</th> <th>Residual Risk level</th> <th>Residual Risk level</th> <th>Residual Risk level</th> <th>Required Action</th> </tr> </thead> <tbody> <tr> <td>Residual potential for equipment (less than 100mm diameter, 10m high) to flow into from a pipe or channel greater than 100mm in diameter (Hydrogen negligible present (Diagnose or prevent))</td> <td>1</td> <td>1</td> <td>1</td> <td>1</td> <td>Unsafe to enter confined space in an uncontrolled state. Immediate action required to reduce risk to a tolerable level. Examples include a flammable or toxic atmosphere. Work to remain prohibited until the risk level is reduced. No entry permitted in a flammable atmosphere even with ILS. 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## Recommendations

1. Watercare should review their risk assessment practices to identify all site hazards when planning confined space activities. A SoP will not provide that information for each site. Each confined space work activity should require a site specific JSA to identify the hazards/risks and put in place control measures.
2. Watercare should have in place a training needs analysis for all staff and a job specific training matrix to ensure all staff have the appropriate training, coaching or mentoring to allow them to complete their work activity safely.

## 2.4 CRITICAL RISK - ASBESTOS

### Objective:

Asbestos - The hazards and risks associated with asbestos and respiratory disease or illness must be assessed and appropriately controlled. All requirements set out in the Health and Safety at Work (Asbestos) Regulations 2016 must be adhered to as applicable: Asbestos Management Plans Worker training Health monitoring Demolition or refurbishment surveys Asbestos-related work.

Watercare manage Asbestos within current regulations. And their current procedure is dated May 2017. Watercare has a site or plant specific Asbestos register which is well maintained. Any works where asbestos is evident or considered to be a hazard, Watercare request assistance from a registered or qualified Asbestos practitioner. Watercare has a number of staff who have undergone appropriate training in identifying and putting in place actions to treat asbestos risk without harm to

themselves or others including members of the public. This training is part of the Civil Trades Certification.

As with confined space not all works conducted will be the same and the information contained within the SoP will not show all site-specific hazards.


Extract of an Asbestos Management plan (externally generated).

<div style="text-align: center;"> <p><b>WATERCARE SERVICES LIMITED</b></p> <p><b>ASBESTOS MANAGEMENT PLAN (AMP)</b></p> </div> <p><b>SITE:</b> Huntly Water Treatment Plant, 1 Jackson Road, Huntly</p> <p><b>Prepared for:</b> Watercare Services Limited</p> <p><b>Version No:</b> 1</p> <p><b>Date:</b> 15 February 2021</p>  <p><b>Prepared By:</b></p>  <p>Phone: 0800 266 759 Web: <a href="http://www.asbestosriskmanagement.co.nz">www.asbestosriskmanagement.co.nz</a> Email: <a href="mailto:info@asbestosriskmanagement.co.nz">info@asbestosriskmanagement.co.nz</a></p>	<p><b>CONTENTS</b></p> <p><b>1.0 MANAGEMENT PLAN DOCUMENT INFORMATION ..... 3</b></p> <p>1.1 Overview ..... 3</p> <p>1.2 Objective ..... 3</p> <p>≡</p> <p><b>2.0 DOCUMENT INFORMATION ..... 4</b></p> <p>≡</p> <p><b>3.0 COMPANY RESPONSIBILITIES ..... 5</b></p> <p>3.1 Staff Awareness ..... 5</p> <p>3.2 Monitoring and Inspection ..... 5</p> <p>3.3 Works and Visitor Protocols ..... 5</p> <p>3.4 Refurbishment and Demolition ..... 5</p> <p>3.5 Asbestos Works / Asbestos Removal ..... 6</p> <p>3.6 Controls and Management Actions ..... 6</p> <p>≡</p> <p><b>4.0 ASBESTOS REGISTER &amp; CONTROL MEASURES ..... 7</b></p> <p>≡</p> <p><b>5.0 SITE PLANS / DRAWINGS ..... 12</b></p> <p>≡</p> <p><b>APPENDIX 1: DAMAGED ACM &amp; ACM EMERGENCY RESPONSE PROCEDURES ..... 15</b></p> <p>≡</p> <p><b>APPENDIX 2: GLOSSARY OF TERMS AND ABBREVIATIONS ..... 17</b></p>
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**Recommendations:**

- As with confined space a site specific JSA may be required for routine, or non-routine activity which will allow the operators to identify additional hazards or risks and put in place appropriate control measures.

Hazard of the month review (Asbestos – August)

<p style="text-align: center; font-size: small;">Watercare Waikato - Monthly Hazard Focus</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr><td style="width: 20%;">OCTOBER</td><td>WORKING WITH SUSPENDED LOADS</td></tr> <tr><td>NOVEMBER</td><td>WORKING ALONE / FATIGUE</td></tr> <tr><td>DECEMBER</td><td>MANUAL HANDLING</td></tr> <tr><td>JANUARY</td><td>P.P.E. / HEAT AND HYDRATION</td></tr> <tr><td>FEBRUARY</td><td>TRAFFIC</td></tr> <tr><td>MARCH</td><td>CONFINED SPACES / EXPLOSIVE ATMOSPHERES</td></tr> <tr><td>APRIL</td><td>ENERGY / UNDERGROUND SERVICES</td></tr> <tr><td>MAY</td><td>EXCAVATIONS</td></tr> <tr><td>JUNE</td><td>WORKING AT HEIGHT</td></tr> <tr><td>JULY</td><td>COLD / SLIPPERY SURFACES</td></tr> <tr><td>AUGUST</td><td>ASBESTOS / HAZARDOUS SUBSTANCES</td></tr> <tr><td>SEPTEMBER</td><td>PLANT AND EQUIPMENT</td></tr> <tr><td>OCTOBER</td><td>DRIVING / USING VEHICLES</td></tr> <tr><td>NOVEMBER</td><td>WELLBEING – LOOKING OUT FOR YOUR MATES</td></tr> <tr><td>DECEMBER</td><td>DRUGS AND ALCOHOL</td></tr> </table>	OCTOBER	WORKING WITH SUSPENDED LOADS	NOVEMBER	WORKING ALONE / FATIGUE	DECEMBER	MANUAL HANDLING	JANUARY	P.P.E. / HEAT AND HYDRATION	FEBRUARY	TRAFFIC	MARCH	CONFINED SPACES / EXPLOSIVE ATMOSPHERES	APRIL	ENERGY / UNDERGROUND SERVICES	MAY	EXCAVATIONS	JUNE	WORKING AT HEIGHT	JULY	COLD / SLIPPERY SURFACES	AUGUST	ASBESTOS / HAZARDOUS SUBSTANCES	SEPTEMBER	PLANT AND EQUIPMENT	OCTOBER	DRIVING / USING VEHICLES	NOVEMBER	WELLBEING – LOOKING OUT FOR YOUR MATES	DECEMBER	DRUGS AND ALCOHOL	
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## 2.5 CRITICAL RISK – LONE WORKING

### Objective:

Working Alone - The hazards and risks associated with working alone must be identified and assessed and appropriate controls must be implemented to manage the risks. 21. Managing Risks associated with remote or isolated work. Working Alone Task Management A process must be in place to ensure tasks with the risk of working alone are identified and controlled with consideration of the hierarchy of controls. Communication Systems An effective means of communication with a worker who performs remote or isolated work must be in place. In accordance with the Health and Safety at Work - (General Risk and Workplace Management Regulations 2016, Section 21 Managing risks associated with remote or isolated work.

Watercare has a good lone or isolated worker programme. The on-line programme provides the on-call manager the ability to monitor any worker via satellite monitoring and has communication with the worker via the programme by messaging. The system updates on a regular basis, every 3 minutes. Any situation that warrants additional support, the duty manager can call on other mobile resources to attend. If the situation is considered an emergency the duty manager will report the event to the emergency services and escalate to senior managers.

However as a whole Watercare's system is focused on the front facing workers, those in the field. There is minimal evidence of providing guidance for office workers who may be required to work late or start early and could be caught in the event of an emergency situation.

### Recommendation:

1. It is recommended that Watercare review their one work emergency response procedure to cover all workers, including office-based staff and where possible all events, man-made or natural.

### 3. DOCUMENTS REVIEWED

Document
Watercare Health and Safety Framework and documentation
Health and Safety at Work Act 2015 and Associated Regulations.
AS/NZS 4801: Health and Safety Management System
AS/NZS ISO 45001, 2018 Occupational Health and safety Management System
Waikato Waters Agreement – Health and Safety
AS2865 Safe working in a confined space
WSNZ guidance notes on confined space, asbestos and lone working

### 4. PEOPLE SPOKEN TO

Matt Telfer (Transition Operations Delivery Manager)  
 Sharon Danks (Operations Delivery Manager)  
 Gil Miers (Production Manager)  
 Robert Ball (Operations Manager, Networks)  
 Peter Crabb (Project Manager)  
 Tony Gray (Treatment Plant Operator)  
 Emma Simm (H&S Business Partner)  
 Joshua Deane (Networks Supervisor)

Thanks to Major Kahukura and Tahi Don (servicemen) for making themselves available.

---

**Open Meeting**

<b>To</b>	Waters Governance Board
<b>From</b>	Ian Cathcart Special infrastructure Projects Manager
<b>Date</b>	30 March 2021
<b>Prepared by</b>	Carole Nutt Waters Contract Relationship Manager
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	WGB2021; ECM ID. 3039918
<b>Report Title</b>	Three Waters Performance Report for February 2021

## **1. EXECUTIVE SUMMARY**

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A copy of the Three Waters Performance Report for February 2021 is attached for the Board's information.

## **2. RECOMMENDATION**

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**THAT the report from the Special Infrastructure Projects Manager be received.**

## **3. ATTACHMENTS**

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- Waikato District Council Three Waters Performance Report for February 2021

# WAIKATO DC THREE WATERS MONTHLY PERFORMANCE REPORT

## FEBRUARY 2021



Mathew Telfer  
Operation Manager  
Watercare Waikato  
February 2021

# 1. Health & Safety

## HIGHLIGHTS AND LOWLIGHTS

### 1. Health, Safety & Wellness

- There were zero Lost Time Injuries (LTI) and 0 Restricted Duties Injury (RDI) involving Watercare employees in February.
- There were zero recordable injuries involving contractors in February.
- The 12-month average Lost Time Injury Frequency Rate (LTIFR) for employees is 5.34 per million hours, under our target of  $\leq 5$ .
- The 12-month average Total Recordable Injury Frequency Rate (TRIFR) for employees is 8.9 per million hours, under our target of  $\leq 20$ .
- Impac undertook the external health and Safety audit in February; the report is due in March.
- Asbestos surveys have been completed at Ngaruawahia WTP, Huntly WTP, TeKauwhata WTP and TeKauwhata WWTP.

## HEALTH, SAFETY & WELLNESS UPDATE

Worker, type of incident, and location	Critical Risk (Yes/No) and Severity	Description of injury/incident	Our learnings	The actions we have taken
No incidents in Feb	N/A	N/A	N/A	N/A

## AUDITS, MANAGEMENT REVIEWS, INSPECTIONS, SAFETY OBSERVATIONS

- The 6-monthly review of the HSW Management System was completed in February.
- An all sites condition assessment of mechanical, control, and electrical was completed in February.
- Contract Audit will be undertaken by IMPAC on the 23<sup>rd</sup> of February

## 2. Key Performance Indicator

KPI – Description	Results	Target 2020/2021
<b>Water</b>		
The extent to which the Council's drinking water supply complies with Part 4 of the drinking water standards (bacteria compliance criteria). (Number of zones that comply, maximum 18)	18	18
The extent to which the Council's drinking water supply complies with Part 5 of the drinking water standards (bacteria compliance criteria). (Number of zones that comply, maximum 18)	15	15
Where Council attends a call-out in response to a fault or unplanned interruption to its networked reticulation system, the following median response times measured: - Attendance for urgent call-outs: from the time that Council receives a notification to the time that service personnel reaches the site.	Feb - 41  July 2020-Feb 2021 total - 36	40 mins
Where Council attends a call-out in response to a fault or unplanned interruption to its networked reticulation system, the following median response times measured: - Resolution of urgent call-outs: from the time that Council receives a notification to the time that service personnel confirms resolution of the fault or interruption.	Feb - 106  July 2020-Feb 2021 total - 107	120 mins
Where Council attends a call out in response to a fault or unplanned interruption to its networked reticulation system, the following median response times measured: - Attendance for non-urgent call-outs: from the time that Council receives a notification to the time that service personnel reaches the site	Feb - 1  July 2020-Feb 2021 total - 1	≤ 3 days

<p>Where Council attends a call out in response to a fault or unplanned interruption to its networked reticulation system, the following median response times measured:</p> <ul style="list-style-type: none"> <li>- Resolution of non-urgent call-outs: from the time that Council receives a notification to the time that service personnel confirms resolution of the fault or interruption.</li> </ul>	<p>Feb - 1</p> <p>July 2020-Feb 2021 total - 1</p>	<p>&lt; 3days</p>
<p>The total number of complaints received by Council about any of the following (expressed per 1000 connections to the networked reticulation system):</p> <ul style="list-style-type: none"> <li>- Drinking water clarity</li> <li>- Drinking water taste</li> <li>- Drinking water odour</li> <li>- Drinking water pressure or flow</li> <li>- Continuity of supply</li> <li>- The local authority's response to any of these issues</li> </ul>	<p>Feb – 0.87</p> <p>July 2020-Feb 2021 total – 12.03</p>	<p>22/1000</p>
<p><b>Wastewater</b></p>		
<p>The number of dry weather sewage overflows from Council's system is expressed per 1000 sewage connections to that sewage system.</p> <ul style="list-style-type: none"> <li>- Non-sensitive receiving environments</li> </ul>	<p>Feb – 0.00</p> <p>July 2020-</p> <p>Feb 2021 total – 2.14</p>	<p>≤ 2/1000</p> <p>Note: Over the target, primarily due to Fibre strikes in the district.</p>
<p>The number of dry weather sewage overflows from Council's system is expressed per 1000 sewage connections to that sewage system.</p> <ul style="list-style-type: none"> <li>- Sensitive receiving environments</li> </ul>	<p>Feb – 0.00</p> <p>July 2020-Feb 2021 total – 0.00</p>	<p>≤ 2/1000</p>

Where Council attends to sewage overflows resulting from a blockage or other fault in its sewage system, the following median response times measured: - Attendance time: from the time that Council receives a notification to the time that service personnel reaches the site.	Feb - 0  July 2020-Feb 2021 total - 41	≤ 1 hour (45 mins)
Where Council attends to sewage overflows resulting from a blockage or other fault in its sewage system in <b>Raglan</b> , the following median response times measured: - Attendance time: from the time that Council receives a notification to the time that service personnel reaches the site.	Feb - 0  July 2020-Feb 2021 total - 35	≤ 1 hour (60 mins)
Where Council attends to sewage overflows resulting from a blockage or other fault in its sewage system, the following median response times measured: - Resolution time: from the time that Council receives a notification to the time that service personnel confirms resolution of the blockage or other fault.	Feb - 0  July 2020-Feb 2021 total - 143	≤ 4 hours (240 mins)
The total number of complaints received by Council about any of the following (expressed per 1000 connections to the sewage system): - Sewage odour - Sewage system faults - Sewage system blockages - Council's response to issues with its sewage system	Feb – 0.40  July 2020- Feb 2021 total – 5.79	≤ 10/1000
<b>Health and Safety</b>		
Safety: Lost time injury frequency rate (LTIFR) per million hours worked	5.34	≤ 5
Safety: Total recordable injury frequency rate (TRIFR) per million hours worked	8.9	≤ 20



Safety: 100% of Notifiable (or serious non-notifiable) Events reported to WDC within 2 hours of the occurrence	100%	100%
Safety: 100% of Notifiable Event reports supplied to WDC within 21 business days	No events	100%
Safety – the percentage of complaints resolved within ten working days	100%	95%
Safety- Health and safety Audit programme and action plan completed (6 monthly and then annually)	1	1
Safety - All site emergency plans to be drilled six monthly as per drill schedule	80%	> 100%
Safety - Monthly Health and safety meeting held with all workers	Focus on Traffic	> 90%
Safety-Critical risk audit to be conducted by HSW BP Bi-monthly	1	1
Safety -Actions required to be closed within 1 month	100%	> 90%

## 3. Operational Update

### 3.1 Treatment

#### Health and Safety:

No Health and Safety incidents occurred during February.

Asbestos surveys have been completed at Ngaruawahia WTP, Huntly WTP, TeKauwhata WTP and TeKauwhata WWTP.

#### Te Akau Water treatment

Te Akau WTP operation continues to be time-consuming, requiring close monitoring of chlorine dosing along with sampling and testing for Bromate and Chlorate. The treatment plant decommissioning is progressing, with the expected switch over from treatment to tanker supply scheduled for mid to end of March due to material deliveries.

#### Te Kauwhata Water Association Incident:

On Sunday 7<sup>th</sup> February, (Waitangi Weekend), the Te Kauwhata Water Association (TKWA) raw water reservoir dropped to a low level. This reservoir provides the raw water supply to the Te Kauwhata water treatment plant. TKWA carried out maintenance (without notifying Watercare or WDC), scouring the Plantation Road raw water line. This caused a problem with sediment blocking irrigation nozzles at a Kiwi fruit farm, cutting off the supply of raw water to the water treatment plant. The treatment plant shut down, and the treated water reservoir reached low levels. The treated water supply was maintained to the Te Kauwhata community, Meremere, and Western B reservoirs at all times.

Mark Doughty and Gil Miers were on-site Sunday and Monday, assisting the TKWA contractor with decision-making using SCADA during the night and early hours of Monday morning.

TKWA issued Watercare an instruction to double the CL2 dose rate to the TKWA irrigation main. This was implemented on Monday the 8<sup>th</sup> of February. The TKWA are reviewing the way they manage the raw water network and the impact that it has on the supply of raw water to the TeKauwhata Water Treatment Plant, and the potential impact on the local community.

A meeting with TKWA is being arranged in March to discuss this and the future of the consent and operations.

#### Staff and Training:

A new operator Rhiannan Rollitt has commenced work with Watercare Waikato on the 15<sup>th</sup> of February. Rhiannan comes to us with a strong background in wastewater treatment and is adapting very quickly to our worksites and processes.

Quinn Coyle has commenced Dangerous Goods licence (endorsed) training.

Production and Networks staff have been booked in to "Workplace First Aid" training in March.

## General Workflow

- Meremere WWTP upgrade project continues and is making good progress. The pond is recovering from the impact of excavation and is showing improved dissolved oxygen and stock of algae.
- All wastewater treatment plants are being monitored for signs of botulism affecting wildlife. The number of live ducks and swans on the ponds is increasing. Water temperatures remain high, along with the number of birds affected or dying of botulism. A bird scaring device has been set up at the Ngaruawahia WWTP has been stolen.
- Huntly WWTP oxidation pond desludging has commenced with contractor ConHur establishing plant and equipment on site. Birdlife has shifted off # 1 Pond due to contractor activity and has relocated on # 2 Pond. A bird scaring device has been set up on # 2 Pond to reduce the numbers and risk of botulism infection as the pond temperatures have increased.
- Ngaruawahia WWTP, we are observing large volumes of “Daphnia” accumulating in the oxidation ponds, which continues impacting on the Actiflo effluent turbidity, which at times shuts the plant down on high turbidity at the UV plant.
- Huntly WTP, Ngaruawahia WTP, and Te Kauwhata WTP river intake screens cleaning by the dive team booked for early February has been delayed. This work will be done in conjunction with the six-monthly wastewater diffuser surveys in the first week of March.

## 3.2 Networks

Steady progress continues on the NCU Design Project. McKay has completed 81 red-line markups, 67 functional descriptions, 42 concord site equipment lists, and 99 I/O lists. The networks team has completed 85% of the P&IDs for CAD drawings, with the minor treatment plants the remainder to complete this part of the project. Neo is also liaising with A.D. Riley to get costing for additional sites to be included in the scope.

Reservoir rehabilitation work at Bow St Reservoir in Raglan was completed in Feb. The grouting on the concrete lid and access manholes had deteriorated, increasing the reservoir's risk of infiltration. On completion of the work, the reservoir was sealed. Kimihia Road Reservoir in Huntly is the next to be addressed, with works scheduled to occur in the first week of March.





The Complex Meter project commenced in Raglan on 22<sup>nd</sup> Feb, with 3 of 30 meters completed in the first week. The works are being undertaken by Pipescape and will address meters in Raglan initially, followed by Ngaruawahia and Huntly. The customer approval forms for Huntly and Ngaruawahia (approx. 200) will be sent to customers in March.

Pump station renewal work continues to progress. Marine Parade PS had the bolts in the gibaults on both risers replaced, ensuring that the pumps are seated securely, which optimises the pumping capacity.



*Marine Parade PS Gibault repair works*

Hopuhopu Reserve also had valve replacements completed as the existing valves were past their recommended life span, as identified by the Jacobs Condition Assessment report. The remedial works on pumping stations district-wide continue into March.

Thermal imaging drone flights to identify leaks in the network commenced on 25<sup>th</sup> Feb. Unfortunately, this project had been pushed back due to rainfall prior to the initially planned start date (the thermal imaging requires a minimum of 4 days of dry conditions to provide accurate imaging of leaks). The flights took place over two consecutive nights in Raglan, covering approximately 80% of the urban network. Te Kauwhata and Huntly networks are the next planned flights, and these are planned for mid-late March (weather depending).

### 3.3 Planning and Project Delivery

#### Planning completed include:

There are several work packages for the Watercare Professional Engineering services panel in the process. These include:

- Ngaruawahia WW Pump Stations and Rising main upgrade concept is complete and detailed design will commence this month.
- Ngaruawahia WW Rising main Bridge crossing design is underway, the structural bridge assessment underway.
- Raglan WW model recalibration and system performance is underway, currently in data capture phase with key pump station being field tested.
- A SW modelling study to understand flooding issues downstream of the Travers Rd culvert in Te Kauwhata is underway.
- Raglan WS model updates and Master Plan is underway with the field monitors to be installed in March.
- Stantec undertaking District-Wide Water Supply Demand Management Plan, with Workshop with stakeholders programmed for early march.
- Whangarata gravity sewer concept design package awarded to Beca, route walkover was undertaken in February. This project enables increased dairy flows and growth from Pokeno as well as servicing Whangarata Business Park.
- A study for permanent rain gauges in WDC's townships underway.

#### Development / Growth

- Design of pipeline for River Road North Development is completed, with a supplementary Geotech study underway to confirm groundwater issues. Development agreement is still being progressed by WDC.
- Synlait future flows continue to be uncertain; this impacts on timing of Pokeno WW upgrades. Synlait's contractors have commenced replacement of a portion of rising main under the NIMT railway which they damaged. This damage included damage to our fibre optic cable; the repair will allow us to implement improved monitoring and control of Synlait and Yashili trade waste discharges.
- Ongoing interaction with Northgate Developers.

#### Project Delivery

- The Meremere MBR reclamation works are complete, civil chamber and drainage works are underway.
- Desludging works have commenced at Huntly WWTP, a workshop to be arranged with WDC to explore improved disposal options.
- Design of Tuakau Interceptor Pump Station Upgrade underway, this is another project enables increased dairy flows and growth from Pokeno as well as servicing flows from Whangarata Business Park.
- Renewals Contract with HEB to commence.
- Whangamarino WTP 4.5MLD Upgrade is in Tender
- Te Kauwhata Reservoir Upgrade is in the pricing stage of Tender
- The POAL WWPS – Geotech design to complete so the pricing of the works can continue.

- Ngaruawahia WTP backwash upgrade – Detailed Design phase
- Ngaruawahia UV installation – Installation to commence March 2021
- Te Kauwhata WWTP Ultimate Upgrade - Detailed geotechnical design underway, along with the enabling works consenting and concept design.
- Te Kauwhata WWTP interim Upgrade – UV reactors ordered and will be delivered in 6 weeks’ time. Design of the UV works commenced. The construction of the UV will coincide with the delivery of the units. The MABR trial for Te Kauwhata upgrades will commence at Mangere WWTP in April. A paper has been submitted to the WGB in February.
- Hartis, Hopuhopu, Stirling, and Rosser WWPS upgrade (Asset remediation) – Works fully completed
- Filter Media Replacement Project – works have commenced at Huntly Filter 2 and 3
- Newell Road Booster PS upgrade (Asset Remediation) – works fully completed
- Network NCU Scada project – Detailed design phase. FD’s fully complete, P&ID’s 85% complete. WWPS standard drawings are currently being updated.
- SCADA Server Relocation project – The design phase has commenced with the following tasks being undertaken: Network design including connectivity, security, remote access, Infrastructure design for the virtual servers and hosts, including operating systems and VM specifications, SCADA Application design which will be used to configure the SCADA Application and confirmation of the SCADA version
- Infor AM Transition project – Data cleansing is continuing, Scope refinement is continuing, Liaison with WDC staff is continuing.

### 3.4 Stormwater Update

- Investigation/maintenance completed at the Aroaro wetland, Raglan. These works highlighted issues with the grades and hydraulics in the area. Resolving this is likely to be complex. Further works and options analysis will be added to the Stormwater CAPEX.
- WSL is actively involved in the pre-application for new development in Ngaruawahia North. Catchment-wide solution investigation underway. Undertook a site visit around Ngaruawahia, inspecting drains and culverts, including the outlet to the Waikato River. CKL is completing two models and assisting with optioneering and proof of concept.
- Cambrae Road flood mitigation design completed by Stantec. The specification required is yet to be completed, but discussions with Contractor have commenced.
- Current Raglan abatement notice work still ongoing. The main outstanding items are:
  - Cambrae Road flood mitigation (Design completed, construction contract/procurement next step)
  - Updating the monitoring/sampling program (90% complete) – Looking at a data share agreement with WRC for their harbour water quality testing.
- Further discussions with Parks and Roding Alliance regarding responsibilities and trying to work together where possible. Meeting early March scheduled. Draft responsibilities spreadsheet circulated in preparation for the next grey areas workshop.
- Received feedback from the annual report. One compliance notice for Raglan received so far. No new abatement notices. WRC mentioned they were happy with the progress towards the existing abatement notice.
- Engineering forum with WDC commenced, which included discussions on Stormwater. WRC Stormwater and Development guidelines were discussed.

- Watercare organised SW360 who undertook stormwater treatment asset maintenance training. Waikato DC, HCC, Roding Alliance, Waipa DC, WRC, and various local consultants were all in attendance. Information was well received. SW360 undertakes certification training for servicing devices which is not mandatory but could be considered in the future.

### 3.5 Abatement Notice Resolution

#### Meremere WWTP

A new consent has been granted in December 2020 that resolves the abatement notice with interim conditions to allow for the suspended solids and new lower compliance limits, which will be enacted once the new MBR plant is commissioned.

The contract for the installation of the MBR is underway. The reclamation works are complete, civil chamber and drainage work have started. Long-lead items are procured, and the off-site fabrication of the MBR tanks nearly complete.

The new plant is expected to be operational by August 2021.



*Meremere WWTP – New Inlet PS and biological process tanks*



*Meremere WWTP – New MBR tanks*

## Te Kauwhata WWTP

WRC abatement notice on this plant requires Total Kjeldahl Nitrogen (TKN), Total Nitrogen (TN), Total Phosphorus (TP) loads, and E.coli exceedances to be addressed. There is also a requirement to develop the short-term capacity for an increase in loads from residential development from Lakeside and Te Kauwhata structure plan areas prior to the HIF-funded new WWTP. Numerous interim activities have been undertaken to try and address the non-compliances on a short-term basis. These include:

- Major maintenance of the aqua discs and airlines
- Compressor maintenance
- Rock filter replacement

The mid-Waikato Strategy has been completed and a preferred solution identified for Water and Wastewater. The consultation will be undertaken with stakeholders in July 2020 in parallel with design solutions for the upgraded plant progressing on the site. It is expected the new membrane plant will be operational by December 2022.

The geotechnical design is underway and is due to complete in February 2020. This will scope the ground remediation needed to support the WWTP upgrade. The application for the consent for the enabling works is currently being prepared so that the enabling works can proceed as planned.

Waikato District Council, after discussion with the Water Governance Board, will form a Te Kauwhata consultative Governance Group led by WDC and the WGB to oversee the consenting project at a high level

A consenting strategy is being prepared and it is anticipated a new discharge consent application will be submitted to WRC in late 2021.

## Raglan stormwater

The Raglan stormwater Discharge Consent has an Abatement Notice for 2018/2019 compliance period highlighting non-compliances. The main issues are:

- Flooding at Cambrae Road
- Water Quality results and mitigation (hydrocarbons and heavy metals)
- High-risk site identification and education
- Reporting (changes to SW network)
- Review of the Stormwater Management Plan
- Review and update the monitoring program

Watercare has completed a detailed review of the non-compliant consent conditions. Following this review, the following actions have been undertaken:

- Flood mitigation: Detailed design 90% complete – discussions with contract have commenced (Open)
- The sampling programme has been reviewed, and changes are being made for the proposed sampling regime for 2020/2021 including data sharing with WRC (Open)
- The annual report has been issued and provides a closeout of the reporting issues in the Abatement notice (Closed)



- High-risk sites have been identified, and discussions with landowners/managers have been undertaken. Two sites require further follow-up - 2020/2021 (Ongoing).

### 3.6 Compliance

- All February compliance reports for Drinking Water were submitted to Wai-comply, and Wastewater reports are due to be submitted to Waikato Regional Council during the second week of March 2021.
- All Quarter 4 (October-December) drinking water sampling results were uploaded to the Drinking Water Online (DWO) for compliance and Q4 surveys for the plants and zones completed for audit in DWO. All zones are compliant, and the quarterly meeting with the Drinking Water Assessor (DWA) is scheduled for 10<sup>th</sup> March 2021.
- Te Akau Chlorate and Bromate monitoring (weekly sampling) continues at the plant and network. Chlorate and Bromate results are now below the Acceptable Maximum Value (MAV) specified in DWSNZ. Event Investigation Reports for both incidents were submitted to the DWA. Good Practice guidelines were followed by the Ops team. Any future occurrence will be notified to the DWA.
- Trihalomethane (THM) ratio MAV exceedance noted at Port-Waikato for a sample collected in February. WSL investigating the event and 3-day resampling organised with the lab with notification sent to DWA. Initial investigation into the event showed no exceedances in the past, and the incident was noted to be a one-off. Further investigation into the event will be carried out by the WSL Ops team. WSL maintains communication and takes remedial actions in consultation with the DWA for all DWS incidents.

### 3.7 Customer

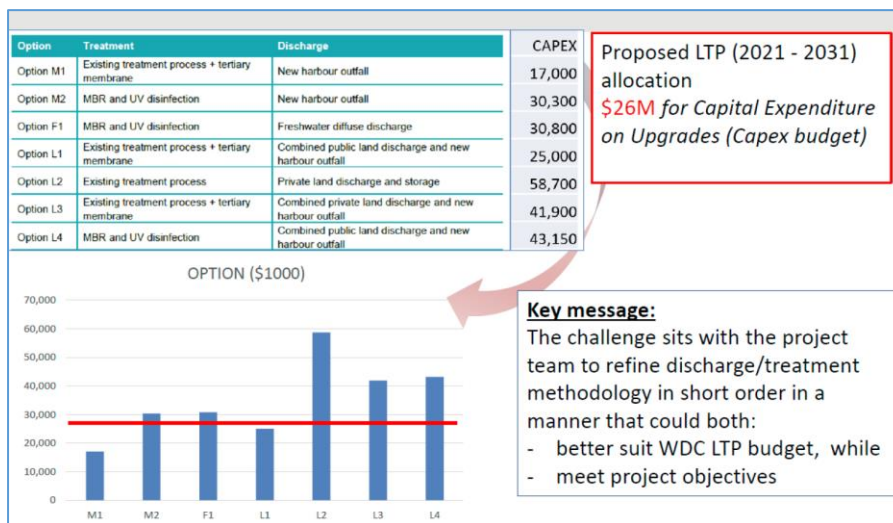
- The complex meter separation work began in Feb, the fieldwork is being done with customer approval, and the sites will be reinstated on completion of work to minimize disruption.
- A review of customer feedback has highlighted the main concerns about water are,
  - Water discolouration in Huntly will be investigated.
  - Trickle feed supply complaints about limited pressure
- The survey results show high levels of satisfaction with water and wastewater services but a clear lack of awareness for Stormwater.

### 3.8 Strategic Resource Consents

#### Raglan WWTP resource consent application

- A Raglan wastewater consent community hui was held on 24 February 2021, where option affordability was presented (refer to image below). The image presents the theoretical costing of options versus draft LTP budgeting. A key point covered at the hui was that Councillors and WDC staff presently face the difficult task of balancing multiple large wastewater treatment upgrades within the district, with fixed methods to cover such costs (i.e. loans/rates/development contributions). It was stressed that the Consenting Project Team needs to really explore innovative treatment and discharge solutions that may lessen expense to avoid discounting options strictly on costs.

- The next phase of application preparation was covered, which is ‘multi-criteria analysis’ (MCA). This is an essential step in working toward a July 2021 lodgement date for the discharge consent application. The project team will seek to understand and record preliminary option preferences of key groups by working through MCA workshops. A slide with potential MCA queries was prepared (refer to the image below).
- Through February, there has been an increased opportunity for discharge investigation at the airstrip. This area's soil is sandy in contrast to clay, which *could* allow for high-rate-passage of treated wastewater in a manner that avoids adverse environmental effects and meets cultural bottom lines. The Consenting Project Team will continue to investigate the suitability of the site for discharge purposes, which will need close communication with hapū and the WDC Property Team throughout such work. An update will be available for the April WGB meeting. The image below provides a summary of airstrip factors.



Option range presented against draft Council LTP allocation

## POTENTIAL MCA QUERIES

### Why undertake an MCA?

*It is an application preparation tool to balance all considerations in a manner that mirrors RMA expectations. (legal requirement to assess effects against each other)*

*It is seen as best practice, where the process offers differing perspectives on options from differing sectors (what does Council think, what does project team and others think), allowing for a summary of positions to be feed into final Best Practical Option (BPO) decision making (Water Governance Board/ELT/Council)*

### Why is costing not scored in the analysis?

*Introduction of costs can influence environmental effect consideration. \$\$ is a separate lens to be applied to option determination. is at a different layer of consideration*

### Why is the MCA step necessary? Outcomes seem so straight forward?

*An applicant to demonstrate a process has been used to arrive at a decision, that is reviewable by others. Process allows for greater co-decision making in considering the weighting of criteria, prior to BPO determination*

MCA explanation

## AIR STRIP CONSIDERATION AS PART OF THE PROJECT

*Balance of multiple factors is needed*

Still at knowledge building stage, appreciating hapū overview during any additional testing

Seeking Pauanui / Omaha engineering input



### Advice and support from the WDC Property Team

- Ability to potentially utilise public space in a manner that co-exists with its original purpose
- Legal mechanisms
- Understanding air strip history hefty steps needed for resolution that suits relevant parties)

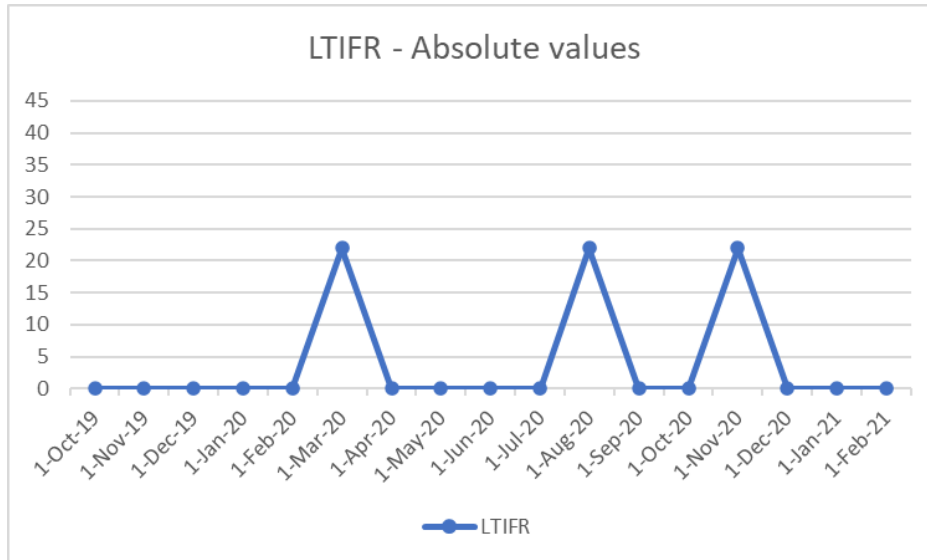
### *Summary of Airstrip Investigation Factors*

#### **Matangi WWTP**

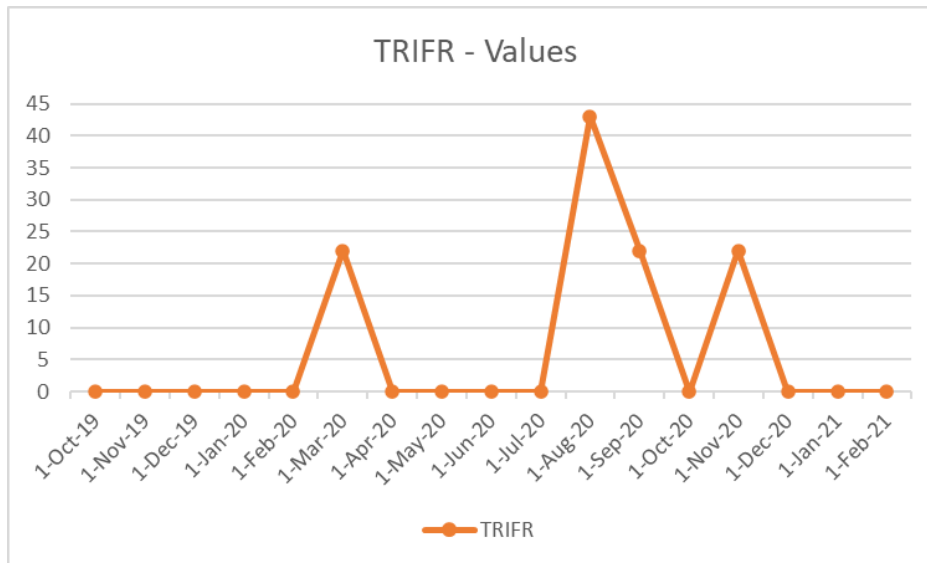
- Geotechnical and process assessment has just now been received from technical consultants. Their advice includes pathways to advance investigations, where it is clear that betterment through plant or discharge field upgrade will be required as part of any consenting. Watercare Operation and Planning Staff will workshop options through mid-March, where this will evaluate technical reporting received, and determine a practical path toward Waikato Regional Council (WRC) discharge application preparation.
- Engagement with hapū and Tainui Tribe has been initiated as key partners. The WRC Planning Manager has been advised of progress, given that an application for resource consent will be made in 2021.
- There will be ability now prepare a business case for WGB consideration, where this report will be available for the April WGB meeting.

## Appendix 1 – Health and Safety Statistical Reporting

**Figure 1: LTIFR Values**



**Figure 2: TRIFR Values**



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### **Open Meeting**

<b>To</b>	Waters Governance Board
<b>From</b>	Ian Cathcart Special Infrastructure Projects Manager
<b>Date</b>	30 March 2021
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	WGB2021; ECM ID: 3042761
<b>Report Title</b>	Small Water Treatment Plants

## **1. EXECUTIVE SUMMARY**

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The Small Water Treatment Plants report prepared by Mathew Telfer is attached for the Board's information.

## **2. RECOMMENDATION**

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**THAT the report from the Special infrastructure Projects Manager be received.**

## **3. ATTACHMENTS**

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- Small Water Treatment Plants

# Watercare Waikato

## Small Water Treatment Plants (WTP)

**Date:** 11/03/2021  
**Version:** 0.1  
**Status:** Final

**Prepared by:** Mathew Telfer

## Document Purpose:

To provide a summary to the Water Governance Board of the risk management supporting the contract

### Raised by

Name	Functional area	Facility/ Location	asset/ Driver	Priority	Business owner rep supporting need
Mathew Telfer	Watercare Waikato	Various	Operational	H	WDC

### Distributed to:

Water Governance Board, Ian Cathcart, Carole Nutt

## 1 Introduction

The Waikato district currently operates three small treatment plants at Te Akau, Onewhero, and Port Waikato. Each plant has different challenges in either source or treatment to achieve water quality standards.

## 2 Current constraints.

The decision was made to change the water source for the Te Akau plant from treatment to tanker supply due to difficulty consistently achieving water quality standard. Onewhero and Port Waikato plants are currently compliant, and no immediate action is required, but under the new water quality standards these plants will not comply.

An options assessment is currently underway for the three plants to identify the actions and costs required to ensure they can achieve the new water quality standards, and the report is due in May.

Watercare Services Limited (WSL) has engaged Lutra to perform audits of the WDC Onewhero, Te Akau, and Port Waikato Water Treatment Plant (WTP). The Audits will assess the plant's performance to determine if they are compliant with the Taumata Arowai draft exposure document of the Drinking-Water Standards of New Zealand (DWSNZ) (Taumata Arowai, 2021) and to propose what upgrades are required to achieve full compliance.

The scope of the work for the WDC small plants reports was as follows:

- Site Visit
- Data review and Analysis
- Gap Analysis between existing plant performance to current DWS with proposed DWS from July.
- Development of concept level options to enable plant compliance from July
- Development of concept level cost estimate
- Provide a recommended option

Each plant has different challenges meaning that there may be a range of options identified to ensure WDC and Watercare continue to provide service to the communities at the drinking water standard.

## 3 Summary

The Te Akau plant will change of supply from treatment to tanker supply from 16 April. The Onewhero and Port Waikato plants will continue to supply treated water.

Once the assessments are completed and the report received in May, the decision to continue treatment at each plant can be reviewed. This will include an assessment of tanker supply operation at the Te Akau plant between April and May.



### **Open Meeting**

<b>To</b>	Waters Governance Board
<b>From</b>	Ian Cathcart Special Infrastructure Projects Manager
<b>Date</b>	30 March 2021
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	WGB2021; ECM ID: 3042908
<b>Report Title</b>	Water Services Bill Submission

## **1. EXECUTIVE SUMMARY**

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This report is to confirm the submission to the Water Services Bill.

## **2. RECOMMENDATION**

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**THAT the report from the Special Infrastructure Projects Manager be received and retrospective approval given for the submission.**

## **3. DISCUSSION**

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The paper covers the Water Services Bill submission and the letter attached. This was provided to Board members by email and submitted with their agreement.

## **4. CONCLUSION**

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The Submission be retrospectively approved for lodgement by the 2 March 2021 deadline.

## **5. ATTACHMENT**

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- Submission Letter

2 March 2021

## **SUBMISSION ON THE WATER SERVICES BILL**

Waikato District Council (the Council) welcomes the opportunity to provide comment on the Water Services Bill (the Bill).

The Council acknowledges the importance of stronger regulatory oversight but remains concerned about the cost of complying with these requirements and their affordability.

The Council supports the overall intent and direction of the Water Services Bill. This includes:

- The requirement for drinking water suppliers to act in accordance with regulations when water is unsafe, or water standards are not met.
- A requirement to register supplies and to have a multi-barrier Drinking Water Safety Plan in place.
- The use of a preventative risk management approach for source and treated water.
- Ensuring the open flow of information between Local Authorities, drinking water suppliers and Taumata Arowai.

The Council is generally in support of the Taituarā submission on the Bill as well as the submission of the Water New Zealand with its more technical focus.

The Council supports the requirement to give effect to Te Mana o Te Wai and a commitment by Taumata Arowai Māori Advisory Board to develop and maintain a framework that provides advice and guidance on interpretation. The Vision and Strategy (Te Ture Whaimana o te Awa o Waikato) is the direction setting document for the Waikato Region and encompasses Te Mana o te Wai (or Te Mauri o te Wai). The concept of Te Mana o Te Wai could be better reflected and integrated in the Bill so it provides more clarity on how it can be given effect.

The Council supports the overall intent of the Bill in introducing the regulations and powers required to enable Taumata Arowai (the Water Regulator) to ensure the provision of drinking water across New Zealand is safe. The submission below adds particular focus to general elements the Council wishes to be considered.

### **Duties of Drinking Water Suppliers**

The Council recommends introducing a mechanism to allow suppliers a viable exit plan from consumers in areas with retreating water supply systems or where the decommissioning of supplies is necessary due to delivery or water quality constraints.

The Council does not see a need for suppliers to notify Fire and Emergency NZ where sufficient quantity of drinking water is at risk. Local authorities have procedures in place to notify appropriate authorities of affected services and this responsibility should lie solely with them.

Duties relating to backflow and end-point treatment should also include provisions requiring maintenance to be carried out by a suitably qualified professional to avoid equipment failure.

### **Drinking Water Safety Plans**

Council supports the necessity of a Water Safety Plan and acknowledgement of differing scales and complexity of supplies.

The Council supports the power of Taumata Arowai to review water safety plans and monitor their compliance based on the scale, complexity, and the risks that relate to, the drinking water supplies. It is understood that this provides sufficient discretion to Taumata Arowai to review and monitor the supplies it deems appropriate, rather than creating an obligation to review and monitor all water safety plans. The Council supports the use and implementation of Drinking Water Safety Plans and only recommends changes for the purpose of clarification.

### **Consumer Complaints**

The Council supports the creation of a process for consumer complaints but has concerns with elements of the process described in the Bill. Clarity may also be required regarding how a water supplier determines that a complaint is dealt with in an efficient and effective manner.

The customer complaints framework provisions are well founded in principle yet it is unclear from the Bill what the purpose of review of complaints by Taumata Arowai would be.

### **Emergency Powers**

The powers to declare a drinking water emergency, while supported, need further consideration. The Council have concern about the provisions and how they link to the emergency provisions of other legislation. The specific emergency powers of Taumata Arowai as they relate to civil defence should be clarified.

The Council also suggests the inclusion of a provision for a 'do not drink' notice.

### **Authorisations**

The Council supports that water suppliers should employ competent water supplier staff and contractors. A new system that requires operators of water and wastewater to be authorised (to validate suitable training, experience, and competency) would contribute to the safety of the drinking water system across New Zealand.

Development of supporting regulations for the authorisation of operators needs to be progressed in partnership with the Industry as a priority to increase the level of competency and lessen risk to public and environmental safety.

### **Enforceable Undertakings**

The Council support this approach in principle as there is flexibility in the way in which compliance can be achieved.

### **Monitoring and Reporting on Environmental Performance of Wastewater and Stormwater Networks**

The Council recommends better direction and integration of wastewater and stormwater services in the Bill. Further to earlier comments this is also an opportunity to give more focus on giving effect to Te Mana o te Wai.

The Bill requires Taumata Arowai to identify and promote national good practice for the design and management of wastewater and stormwater networks. Council believes this is essential to support progress being made on improving the quality of our discharges to the environment. More detail is recommended for clarity and the opportunity taken to engage with the industry to develop amendments to this subpart.

### **Miscellaneous**

Under proposed changes to the Local Government Act (Water and Sanitary Services Assessment, clause 125) Suppliers have the responsibility of notifying Taumata Arowai of unsafe drinking water practices of other suppliers. This appears to put the onus of monitoring other supplies on councils. While every effort should be made to ensure public safety, the Council considers this is the primary role of Taumata Arowai.

Similarly, in Part 5 regarding amendments to the Local Government Act 2002 there is a significant concern of the Council that ‘...Territorial authorities will retain the responsibility of supplying drinking water if existing suppliers face significant problems with supplying access to drinking water.’ While the Council understands some reasoning behind this there remains a potential situation of numerous instances and an unrealistic duty and cost being levied on the Territorial authority. This needs consideration given the large number of potential small suppliers that may face problems meeting new standards.

In closing, there are two fundamental items that the Council see as critical to the step change required in the water industry to deliver on the intent of the Bill: funding and competency.

Firstly, the Council is concerned that the costs of implementing the new drinking water regulations will be borne by water suppliers in the first instance. The affordability of three waters services is an emerging issue that the Council wishes to raise in terms of the wellbeing of our communities. The Council calls for funding assistance to follow the regulation pathway such that the desired swift and affordable benefits in public and environmental health are achieved.

Secondly, the Council remains concerned about the resourcing required within the industry. The draw on those resources required to fulfil roles within Taumata Arowai at the same time as a step change in the industry does pose a risk of delivery for all involved. Assistance from Central Government is required to increase capacity, competency and capability in the water industry.

The Council also supports the requirement for operators to be authorised and the intent to develop regulations. We recommend an authorisation framework with criteria and mechanisms for approval that validates suitable training, experience and competency be developed to contribute to the safety of the drinking water system across New Zealand. This will also contribute to establish a rich career path for those that wish to join the industry.

Finally, different models will be required for delivery of water services in the reform process. The Bill does not provide enough clarity on these models as they relate to owners, operators and suppliers. There is an opportunity to consider and lead on the way in which an entity complies with its duties.

The Council thanks the Committee for the opportunity to provide comments on the Bill and wishes to be heard in support of its submission.

### Open Meeting

<b>To</b>	Waters Governance Board
<b>From</b>	Ian Cathcart Special Infrastructure Projects Manager
<b>Date</b>	10 March 2021
<b>Prepared by</b>	Carole Nutt Waters Contract Relationship Manager
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	WGB2021
<b>Report Title</b>	Watercare Systems Transition Update

## I. EXECUTIVE SUMMARY

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Within the transition to the operational phase of the Agreement for Operations and Maintenance of Water, Wastewater and Stormwater Services, the following system improvements are programmed to occur and be operational by 1 July 2021:

- Transfer of asset information from Council's historical asset management system (AMS) to Watercare's AMS to enable more integrated maintenance management. Council's AMS will then be retired.
- Transfer of three waters assets geographic system information (GIS) to Watercare's GIS platform. Waters geographic information (including asset updates from Watercare) will continue to be part of Councils wider GIS available to both council staff and the public.
- Customer service request two-way interface - setup of service request functionality at Watercare to automatically receive information from Council, ability for Watercare to update request status more easily and automated timely interface back to Council.

Project teams have been established at both Council and Watercare and are interacting frequently to advance the transition. A scoping confirmation meeting was held on 08 March with stakeholder representation across the organisation in attendance. A high level summary of the scope agreed at this meeting is included in Appendix 1.

The Project Status Report as at 05 March from Council's project management system is attached in Appendix 2.

## **2. RECOMMENDATION**

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**THAT the report from the Special Infrastructure Projects Manager be received.**

## **3. APPENDICES**

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- Appendix 1 – Scope Summary for Phase II
- Appendix 2 – Project Status Report

## Scope Summary for Phase II

**Updated as part of Scope Meeting 08/03/2021. Read in conjunction with the detailed minutes and actions of this meeting for context.**

Capability Area	Scope Indicator	Comment
<b>GIS</b>		
WDC Assets in WSL GIS	In ✓	Visibility of WDC assets in WSL GIS tools
Use of WSL GIS or data flow to WDC GIS	In ✓	To be confirmed by meeting with WDC GIS team. Current expectation is we replicate the data flow from WSL to AKL Council
Work order visibility in GIS	Out ✓	Visibility of work orders in WDC GIS and/or/either WSL GIS
Water off and water on scenarios in GIS	Out ✓	Water off and water on scenarios in GIS not in scope
<b>Asset/ Work</b>		
Management of Maintenance Plans	In ✓	The migration of maintenance plans from WDC to EAM and the execution of those maintenance plans is in scope.
Creation/Disposal of Assets	Check In ✓	Information about new assets will be sent to Watercare and entered in to IPS via the GeoAdmin tool.
Asset Maintenance Annual Plan (AMAP) changes to asset state.	Check In ✓	Needs to be investigated as to where this needs to be kept
Asset flow to Citycare	In ✓	This will be added to the existing WSL Asset feed to Citycare
Network Modelling	Out ✓	The project scope does not include WSL contribution to network modelling
Meter replacements	In ✓	Meter replacements by WSL WDC are all done by a single field technician (the meter population is <5 yrs old so there are not large numbers of replacements at present). WSL WDC replacements will be manually triggered. Citycare replacements will flow back through the Contractor Interface as they do now.

New meters	Check In ✓	Associating new meters to addresses Review inventory management for meters
<b>Finance</b>		
Asset Financials	Check (Out) In ✓	WDC will access all required information from WSL systems to enable financial transactions relating to assets to be completed.
Financial Planning	Out ✓	Use of d/EPM for AMP and financial planning is out of scope. However Development of Architecture for Phase III is required
<b>Projects</b>		
Project Management	Out ✓	Management of projects is out of scope.
Project Opex Budgets	In ✓	All WDC projects will be run as Opex Projects. Key dependency for WDC initiative.
Project Opex Forecasting	Check In ✓	All WDC projects will be run as Opex Projects. Key dependency for WDC initiative.
<b>Migration</b>		
Data Pipelines	In ✓	Migration of Assets
Data migrations (other)	Check None identified ✓	Other data migrations not identified
<b>Supporting Capabilities</b>		
Data Lake	In ✓	Additional data to feed into the Waterlake will be defined during the project.
Birst Reporting	In ✓	WDC support for reporting across these capabilities  As specified in the contract and any additionally agreed scope
Maintenance Cost to WDC	In ✓	This will be done manually on a monthly basis as it is now.
Asset Condition information	In ✓	Define how this will work
Identity and Authorisation Management	Out ✓	Federated identity outside of Watercare will not be supported.



Document Management	Check (In) In ✓	WDC will provide definitions for documents and how they need to be managed including archiving and disposal.
<b>Health and Safety</b>		
H&S data flow to regulatory authorities	Out ✓	No requirement on WSL to supply data on incidents.
<b>Customer</b>		
Customer and Billing	Out ✓	Development of Architecture for Phase III is required
Customer Portal	Out ✓	Development of Architecture for Phase III is required It is intended that Customers would use the WSL Customer portal after Phase III
Customer Fault Management - Raising service requests	Out ✓	The customer component of faults management is out of scope. WDC will raise service requests in their own Technology One system.
Customer Fault Management - Updating service requests	In ✓	Status of faults as a result of work order progress will be integrated back into Technology One. Based on updates currently sent to IPS.
Customer Fault Management - Customer Communication	In ✓	Same process as WSL (field crews). WDC will continue to manage the communication with customers.
Fault Resolution Management - Managing faults raised by service requests	In ✓	Receiving service requests from WDC and managing the associated work orders is in scope.
Migration of existing faults	Check In ✓	Outstanding open Fault & Service calls at cutover will be loaded.
Developer Portal	Out ✓	New connections and the management of developer applications is out of scope. New connections will continue to be managed by WDC.
Campaign Management	Out ✓	Marketo campaign management (e.g. Voice of the Customer) is out of scope.

# Project Status Report

## PR-1660 - Watercare Operational Transition Phase 2

Report Date	09-Mar-2021	Overall Status	<b>On Track</b>
Project Sponsor	Geoff King	Project Manager	Ann-Maree Byrne
Business Owner	Ian Cathcart	Project Phase	PROPOSAL
Project Objectives	To transition the operational aspects of the contracting of water services to Watercare Services.		

### Project Status Summary

Overall Project Status Summary	
05/03	A key aspect, the scoping of what is included in this project is scheduled for 8th March 2021 with Council and Watercare Services. This will enable in depth work on the details to begin.

Include details of a Plan/Action to go to **Green**, if any area is **RED** or **AMBER**

Schedule	<b>Green</b>	05/03 Detailed planning and dates will be finalized in March, following confirmation of the scoping decisions.
Scope/Quality	<b>Green</b>	05/03 The key areas of scope are understood. These include Assets, Faults & Service, Financial Reporting and GIS requirements.
Budget	<b>Green</b>	05/03 The budget is managed via the initial project.
Resources	<b>Green</b>	05/03 Watercare Services have a number of teams dedicated to the major work streams. Council are providing resource as required to assist with information gathering and understanding.
Risks	<b>Green</b>	05/03 No indication of risks that will impact on delivering the project by the deadline of 1st July 2021 have been identified at this point.
Issues	<b>Green</b>	05/03 No issues registered at this point
Engagement	<b>Amber</b>	05/03 Minor issues in being able to schedule meetings and workshops across the two organizations. Watercare Services have resources dedicated to this project; Council are utilizing resources that have BAU commitments.

**Key:** **GREEN** = On Track, **AMBER** = Issues but being managed, **RED** = Requires urgent attention/escalation.

**Rules for overall Status:** One **RED** in any area then Overall = **RED**, Three or more **AMBERs** then Overall = **AMBER**

### Project Status Summary

Key Milestones	Finish Dates			On Track
	Baseline	Forecast	Completed	

Key achievements/ activities this period	05/03 * Defining the key deliverables and identifying if in scope or not (document produced by WSL) * Scheduling of scoping signoff workshop across both organizations * Scheduling of a meeting with Technology One, Council and Watercare Services to define the technical aspects and options for data transfer * Technology One upgrade to enable data transfer on track for completion as an enabler of this project
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Planned for this period but not achieved	05/03 * Confirmation of the method of data transfer between the enterprise software at Council and Watercare Services
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Planned for next period	05/03 * Signing off of the scope document * Commitment of resources within Council to support Watercare Service teams on delivery the in scope work * Technical data transfer methodology agreed
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### Key Active Risks

Risk #	Init Date	Description	Rating		Owner
			Initial / Revised		
R-25		Technology One Upgrade to 2020B	Moderate		Geoff King
R-26		Scope Agreement	Moderate		Ian Cathcart

### Unresolved Issues

Issue #	Log Date	Description	Status	Owner
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### Budget

Preliminary Budget	Approved Budget	Forecast at Completion	Actuals YTD	Variance (Forecast v Approved)	Variance %
		0			0

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## Open Meeting

<b>To</b>	Water Governance Board
<b>From</b>	Gavin Ion Chief Executive
<b>Date</b>	30 March 2021
<b>Prepared by</b>	Nicolas Pirsoul
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1301 / WGB2021
<b>Report Title</b>	Water charges and fair access to water in the Waikato District

## I. EXECUTIVE SUMMARY

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This report provides background information and an overview of policies aimed at offering financial relief for families struggling to pay their utility bills because of financial hardship. The focus of the paper is on water bills, however, other types of utilities are also discussed to provide additional information that may be relevant in finding solutions to water affordability in the district.

Five approaches are discussed as options. These are:

- WINZ-based solutions
- Provider-based solutions
- Rates-based solutions
- Education and efficiency-based solutions
- Long term solutions

## 2. RECOMMENDATION

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**THAT the report from the Chief Executive be received**

## 3. BACKGROUND

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Access to clean, potable water is a human right, declared both by international agreements and, in 2012, by the New Zealand's Human Rights Commission. It is also a key preoccupation of the governing Labour party which stated in its 2017 manifesto that "access to safe drinking water is a basic human right and a critical measure of a first-world country's infrastructure".

Labour reiterated this emphasis on access to clean drinking water in 2020 even if questions of affordability are not discussed in their *Essential Freshwater work programme*.

Despite this emphasis on clean drinking water as a human right, access to that resource remains a problem for parts of our country's population. On average, workers earning the minimum wage "would need to work for 58 hours to pay their annual water and wastewater bill" and "in some areas this figure could be as high as 115 hours (nearly three weeks' labour)".<sup>1</sup> According to the World Bank's guidelines, water should not cost more than 3-5% of disposable income or household expenditure.<sup>2</sup> Because of demographic, climatic and infrastructure challenges, however, water bills are set to rise sharply in some parts of the country in the coming years. This is particularly the case for Watercare customers in the Auckland region.<sup>3</sup> The partnership between the Waikato District Council and Watercare signed in 2019 and the introduction of a new water rate regime in the district raise questions of affordability for some of our communities.

Despite these pressing challenges, there is, however, currently no specific relief available for tenants who rent properties and are connected to water services provided by Watercare in the Waikato district (conversely, owners may qualify for a rates rebate scheme). This is problematic because some tenants may be part of the most vulnerable communities in the District and, therefore, affected the most by the impact of water by meter charging and volumetric wastewater charging.

## 4. DISCUSSION AND ANALYSIS OF OPTIONS

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### 4.1 DISCUSSION

#### 4.1.1 Water charges and fair access in other local authorities

##### a) Kapiti Coast District Council: Water rates remissions for large families with high water use

The Kapiti Coast District Council offers a water rates remission to provide support to vulnerable households. Residents can qualify if they get the tax credit and:

- pay water rates as a property owner or tenant and
- have two or more dependants (18 years or younger) living at your property and
- have total water charges from 1 July 2019 to 30 April 2020 of more than \$311.

Residents can apply once a year and the remission can be up to \$120 per household. The policy is funded from rates.<sup>4</sup> According to Vicky Silk, Rates Manager at the Kapiti Coast, the Council "actually had very low uptake for this remission policy, despite quite extensive

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<sup>1</sup> Water New Zealand, National Performance Review 2018-2019, p.40.

<sup>2</sup> Chan, Wai Wah. Rethinking water and energy affordability in Australia: an analysis of the efficiency, effectiveness and equity of current policy (Canberra: 2016), p. 124.

<sup>3</sup> <https://www.nzherald.co.nz/environment/auckland-household-watercare-water-bills-could-double-in-less-than-a-decade/RBESHGA6E3LNG7SFPBZI2HBBY4/>

<sup>4</sup> You can find out more information on the policy at: <https://www.kapiticoast.govt.nz/services/a-z-council-services-and-facilities/rates/water-rates/water-rates-remissions/>

advertising since it was first introduced in 2014 when Kapiti first started volumetric water rates charging”.<sup>5</sup>

## **b) Watercare**

Watercare has a Water Utility Consumer Assistance policy for dealing with customers facing financial hardship through a Water Utility Consumer Assistance Trust. The Trust is a charitable organisation which receives an annual budget from Watercare to provide financial support to their customers who are struggling to manage their water and/or wastewater costs. Its finances and proposed budget are assessed and approved by Watercare’s Executive team.

Noticeably, this Watercare financial assistance scheme expands wider than the usual government Rates Rebate scheme in that tenants (and not just landlords) can also benefit from it. The Watercare scheme is also generally limited to customers who have not received support in the 18 months prior to the date of their application whereas the government rates rebate scheme is available for rate payers to apply every year.

To be eligible, customers need to be experiencing financial hardship but also need to provide evidence of having a reasonable prospect of paying future Watercare bills. For example, customers need to be prepared to share personal financial details such as bank statements with the Trust to receive assistance.

This Watercare policy appears to be more one off in nature at times of hardship rather than an ongoing policy for low-income earners. The role of the Trust is also not limited to lending relief to customers who are experiencing financial hardship as it offers information and advice on ways to reduce water usage and other conservation measures and leverages Watercare’s association with Ecomatters.

## **4.1.2 Other sectors’ approaches in New Zealand**

### **a) Power, gas, water bills or heating**

Payment arrangements can be discussed with providers on a case-by-case basis. Financial hardship relief options for gas, electricity, water, and housing for families that face financial hardship are, however, mainly available through central government agency Work and Income New Zealand (WINZ).

Subject to assets and income limits, WINZ can pay up to \$200/year to help with an outstanding power, gas or water bill and can also help reconnecting electricity, gas or water supply.<sup>6</sup>

WINZ also offers housing costs help for both property owners and tenants.<sup>7</sup> The policies are divided between people who are on benefits and people who are not on benefits.

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<sup>5</sup> Personal communication with Vicky Silk

<sup>6</sup> <https://www.workandincome.govt.nz/eligibility/living-expenses/heating-and-power-bills.html#null>

<sup>7</sup> <https://www.workandincome.govt.nz/housing/live-in-home/housing-costs/index.html#null>

For people who are not on benefits, WINZ offers a *Recoverable Assistance Payment* and a *Rent Arrears Assistance*.

For people who are on benefits, WINZ offers the *Advance Payment of Benefit* and the same *Rent Arrears Assistance* as above.

An accommodation supplement, which is a weekly payment which helps people with their rent, board, or the cost of owning a home, is also available.<sup>8</sup>

## **b) Telecommunications**

WINZ does not provide support for telecommunications needs but Spark has a Financial Hardship Policy. They offer:

- short-term payment extension
- hardship support.

There are several situations that may make Spark customers eligible for hardship support such as natural disasters, unforeseen significant events (such as a pandemic), illness or injury impacting the customer's ability to work, loss or significant reduction of income, and relationship breakups.

Customers need to apply for financial hardship support and Spark may explore with them options such as: an extended credit arrangement; finding a different mobile or broadband plan better suited to their needs and budget; service restrictions to avoid additional charges.<sup>9</sup>

### **4.1.3 Water relief policies in Australia**

In Australia, a combination of policies has been developed to tackle water and energy affordability issues. The main mechanisms are energy and water concessions provided by state and territory governments and these are part of the broader Community Service Obligations for Government Business Enterprises and corporatised or privatised public utilities.<sup>10</sup>

Australia faces freshwater scarcity challenges that make access to clean drinking water a particularly salient socio-economic and environmental issue. Generally, in Australia all water service providers must have a financial hardship policy<sup>11</sup> and states have played an important role in putting in place relief mechanisms for people facing financial hardship and struggle to pay their water bills.

In Perth, Western Australia, the population has doubled over the past 40 years while streamflow is now over three times lower than it was four decades ago. The city uses desalination technology (43%) to provide water to its population which is very costly. Its water services are provided by the Water Corporation which is owned by the Western Australian Government and is accountable to its sole shareholder, the Minister for Water.

<sup>8</sup> <https://www.workandincome.govt.nz/products/a-z-benefits/accommodation-supplement.html#null>

<sup>9</sup> <https://www.spark.co.nz/help/other/terms/policies/hardship-policy/>

<sup>10</sup> Chan, p. 19.

<sup>11</sup> <https://www.erawa.com.au/water/water-licensing/financial-hardship-policies>

The Water Corporation has a comprehensive and user-friendly website with much information on protecting water resources and saving water. They also developed a “Financial Hardship Policy for Water Services”.<sup>12</sup> The policy applies to both owners and tenants and offers interests-free payment plans as well as debt reductions. All hardship assistances are fully funded and paid for by the Water Corporation.<sup>13</sup> While the Water Corporation can reduce water flow to properties, it commits to providing enough water for health and hygiene.

Other states in Australia have very similar hardship policies in place but also strongly emphasise the importance of water conservation through rebate programmes. For example, in 2015, Victoria launched the “Living Victoria Water Rebate Program”: up to \$2,000 was made available for the purchase and implementation of a range of water efficient products and appliances. Households were eligible even if they were self-supplied and not connected to a reticulated water supply. Both tenants and landlords were eligible and the following items were covered (list is non-exhaustive): water conservation audit rebate (\$50); dual-flush toilet rebate (\$100); water efficiency showerhead rebate (\$10-20); rainwater tank rebate (\$500-1500); pool cover with roller/reel rebate (\$200); washing machine rebate (\$150).<sup>14</sup> Community sectors are sometimes involved in these initiatives.

The federal government also plays a key role in improving water accessibility by funding water efficiency and conservation programs and by providing additional subsidies or rebates as incentives for families to upgrade their appliances or water fixtures to more water efficient ones.<sup>15</sup>

#### **4.1.4 Maaori rights and access to clean drinking water**

Discussions over freshwater accessibility and prices should include a reflection on Maaori rights. While the question of the ownership of water in Aotearoa New Zealand remains largely unanswered, it is commonly accepted that water is a taonga of great importance to tangata whenua and that Maaori’s special relationship to water should be considered in the development of policies that are water related.<sup>16</sup>

While a differential water rating system for Maaori residents would likely prove controversial,<sup>17</sup> the development of relief policies should take into consideration the fact that socioeconomic indicators show that Maaori are more likely to be eligible for assistance regarding their water bills than other demographics. This means that consultation with key Maaori stakeholders is necessary to develop policies that are culturally and economically sound and appropriate for that key demographic.

## **4.2 OPTIONS**

Options for families struggling with their water bill payment should:

<sup>12</sup> <https://www.watercorporation.com.au/About-us/Our-commitments/Financial-hardship>

<sup>13</sup> Personal communication with Mark Harris, Lead Financial Support at the Water Corporation.

<sup>14</sup> <http://www.westernportwater.com.au/wp-content/uploads/WebFiles/customer/Rebates/Living%20Victoria%20Rebate%20Program%20Frequently%20Asked%20Questions.pdf>

<sup>15</sup> Chan, p. 71.

<sup>16</sup> See in particular WAI 2358

<sup>17</sup> <https://www.nzherald.co.nz/rotorua-daily-post/news/maori-want-exemption-on-marae-water-bill/XI244AZ26B2S52IRK2HG467FKU/>



- Target the right customers by focusing on approaches that focus on need. This means considering socio-economic indicators such as income but also water requirements. Finding the appropriate eligibility criteria is key in this process.
- Avoid potential negative consequences for all consumers such as an increase in prices for all.

#### **a) WINZ-based solutions**

WINZ already offers financial help to families that are struggling with their utility bills. Council could ensure that customers are aware of the different options available through Work and Income.

#### **b) Provider-based solutions**

Even if Watercare's Water Utility Consumer Assistance policy for dealing with customers facing financial hardship is of a one-off nature, it remains an important tool. The fact that the policy is fully funded by Watercare may, however, have an impact on pricing given that it is, indirectly, consumer funded.

Another provider-based solution could be the establishment of a progressive pricing system. This approach could be implemented to promote water conservation through making it more expensive to consume larger amounts of water. This approach may appear counter-intuitive at first since common practice is for prices to decrease with higher amounts. It may also conflict with a "need-based approach": it does not consider that some struggling households may have increased water needs for legitimate reasons.

#### **c) Rates-based solutions**

The rates-based approach adopted by the Kapiti Coast District Council has the advantage of being funded from a broader base than the Watercare policy. Council would need to analyse the potential impact such policy would have on rates. While Kapiti Coast has a low uptake for their remission policy, the Waikato District may have a higher demand which could increase overall rates and would, therefore, mitigate the benefits of the policy.

The Waikato District Council currently also has a rates postponement policy in place which is not specifically designed for 3 waters but is designed to help with financial hardship through giving ratepayers a rates holiday. Under this policy, rates payments can be postponed for an agreed time period or until the death of the ratepayer (in which case recovery of the amount will be made from the estate of the person when they die). A copy of the postponement policy is attached for information.

#### **d) Education and efficiency-based solutions**

Lack of information on water-saving skills and available financial helps can be a factor in financial hardship related to water rates payments.

Council already offers some information on water-saving tips on its website.<sup>18</sup> Increasing awareness of the topic could play a role in decreasing water-related hardship.

Informing the public on the potential benefits of collecting rainwater may also play an important socio-economic and environmental role and should be considered as part of a broader approach to water conservation. Australia offers a good example of state-subsidised water tanks rebate programmes.

Education and efficiency-based approaches alone, however, are unlikely to fully solve problems related to the payment of water rates and should be used in conjunction with other approaches.

### **e) Long term solutions**

New Zealand's commitment to the United Nations 17 Sustainable Development Goals, and its sixth goal in particular ("ensure availability and sustainable management of water and sanitation for all")<sup>19</sup> means that access to clean and affordable water is also a central government concern.

To ensure easy access to clean water for all, local authorities in New Zealand should work alongside central government to influence policy making. Policies about water quality standards and the privatisation of water assets, for example, have a direct impact on New Zealander's right to access affordable quality water.<sup>20</sup>

It should be noted that price-oriented policies should ideally only target vulnerable communities and not the entire New Zealand population. In fact, the OECD suggests that low-cost water may cause social inequality as it may provide insufficient capital for the maintenance and expansion of water infrastructures to remote (and usually vulnerable) communities.<sup>21</sup> Low-cost water can also be a disincentive to water conservation.

## **5. CONCLUSION**

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This working paper provided background information and an overview of policies which offer financial relief for families struggling to pay their water bills. Several approaches and solutions were offered to mitigate financial hardship related to water rates. These approaches and solutions are not mutually exclusive, and a conjunction of different approaches would probably yield the best results. Council approval would be required to implement additional measures over and above the rates rebate scheme and the rates postponement scheme.

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<sup>18</sup> <https://www.waikatodistrict.govt.nz/services-facilities/water/water-supply/water-meters/how-can-i-use-less-water> see also <https://www.smartwater.org.nz/>

<sup>19</sup> <https://sdgs.un.org/goals/goal6>

<sup>20</sup> <https://www.nzherald.co.nz/nz/water-should-be-a-service-not-a-commodity/CEBXFKHY77CDDKWVJFPUZQ6HMY/>

<sup>21</sup> Chan, p. 118.

## **6. ATTACHMENTS**

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Postponement Policy – Financial Hardship

## Postponement Policy - Financial Hardship

### OBJECTIVE

To give ratepayers whose financial circumstances affect their ability to pay their rates an option to postpone the whole or part of their rates for an agreed period of time.

### POSTPONEMENTS IN CASES OF FINANCIAL HARDSHIP

#### CONDITIONS AND CRITERIA

1. When considering whether financial hardship exists, all of the ratepayer's personal circumstances will be taken into consideration including the following factors: income from any source, including benefits (whether monetary or otherwise) received from any trust, the ratepayer's age, physical or mental disability, injury, illness and family circumstances.
2. If after due enquiry the council is satisfied that financial hardship exists (or would exist if the rates or a portion of the rates were not postponed), the council may postpone part or all of the rates.
3. An application will only be considered where the following criteria are met:
  - a. The application must be made on the prescribed form.
  - b. Only the person registered as the owner of the rating unit or their authorised agent may make an application for postponement
  - c. The applicant must be a natural person
  - d. The owner must have owned a residential property in the Waikato District for not less than five years,
  - e. The rating unit must be the owner's permanent place of residence.
  - f. The rating unit is used solely for residential purposes
  - g. The owner has not less than 25% equity in the property as determined by council.
  - h. The owner must not own any other rating units, investment properties or other realisable assets in the Waikato District or any other district.
4. The owner must make acceptable arrangements for payment of future rates, for example by setting up a system for regular payments.
5. The council will charge an annual postponement fee of 10% on the postponed rates for the period between the due date and the date they are paid. This fee will cover the council's administration and financial costs and may vary from year to year.
6. Any postponement will apply from the beginning of the rating year in which the application is made.
7. Where an application is granted, the rates will be postponed until the earlier of:
  - a. The death of the ratepayer(s); or
  - b. Until the ratepayer(s) ceases to be the owner of the rating unit; or
  - c. Until the ratepayer(s) ceases to use the property as his/her permanent place of residence; or
  - d. Until a date as determined by the council in the postponement agreement or
  - e. Until the property is no longer used solely for residential purposes;
  - f. The ratepayer no longer meets the qualifying criteria as set out in the prescribed declaration form which must be completed and returned to council every two years for review.

All rates that have been postponed will become payable when qualification of postponement ceases.

8. The postponed rates or any part thereof may be paid at any time. The applicant may elect to postpone the payment of a lesser sum than that which they would be entitled to have postponed pursuant to this policy.
9. Postponed rates will be registered as a charge on the certificate of title of the rating unit, under the Statutory Land Charges Registration Act 1928. All costs incurred by council associated with registering the statutory land charge will be borne by the applicant. No dealings with the land may be registered by the ratepayer while the charge is in place except with the consent of the Waikato District Council.

10. When an application to postpone rates has been approved, a formal postponement agreement will be entered into by both the applicant and Council that contains the following terms:
- a. The amount of rates postponed
  - b. The timeframe and conditions upon which the postponed rates will become payable.
  - c. Arrangements for the payment of future rates
  - d. Acknowledgement that the postponed rates will be registered as a first charge against the land
  - e. Requirement that the applicant seeks legal or other professional advice prior to signing the agreement
  - f. Signature of both parties.
11. When postponed rates have been paid by the ratepayer the Council will remove the land charge registered on the title of the rating unit.

Decisions under this policy are delegated to officers as set out in the council's Delegation Manual

## Remission Rating of Community, Sporting and Other Organisations Policy

### OBJECTIVES OF THE POLICY

- To facilitate the operation of charitable groups, non-profit sporting and other community facilities which meet the needs of Waikato district residents.
- To assist the organisation's survival.
- To make membership of the organisation more accessible to the general public, in particular young persons and disadvantaged groups.

### CONDITIONS AND CRITERIA

Organisations applying for a rates remission must meet the following criteria:

1. The organisation must **operate** on a non-commercial basis. Community facilities which are operated for private pecuniary profit of any **members** of the organisation do not qualify for any rates remission.
2. Any application for rates remission must be made to the council prior to the commencement of the rating year; rates remissions will not be applied during the rating year or retrospectively.
3. An application for rates remission must include the following information in support of the application:
  - a. Objectives of the organisation
  - b. Funding and financial information
  - c. Information on activities and programmes
  - d. Membership or client details.

Decisions under this policy are delegated to officers as set out in the council's Delegation Manual.

A full remission of the General Rate and Uniform Annual General Charge may be applied to land which is owned or used by community, sporting and other organisations for the purposes of providing community facilities accessible to the general public. Such organisations include all sports clubs (except horse and greyhound racing clubs), arts clubs, scouts and youth clubs, St John/Red Cross, community and church halls, whether they are charitable organisations or not, and the Hamilton Zoo.

A 100% remission of the General Rate and Uniform Annual general Charge may be applied to land owned or used by charitable institutions and groups which provide care of the aged and disadvantaged persons. These charitable institutions or groups are currently limited to the Tamahere Eventide Home, Assisi Home and Hospital and the Tamahere Hospital and Healing Centre. The remission applies only to the common land that provides the care and does not relate to the land owned privately within the boundaries of these institutions. 50 per cent remission of the General Rate and Uniform Annual General Charge will be granted to Tainui Awhiro and the Auckland/Waikato Fish and Game Council

Note: A mandatory remission of 50 per cent applies to land owned or used by Agricultural and Pastoral Societies incorporated under the Agricultural and Pastoral Societies Act 1908, art clubs and sports clubs (whether incorporated or not) but excluding horse and greyhound racing clubs.

### **Open Meeting**

<b>To</b>	Waters Governance Board
<b>From</b>	Ian Cathcart Special Infrastructure Projects Manager
<b>Date</b>	30 March 2021
<b>Prepared by</b>	Carole Nutt Waters Contract Relationship Manager
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	WGB2021; ECM ID: 3042937
<b>Report Title</b>	Water Supply and Stormwater Bylaws

## **I. EXECUTIVE SUMMARY**

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Waikato District Council (Council) has an existing Water Supply Bylaw that came into force on 1 October 2014 revoking the Waikato District Council Water Supply Bylaw 2009 and the Franklin District Council Water Supply Bylaw 2008.

The Act requires that a bylaw be reviewed within five years of it being made and allows for a two-year period following the expiry date to complete the review. This provides an opportunity for the Council to check in on how the bylaw is working, if the bylaw is still needed, and request feedback from the community on any changes proposed. This bylaw needs to be reviewed and adopted by 1 October 2021.

Staff have reviewed the existing bylaw, considered neighbouring Council's bylaws and collated feedback from various groups within Council, Watercare Services Limited (Watercare), Councillors through a workshop and a peer review with an external consultant is underway.

The purpose of this paper is to inform the Board of the suggested content and seek feedback on both the updated Water Supply Bylaw and a proposed new Stormwater Bylaw.

## **2. RECOMMENDATION**

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**THAT the report from the Special Infrastructure Projects Manager be received;**

**AND THAT the Waters Governance Board provides guidance to staff on the content of the draft Waters Supply Bylaw and the proposed Stormwater Bylaw.**

### 3. BACKGROUND

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The Local Government Act 2002 enables territorial authorities to adopt bylaws for the purposes of managing, regulating against, or protecting from damage, misuse, or loss, or for the preventing the use of land, structures, or infrastructure associated with water supply, wastewater and drainage.

The proposed amended Water Supply Bylaw manages and regulates the water supply and protects the infrastructure associated with it. The proposed new Stormwater Bylaw manages and regulates stormwater systems including protection of waterways and land related to stormwater drainage.

Council currently has two waters related bylaws, a Water Supply Bylaw and a Trade Waste and Wastewater Bylaw. Council does not currently have a Stormwater Bylaw.

### 4. WATER SUPPLY BYLAW

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The purposes of the existing Water Supply Bylaw are:

- (a) Protecting, promoting and maintaining public health and safety;
- (b) Promoting the efficient use of water and protect against waste or misuse of water from the water supply system;
- (c) Protecting the water supply and water supply system from pollution and contamination;
- (d) Managing and protecting from damage, misuse, or loss of land, structures and infrastructure associated with the water supply system; and
- (e) Preventing the unauthorised use of land, structures or infrastructure associated with the water supply system.

Staff across Council and Watercare have looked at the existing bylaw and have suggested changes. The key areas of changes proposed to the bylaw are summarised below;

1. On demand supplies (section 9.6.1):  
Council will have the right to fit a water meter at the customers cost where a premise is supplied with an on-demand supply and not metered. Currently, this can only be done when the water use is high, or the premises are used for commercial activity.
2. Leaks (section 9.6.7)  
The water relief section of the Bylaw has been removed and it is proposed to create a new water relief policy as a separate document clarifying the process along with some minor changes.
3. Fire protection connection metering (section 9.10.3):  
Where the supply to a premise is metered, only fire hose reels shall be connected to the metered supply and the water used for the purpose of extinguishing fires shall be supplied free of charge. The usage will be estimated by Council. Currently council allow water supply for the purpose of fire fighting in a manner that bypasses the meter.

4. Location (section 9.3.2):  
The point of supply location for any new connection shall be as shown in Schedule I. Any other locations of point of supply will require specific approval from Council.
5. Working around buried services (section 8.1.7):  
Council may charge a fee for the provision of information to build over or adjacent to buried services.
6. Unmanaged Risk (section 9.11.2):  
When customers are unable to take necessary measures to prevent back flow, the Council may undertake the works required and fit a back flow preventor device on the council side of the point of supply. The costs may be recovered from the customer.
7. Removal of duplicate information and rewording to create a clearer and user-friendly document.

The existing Water Supply Bylaw dates back to 2014 and does not take into account the significant changes that have occurred within the district since that time. In particular, the partnership with Watercare means that there are suggestions which should be adopted so that the Bylaw reflects the changes to Council's supply of water.

When creating the contract with Watercare, we talked about moving towards the Auckland standard and the 'Watercare Way'. The proposed changes are reflecting the start of this change as well as attempting to make the Bylaw more user friendly, to provide information and education while maintaining the ability to use for enforcement.

A copy of the draft updated Water Supply Bylaw is attached.

## **5. STORMWATER BYLAW**

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Council does not currently have a Stormwater Bylaw. The proposed draft Bylaw will help to protect streams and waterways within the district and the Waikato River by setting out responsibilities regarding the management of stormwater. The proposed Bylaw provides guidance on what can and cannot enter the stormwater system and enables Council to:

- (a) Manage the land, structure or infrastructure associated with stormwater drainage within its control;
- (b) Protect and regulate against damage, misuse, or loss of the land, structures or infrastructure related to stormwater drainage;
- (c) Prevent the unauthorised use of the land, structures or infrastructure related to stormwater drainage;
- (d) Ensure waterways, that form part of Waikato District Council's stormwater systems, remain clear and unobstructed;
- (e) Manage the entry of contaminants into the stormwater system; and
- (f) Protect, promote, and maintain public health and safety.



Hamilton City Council (HCC) has recently reviewed and updated its 2015 Stormwater Bylaw. As part of that review, Council was given the opportunity to have input into the drafting. Given the similarities with HCC, in terms of protecting streams and waterways and the Waikato River, the Council has used HCC's updated Bylaw as a template for the proposed Bylaw with some minor changes.

A copy of the proposed Stormwater bylaw is attached.

## 6. SUMMARY

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Feedback will be incorporated in the bylaws and they will continue to be reviewed and refined. Following approval from Council's Policy and Regulatory Committee (Policy and Reg), both bylaws will go out for public consultation and identified key stakeholders will be made aware of the consultation through a targeted communication in addition to the general consultation notice. The timeframe from now to adoption of the bylaws is broadly:

March	Early engagement with stakeholders <ul style="list-style-type: none"> <li>- Council workshop</li> <li>- Water Governance Board</li> <li>- Continued engagement with Watercare</li> <li>- Other key stakeholders as identified</li> </ul>
April/May	Proposed bylaws drafting finalised, legal review completed
June	Reports to Policy and Reg for consultation approval Consultations open (targeted and public)
July	Consultations Close
August	Hearings Policy and Reg meeting – recommendation to adopt for Council and/or rework Bylaws
September	Adoption of Bylaws

## 7. ATTACHMENTS

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1. Draft updated Water Supply Bylaw
2. Draft proposed Stormwater Bylaw

**DRAFT**

**Waikato District Council**

**Water Supply Bylaw**

**2014**

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## **WAIKATO DISTRICT COUNCIL**

### **WATER SUPPLY BYLAW 2014**

The Waikato District Council, in exercise of its powers and authorities conferred on it under the Local Government Act 2002 and the Health Act 1956 and their respective amendments, and all other relevant powers, makes the following bylaw.

#### **1. SHORT TITLE, COMMENCEMENT AND APPLICATION**

- 1.1** The bylaw shall be known as the “Waikato District Council Water Supply Bylaw 2014”.
- 1.2** The bylaw shall apply to the Waikato District.
- 1.3** The bylaw shall come into force on 1 October 2014.

#### **2. REVOCATION**

The Waikato District Council Water Supply Bylaw 2009 and the Franklin District Council Water Supply Bylaw 2008 are revoked from the day the new bylaw comes into force.

#### **3. SCOPE**

This bylaw shall apply to the Waikato District (within the boundaries of the Waikato District pursuant to the Local Government Act 2002) and any land, building, work, or property under the control of the Council, although situated beyond the Council’s district pursuant to the Health Act 1956.

#### **4. PURPOSE**

- 4.1** The purposes of this bylaw are:
  - (a) Promoting the efficient use of water and protect against waste or misuse of water from the water supply system;
  - (b) Protecting the water supply system from pollution and contamination;
  - (c) Managing and protecting from damage, misuse, or loss of land, structures and infrastructure associated with the water supply system; and

- (d) Preventing the unauthorised use of land, structures or infrastructure associated with the water supply system.

## **5. COMPLIANCE WITH OTHER ACTS AND CODES**

**5.1** This Bylaw is made under the authority of the Local Government Act 2002 for the supply of water to its customers in its capacity as a Water Supply Authority. The supply and sale of water by the Council is subject to:

- (a) Statutory Acts
  - (i) Building Act 2004.
  - (ii) Fire and Emergency NZ Act 2017.
  - (iii) Health Act 1956.
  - (iv) Local Government (Rating) Act 2002.
  - (v) Local Government Act 2002.
  - (vi) Resource Management Act 1991.
- (b) Relevant Codes and Standards, including:
  - (i) Drinking Water Standards for New Zealand 2005 (revised 2008).
  - (ii) OIML R49: Water meters intended for the metering of cold potable water and hot water. Part 1: Metrological and technical requirements; Part 2: Test methods and Part 3: Test report format.
  - (iii) SNZ PAS 4509: 2008 New Zealand Fire Service Fire Fighting Water Supplies Code of Practice.
  - (iv) NZS 4503:2005 Hand operated fire-fighting equipment.
  - (v) NZS 4517:2010 Fire sprinkler systems for houses.
  - (vi) Backflow Prevention for Drinking Water Suppliers Code of Practice 2006, Water New Zealand.
  - (vii) Water Meter Code of Practice 2003, Water New Zealand.
  - (viii) Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007.
  - (ix) Waikato Regional Infrastructure Technical Specification.

## 6. INTERPRETATION

- 6.1** When interpreting this Bylaw, use the definitions set out in clause 7 unless the context requires otherwise. Where reference is made in this Bylaw to any repealed enactment, such reference should be taken as a reference to its replacement.
- 6.2** For the purpose of this Bylaw, the word 'shall' refers to requirements that are mandatory for compliance with this Bylaw, while the word 'should' refers to practices that are advised or recommended.

## 7. DEFINITIONS

- 7.1** For the purposes of this Bylaw, unless inconsistent with the context, the following definitions apply:

<b>Advisory Note</b>	A note which further explains a bylaw clause but does not form part of the bylaw.
<b>Air Gap</b>	A vertical air gap between the outlet of the water supply fitting which fills a storage tank, and the highest overflow water level of that storage tank.
<b>Approved</b>	Approved in writing by the Council, either by an authorised officer of the Council or by resolution of the Council.
<b>Authorised Agent</b>	Any person authorised or appointed by the Council to do anything in respect of the water supply system.
<b>Authorised Officer</b>	Any officer of the Council or other person authorised under the Local Government Act 2002 and authorised by the Council to administer and enforce its Bylaws.
<b>Auxiliary Supply</b>	An additional water supply, other than the Council's system, including water from another provider's public potable water supply or any natural source(s) such as a well, spring, river, stream, or "used waters" or "industrial fluids."

<b>Backflow</b>	The unplanned reversal of flow of water or mixtures of water and contaminants into the water supply system.
<b>Backflow Device</b>	Backflow device or air gap that is designed to prevent the return of flow into the Councils water supply system. These devices can include non-return valves, reduce pressure zone devices, and double check valves.
<b>Boundary</b>	The legal boundary of the premises receiving a supply of water.
<b>Catchment</b>	An area of land from which a public water supply is drawn.
<b>Commercial Use</b>	<p>The use of land and buildings for the display, offering, provision, sale or hire of goods, equipment or services and includes shops, markets, showrooms, restaurants, cafes, takeaway food bars, professional, commercial and administration offices, service stations, motor vehicle sales, visitor accommodation, the sale of liquor and parking areas associated with any of the above.</p> <p><i>Advisory note: Commercial components of retirement villages will be metered and classified as commercial activity.</i></p>
<b>Connection</b>	The valve, meter and associated fittings installed and maintained by the Council on the service pipe or at the point of supply.
<b>Council</b>	The Waikato District Council (including authorised officers) .
<b>Customer</b>	A person who uses or has the right to use water supplied by the Council to any premises.
<b>Detector Check Valve</b>	A check (non-return) valve which has a positive closing pressure and a metered bypass to measure flows typically associated with leakage or unauthorised

use of a dedicated fire supply.

**Domestic Use**

Water taken and used for the purpose of providing for individual household use and for human drinking and sanitation needs and excludes any commercial or industrial use.

*Advisory note: Independent living units within retirement villages are considered a domestic use for the purposes of this Bylaw.*



**Development contribution**

As defined in the Local Government Act 2002 and the relevant Waikato District Council Development Contributions Policy.

**District**

The Waikato District.

**Extraordinary Supply** A category of on demand supply including all purposes for which water is supplied, other than ordinary domestic supply, and which may be subject to specific conditions and limitations.

**Extraordinary Use**

Any use of water which is outside of ordinary use and which may be subject to specific conditions and limitations including the following water users:

- (a) Residential properties with –spas, swimming pools or collapsible pools in excess of 6 cubic metres capacity;
- (b) Residential properties with fixed garden irrigation systems;
- (c) Commercial or business premises (including home-based commercial activities);
- (d) Industrial premises;
- (e) Any properties at which agricultural, horticultural or viticultural land use is occurring;
- (f) Lifestyle blocks (rural supplies);
- (g) Fire protection systems other than sprinkler systems installed to comply with NZS 4517;
- (h) Outside of Waikato District customers (supply to, or within another local authority);
- (i) Temporary supply;ies

	(j) Any other property found by Council to be using water above 15m <sup>3</sup> /day (a consent from the Waikato Regional Council is required);
	(k) Water carriers
	(l) Any other auxiliary supply
<b>Fees and Charges</b>	The fees and charges for water supply set by the Council.
<b>Fire Main Supply</b>	A category of supply from pipework installed for the purpose of fire protection only.
<b>Individual Customer Agreement</b>	An agreement between the Council and a water user that outlines both parties' rights and responsibilities for the supply and use of water.
<b>Industrial Activity</b>	Any industrial activity, including:  (a) All types of processing, manufacturing, bulk storage, warehousing, service and repair activities.  (b) Laboratories and research facilities.
<b>Level of Service</b>	The measurable performance requirements on which the Council undertakes to supply water to its Customers.
<b>NZS</b>	New Zealand Standard.
<b>On Demand Supply</b>	A supply which is available directly to the Customer without restriction of flow from the Point of Supply subject to the agreed level of service.
<b>On Demand Water Supply Area</b>	An area serviced by a Council owned reticulated water supply system as defined in Schedule 3: Water Supply Area Maps, which is intended to supply water to Customers via on demand supplies, including those with firefighting capability.
<b>Ordinary Supply</b>	A category of on demand supply used solely for domestic purposes, excluding any

identified extraordinary water use.

<b>Owner</b>	The person or entity having legal ownership of the premises receiving a supply of water from the Council.
<b>Occupier</b>	The person or legal entity having a legal right to occupy, use all or part of the premises receiving a supply of water from the Council that includes a tenant, lessee, licensee, manager, foreperson or any other person acting in the general management of any premises.
<b>Permit</b>	A permit or written authority issued by an authorised officer.
<b>Person</b>	An individual, corporation sole, or a body of persons whether corporate or otherwise.
<b>Point of Supply</b>	The point on the service pipe directly after the last fitting which connects the Supply Pipe to the meter/backflow assembly or the outlet of the meter box and which marks the boundary of responsibility between the Customer and the Council, irrespective of property boundaries.
<b>Potable Water</b>	Water that does not contain or exhibit any determinants to any extent that exceeds the maximum acceptable values (other than aesthetic guideline values) specified in the New Zealand Drinking Water Standards applicable at the time.
<b>Premises</b>	<p>The physical location to which a water supply is provided and includes:</p> <ul style="list-style-type: none"><li>(a) a property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued; or</li><li>(b) a building or part of a building which has been defined as an individual unit by a cross-lease, unit title or company lease; or</li><li>(c) an individual unit in a building where units are separately leased; or</li></ul>

- (d) land held in public ownership (e.g. reserve) for a particular purpose.

**Allotment** means the same as defined in the Land Transfer Act 2017.

**Property**

A property or allotment which is held under separate certificate of title and a separate rating unit and showing on the Rating Information Database.

**Prescribed charges**

Charges payable at the time of connection which may include:

- (a) Payment to the Council for the cost of the physical works required to provide the connection.
- (b) A development contribution determined in accordance with the Local Government Act 2002.
- (c) A financial contribution determined in accordance with the Resource Management Act 1991.
- (d) Bacteriological and chemical testing as per the Drinking Water Standards for New Zealand to ensure connection is safe.
- (e) Individual agreement charges.

**Public Notice**

A notice published:

- (a) In one or more daily newspapers circulated in the region or district of the Council; or
- (b) In one or more other newspapers that have at least an equivalent circulation in the region or district to the daily newspapers circulating in the region or district; and
- (c) On Council's website for the period of

time until any opportunity for review or appeal in relation to the matter notified has lapsed.

**Restricted Flow Supply**

A type of water supply connection where a small flow is supplied by Council through a flow control device, and storage is provided onsite by the Customer to cater for demand fluctuations.

**Restrictor**

A flow control device fitted to the service pipe to limit the flow of water to a Customer's premises.

**Restricted Water Supply Area**

Any area serviced by the Council's reticulated water supply system which is outside of on demand areas and defined in Schedule 3: Water Supply Area Maps. Water is supplied through a flow control device and customers are required to provide onsite storage to cater for demand fluctuations.

**Service Pipe**

The section of water pipe between a water main and the point of supply.

**Service Valve**

The valve at the Customer end of the service pipe used to control and/or isolate the supply.

**Storage Tank**

Any tank having a free water surface in which water supplied by the Council is stored for use.

**Supply Pipe**

The section of pipe between the point of supply and the Customer's premises through which water is conveyed to the premises.

**Water Alert Level**

Classification system used for applying water conservation restrictions.

**Water Carrier**

Any individual drinking-water carrier or company registered with the Ministry of Health as a recognised carrier of drinking-water.

**Water Supply System**

All those components of the water supply network between the point of abstraction

from the natural environment and the point of supply. This includes but is not limited to: catchments, wells, infiltration galleries, intake structures, open raw water storage ponds/lakes/reservoirs, falling and rising mains, treatment plants, treated water reservoirs, trunk mains, service mains, rider mains, pump stations and pumps, valves, hydrants, scour lines, service pipes, boundary assemblies,

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meters, backflow prevention devices and tobies.

**Water Unit**

The basis of measurement for water supply as determined by the Council. One unit is equal to one cubic metre.



## **8. PROTECTION OF WATER SUPPLY SYSTEM**

### **8.1 Water Supply System**

#### **8.1.1 Access and connection to System**

- (a) No person other than the Council and its authorised agents shall have access to any part of the water supply system, unless with prior approval.
- (b) Except as set out in Clause 8.1.2 (Fire Hydrants), no person shall make any connection or interfere with any part of the water supply system, unless with prior approval.
- (c) Where the water supply system becomes contaminated due to unauthorised access, the Council may recover cost of remediation of contamination.
- (d) Any person causing damage which occurs to a Council water supply system during unauthorised access shall be liable for the cost of repair and any other costs the Council incurs as a result for the incident.

#### **8.1.2 Fire Hydrants**

- (a) No person may take water from a fire hydrant unless that person is:
  - (i) is a firefighter or a member of a volunteer fire brigade or is taking the water for the purposes of firefighting; or
  - (ii) is Council or its authorised agents
  - (iii) Is a current permit holder, being those persons who after having submitted an application to the Council are subsequently approved to draw water from designated tanker filling points or a fire hydrant, and the taking of water is in accordance with any conditions attached to that approval
- (b) Any person using a fire hydrant in breach of subclause (a) must immediately remove the standpipe when requested to do so by Council or their agent.
- (c) Any person using a fire hydrant pursuant to subclause (a) (3) is liable to Council for any damage or loss caused to the fire hydrant or the water supply network as a result of that use.

(d) Without prejudice to other remedies available, the Council may seize and impound any equipment used by an offender to gain access to, or draw water from a fire hydrant, and assess and recover the value of water drawn without authorisation and any other associated costs.

(f) Permit holders shall only use approved blue coloured metered standpipes and have two non-return valves to draw water from fire hydrants.

### **8.1.3 Working around Buried Services**

- (a) No person shall carry out any excavation without first reviewing the Council's records of the location of its buried services to establish whether or not Council services are located in the vicinity of the proposed works. The Council may charge a fee for the provision of this information and does not guarantee the accuracy or completeness of such information.
- (b) Where appropriate the Council may in its absolute discretion mark out to within  $\pm 0.5\text{m}$  on the ground the location of its buried services and nominate in writing any restrictions on the work it considers necessary to protect its buried services. The Council may charge a fee for this service.
- (c) All excavations within the road reserve is subject to the permit process of the appropriate road controlling authority.
- (d) The Council may require the independent supervision of any works which may be in the vicinity of its buried services.
- (e) Any person excavating or working around the Council's buried water suppl services, shall take due care to ensure that the services are not damaged and that bedding and backfill is reinstated in accordance with the appropriate Council specification.
- (f) Any damage which occurs to the Council services shall be reported to the Council immediately. The person causing the damage shall be liable for the cost of repair and any other costs the Council incurs as a result of the damage.

*Advisory Note: All excavation and trenching work carried out within the road corridor must be carried out in accordance with the National Code of Practice for Utility Operators' Access to the Transport Corridor.*

## **8.2 Protection of Water Sources**

### **8.2.1 Catchment Classes**

Catchment areas from which untreated water is drawn for the purposes of water supply may be designated by Council as:

- (a) Controlled;
- (b) Restricted; or
- (c) Open.

These catchments are also subject to National Environmental Standards for Sources of Human Drinking Water.

### **8.2.2 Controlled Catchments**

- (a) No person shall enter Controlled Catchments except those specifically authorised or permitted in writing by the Council.
- (b) Every person on any Controlled Catchment Area or land held by the Council as a water reserve will, upon demand, produce any such permit for inspection.
- (c) The Council may, at any time, by notice in writing, revoke or suspend any such permit for such time as may be stated in such notice.
- (d) No permit issued by Council may be transferred.
- (e) Every person shall, upon the request of an authorised officer of the Council, immediately leave the controlled catchment area or land held by the Council as a water reserve.
- (f) No person shall obstruct or hinder any duly appointed officer of the Council in the exercise of any powers vested in that officer under this bylaw.

### **8.2.3 Restricted Catchments**

- (a) Certain activities are permitted within Restricted Catchment areas, such activities being limited to:
  - (i) Tramping;
  - (ii) Hunting;
  - (iii) Trapping;
  - (iv) Shooting;
  - (v) Fishing
  
- (b) No person may camp overnight in a Restricted Catchment area.
  
- (c) Every person shall, upon the request of an authorised officer of the Council, immediately leave the Restricted Catchment area.

#### **8.2.4 Open Catchments**

In open catchment areas whether designated or not, there will generally be no restriction on activities other than the provisions of the Regional or the District Plan and the National Environmental Standards.

#### **8.2.5 Spillages and Adverse Events**

- (a) In the event of a spillage, or any event which may compromise potable water or the water supply system, the person responsible for the event shall advise the Council immediately. This requirement shall be in addition to those other notification procedures which are required for other authorities.
- (b) Where the owner or occupier of a premise allows or permits any item or items on the premises that may potentially contaminate or leach into the water supply and to accumulate on the premises contained within the catchment, the Council may request the owner or occupier to contain and remove the item or items using a Council approved method and location.
- (c) If the item(s) are not removed within the period specified, the Council or its authorised agents may remove the items and recover the costs from the Customer associated with containment, removal and disposal.

### **9. CONDITIONS OF SUPPLY**

#### **9.1 Connection, Disconnection and other works**

- (a) No person shall, without Council's approval:
  - (i) connect to the water supply network;
  - (ii) disconnect from the water supply network;
  - (iii) carry out any other works on, or in relation to, the water supply network;
  - (iv) open any manhole, chamber, access point, or valve on, or otherwise tamper with, the water supply network.
- (b) Any person wishing to connect to or disconnect from the water supply network, or to otherwise carry out works on such a network or change level of service or end use of water supplied or supply changes or increase supply, must make a written application for approval to Council on the prescribed form, and must provide with that application all information relating to the application as is specified by Council.

- (c) Council may grant approval to such connection, disconnection or other works, as the case may be, and may impose conditions which must be complied with in the exercise of the approval.

The Council may require a Customer to enter into an individual Customer agreement and supply a Water Conservation and Demand Management Plan based on the Customer's water demand requirements.

- (d) Without limiting subclause (c), a condition imposed under that subclause may require that the connection, disconnection or works comply with any relevant code of practice.
- (e) Council may refuse an application for approval to connect or disconnect to a network where:
  - (i) the applicant has not paid fees or charges associated with the connection (including development contributions) within 20 working day that have been required by Council to continue with installation, or has refused to provide such information relating to the application as has been specified by Council; or
  - (ii) Council has a documented record of the applicant's non-compliance with this bylaw or any previous water supply bylaw, codes of practice, or approvals granted under such bylaws or codes of practice; or
  - (iii) in Council's reasonable opinion, there is insufficient capacity in the network to accommodate the connection; or
  - (iv) in Council's reasonable opinion, the connection could compromise its ability to maintain levels of service in relation to the water supply including volume and/or pressure required for firefighting; or
  - (v) the connection is outside the area currently served by the water supply, regardless of its proximity to any specific component of the water supply; or
  - (vi) in Council's reasonable opinion, refusal is necessary to protect the water supply network, the health and safety of any person, or the environment.

## 9.2 Change of Use

- (a) An application shall be submitted to the Council for approval if a Customer seeks:
  - (i) a change in the level of service; or
  - (ii) end use of water supplied to the premises; or
  - (iii) a change in supply from ordinary to extraordinary (see clause 9.5) or vice versa; or
  - (iv) a physical change of location or size,
- (b) Any application under this clause 9.2 shall be treated as a new application for the purposes of clause 9.1 of this Bylaw.

## 9.3 Point of Supply

### 9.3.1 Ownership and Responsibility for Maintenance

- (a) The Council owns and shall maintain any infrastructure including service pipe and fittings up to the point of supply. The Customer is responsible for and shall maintain any infrastructure including the supply pipe and fittings beyond the point of supply.

*Advisory Note: The Council gives no guarantee regarding the serviceability of the valve located on the service pipe. Where there is no Customer stopcock, or where maintenance is required between the service valve and the Customer stopcock, the Customer may use the service valve to isolate the supply. However, the Council reserves the right to charge for maintenance of this valve if damaged by such Customer use.*

- (b) The Customer shall maintain the area in and around the point of supply by keeping it free of soil, growth, or other matter or obstruction which prevents, or is likely to prevent, convenient access to the point of supply.
- (c) Unless otherwise specified in this Bylaw, change of ownership (between Council and Customer) , of water supply pipes and fittings occurs at the point of supply.

### 9.3.2 Location

- (a) For each individual property there shall be only one point of supply which shall be located in the position as shown in Schedule 1. Where fences, walls or other permanent structures make it difficult to locate it at the required position, the point of supply shall be located as close as



possible to the required position indicated in Schedule 1. The location of the point of supply in any position other than the required position shall require specific approval from Council.

- (b) Any new point of supply shall be located outside the boundary of the premises in the position approved by the Council.
- (c) Existing points of supply may be located either inside or outside the property boundary. If Council determines that it is appropriate, or at the request of the Customer, the point of supply may be relocated. When an existing Customer has their point of supply relocated, all pipework and fittings from the new point of supply shall be the responsibility of the Council for a period of six months from the date of relocation.

### **9.3.3 Multiple Ownership of Premises**

Where the premises are held in multiple ownership, the point of supply shall be as follows:

- (a) In respect of company ownership for a company share/block scheme (Body Corporate), the point of supply shall be located as shown in Schedule 1 or as or as close as possible where fences, walls, or other permanent structures make it difficult to locate it at the required position, unless otherwise approved. Other positions shall require specific approval from Council.
- (b) For Leasehold/Tenancy in Common Scheme (Cross Lease), Strata Title, Unit Title and any other form of multiple ownership, each Customer shall have an individual supply with the point of supply determined by agreement with the Council. In specific cases other arrangements may be acceptable, subject to the Council's approval.
- (c) Where a bulk meter feeds multiple units, a unit title must be nominated by the company or body corporate (whichever is relevant) to hold the bulk meter for payment purposes.

## **9.4 Access to, and about the Point of Supply**

### **9.4.1 Rights of Access**

- (a) Where the point of supply is on private property the Customer shall allow the Council access to the point of supply between 7.30am and 6.00pm, 7 days a week, including all statutory and public holidays for:
  - (i) Meter reading without notice ; or
  - (ii) Checking, testing and maintenance work, with reasonable notice being given to the owner and occupier (if any) when possible.
- (b) For works required outside the above hours (such as for night time leak detection), the Council shall provide reasonable notice to the Customer.
- (c) If, after giving reasonable notice, an authorised agent is prevented from accessing the point of supply at any of the above times and a return visit is required, a fee may be charged in accordance with the fees and charges.
- (d) In accordance with section 173 of the Local Government Act 2002, where there is an emergency, the Council shall enter the property without notice and the Customer shall allow the Council unobstructed access to, and about the point of supply at any hour.

## **9.5 Types of Water Supply**

### **9.5.1 General**

Water supplies are classified as either 'on demand' or 'restricted flow' and the use of water from the supply shall be either 'ordinary' or 'extraordinary'.

### **9.5.2 On Demand Supply**

- (a) All premises which are situated within the on demand water supply area shall be entitled to an ordinary supply of water subject to:
  - (i) Any restrictions on water use made by the Council under clause 9.8.1 of this Bylaw;
  - (ii) Payment of the appropriate charges in respect of supply to that premises;
  - (iii) Any other charges or costs associated with subdivisional development; and
  - (iv) Any other conditions deemed to be appropriate by Council in accordance with section 8 of this bylaw.
- (b) Any premises which are located within the on demand water supply area but do not connect to the public water supply may still be charged an availability charge in accordance with Council's fees and charges.
- (c) The Council is under no obligation to provide an extraordinary supply of water (refer to clause 9.8.1 of the Bylaw).
- (d) The Council shall charge Customers for provision of the on demand supply by either:
  - (i) A targeted rate based on rating unit; or
  - (ii) The volume passing through a meter per cubic metre; or
  - (iii) Both (i) and (ii) as set by the Council.
- (e) For premises which use a fire protection system complying with NZS 4517, in order for that use to be classified as ordinary, the Customer shall comply with the conditions contained in clause 9.8 of the Bylaw.

### **9.5.3 Restricted Flow Supply**

- (a) Restricted flow supply is available to premises located in restricted supply areas under special conditions set by the Council. Customers receiving a restricted flow supply shall make provision for onsite water storage of a minimum volume of 22m<sup>3</sup> or equivalent of at least 48 hours of average

water use where this is greater than 22m<sup>3</sup>.

- (b) Water Supply may be restricted by the Council for the purposes :
- (i) Rural supply within the Waikato District.
  - (ii) Water demand management (including for drought, misuse and non-remedy of water leaks).
  - (iii) Properties subject to restriction under section 69ZH (Duty to provide information to territorial authority) of Health Act 1956.
- (c) The water supply shall be restricted so as to deliver 1.8m<sup>3</sup> per day or the agreed number of water units at a steady flow rate through a water meter.
- (d) The Council shall charge for the restricted flow supply by:
- (i) A targeted rate based on rating unit; or
  - (ii) The volume passing through a meter per m<sup>3</sup>; or
  - (iii) Both (i) and (ii) as set by the Council.
- (e) All restricted flow supply storage tanks must include a suitable, testable backflow prevention device and stopcock located at the boundary of the property.

*Advisory Note: For further information on fire safety water sprinkler or storage requirements refer to the SNZ PAS 4509: 2008 New Zealand Fire Service Fire Fighting Water Supplies Code of Practice. Customers may also wish to consult with the New Zealand Fire Service about suitable measures to provide firefighting protection for their properties.*

*Advisory Note: The Council gives no guarantee regarding the serviceability of the valve located on the service pipe. Where there is no (Owner) stopcock or where maintenance is required between the service valve and the (Owner) stopcock, the (Owner) may use the service valve to isolate the supply in an emergency. However, Council reserves the right to charge for maintenance of this valve if it is damaged by the (Owner) during use for this purpose.*

## **9.6 Meters and Flow Restrictors**

All water connections in the Waikato District shall be metered.

### **9.6.1 Installation of meters**

- (a) Meters for on demand supplies, and restrictors for restricted flow supplies shall be supplied, installed and maintained by the Council, and shall remain the property of the Council.
- (b) The Council may fit a meter to any connection on any Premises at any time

for the purposes of determining water consumption.

OR.....

- (c) Where a premises is supplied with an on demand water supply and is not metered, the Council reserves the right to fit a meter at the Customers cost and charge accordingly. .

### **9.6.2 Location**

Meters and restrictors shall be located in a position where they are readily accessible for reading and maintenance, and if practicable, immediately on the Council side of the point of supply.

### **9.6.3 Accuracy**

- (a) Meters shall be tested as and when required by the Council.
- (b) The flow restrictors shall be accurate to within  $\pm 10\%$  of their rated capacity.
- (c) Any Customer who disputes the accuracy of a meter or restrictor may apply to the Council for it to be tested provided that the testing is not requested within six months of any previous test. If the test shows the meter is accurate, the Customer shall pay a fee in accordance with the Council's fees and charges. A copy of independent certification of the test result shall be made available to the Customer on request.
- (d) Restrictors shall be tested by measuring the quantity of water that flows through the restrictor within a period of not less than one hour, at the expected minimum operating pressure.

### **9.6.4 Adjustment**

- (a) If a test is carried out and the meter is found to register a consumption which is different to the quantity of water which has actually passed through the meter, the Council shall make an adjustment in accordance with the results shown by such tests, backdated for a period determined by the Council but not exceeding 12 months, and the Customer shall pay a greater or lesser amount according to the adjustment.
- (b) Where a meter is under-reading by more than 20% or has stopped, the Council reserves the right to estimate the use of water used based on the past billing period, taking into account any seasonal variations in water demand, and charge the Customer accordingly.
- (c) Where a meter is over-reading, the Council shall make appropriate adjustments to the Customer's account, based on a period of similar use and backdated to when it is agreed the over-reading is likely to have occurred.

### **9.6.5 Estimating Consumption**

- (a) Where a meter is damaged, ceases to register, has been removed or where the seal or dial of the meter is broken, or the meter has otherwise been interfered with, the Council shall estimate the consumption for the period since the previous reading of such meter, (based on the average of the previous four billing periods charged to the Customer) and the Customer shall be liable for the amount estimated.
- (b) If the average of the previous four billing periods would be an unreasonable estimate of the consumption (due to seasonal or other causes), the Council may consider other evidence for the purpose of arriving at a reasonable estimate, and the Customer shall pay according to such an estimate.
- (c) Where the Customer is a non-profit organisation, and the meter indicates a significant increase in consumption, and it is established that the increase is caused by a previously unknown leak, the Council may estimate consumption as provided for in clause 9.6.5 (a) providing that the Customer repairs the leak as soon as is practicable.
- (d) Where an unauthorised connection has been made to the Council's water supply system, the Council will estimate the consumption for the period from when the connection was made, using the uniform charge for water on a pro rata basis. Where a meter has been installed without approval, and such meter complies with Council's standards for meters and installation, the full consumption registered on the meter shall be payable by the current occupier of the premises. Payment of the estimated charge does not preclude Council from taking any other enforcement action available to it.

### **9.6.6 Incorrect Accounts**

- (a) Where a situation occurs, other than as described in clause 9.6.5, and the recorded consumption does not accurately represent the actual consumption from a premises, the account shall be adjusted using the best information available to the Council. Such situations include, but are not limited to, misreading of the meter, errors in data processing, meters assigned to the wrong account, and unauthorised water supplies.



- (b) Where an adjustment is required in favour of the Council or the Customer, the adjustment shall not be backdated more than 12 months from the date the error was detected.

#### **9.6.7 Leaks**

- (a) It is the Customer's responsibility to detect and fix all leaks from taps and pipes, stop overflows from cisterns, hot water cylinder exhausts or stock troughs. If a leak is visible from fixtures and is not repaired, no relief will be available.
- (b) Relief may be available, at Council's discretion for leaks which are undetected.
- (c) Any Customer wishing to apply for relief must make such application in writing in accordance with Council's Water Relief Policy.
- (d) When considering remissions of excess charges on water accounts caused by undetected leaks, the Council must be satisfied that:
  - (i) The leak has been fixed: Proof will be required to show that the leak was fixed to the satisfaction of the Council.
  - (ii) The leak will not reoccur: The Council may require a site assessment to determine the adequacy of the system and identify

other factors that the Customer may need to address to limit the occurrence of further leaks in the future.

- (iii) Situation monitored where appropriate: The Council may require the owner to monitor the water meter on a regular basis for excess water usage.

*Advisory Note: Assessment by the Council on the overall adequacy of the private water system does not remove the responsibility of the owner of the system to maintain the adequacy of the system, and the responsibility of all water usage.*

## **9.7 Levels of Service and Continuity of Supply**

- (a) Although Council shall make all endeavors to provide water in accordance with the level of service set out in Schedule 2, due to practical and physical limitations, the Council cannot guarantee an uninterrupted or constant supply of water in all circumstances, or the continuous maintenance of any particular water pressure.
- (b) Where planned permanent or temporary works will affect an existing supply, the Council shall inform or give notice to all Customers who, in the opinion of Council, are likely to be substantially affected.
- (c) If a Customer requires an uninterrupted level of service (flow, pressure, or quality), and Council is unable to provide that requirement, it shall be the responsibility of the Customer to provide any storage, back-up facilities, or equipment necessary to maintain the required level of service.

## **9.8 Demand Management**

- (a) Where required by rules in the District Plan, owners must maintain devices that have been installed for the purposes of water demand management.

and in accordance with an associated integrated catchment management plan.

### **9.8.1 Water Alert and Emergency Restrictions**

- (a) In circumstances where natural hazards (such as floods, droughts or earthquakes) or accidents result in disruptions to the supply of water, Council may declare a water alert level or an emergency for the purposes of the supply of water and shall be exempt from the levels of service requirements.
- (b) During a water alert and/or emergency, the Council may restrict or prohibit the use of water for any specified purpose or period, and for any or all its Customers. Such restrictions shall be advised by public notice.
- (c) The Customer shall comply with any restrictions imposed by Council, until such time as Council advises the restrictions are no longer in place.
- (d) The Council may, after giving notice and taking all practicable steps to contact a Customer, restrict and/or meter the supply to reduce unnecessary or unauthorised water use where necessary.

### **9.8.2 Maintenance and Repair**

- (a) In circumstances where a scheduled maintenance shutdown of the supply is required, Council shall make all practicable attempts to notify Customers prior to any work commencing. Where Council is unable to notify the Customer, or immediate action is required, the Council may restrict the supply without notice, subject to its obligations under the Health Act 1956.
- (b) Where a Customer has assets which restrict Council's ability to maintain a Council water supply system, the Council shall not be liable for any damage caused to the asset while maintaining the Council water supply system.
- (c) If Council has to carry out repairs or maintenance to privately owned supply pipes and/or water assets, the costs of such repairs or maintenance may be recovered from the Customer responsible for the pipes and/or assets.

## **9.9 Liability**

The Council shall not be liable for any loss, damage or inconvenience incurred by a Customer (or any person using the supply) as a result of a reduced level of service of, or interruptions to, the water supply.

## **9.10 Fire Protection Connection**

### **9.10.1 Connection Application**

An application to install a connection for fire protection purposes must be made, in writing, to the Council. Council may impose any conditions it determines are appropriate.

### **9.10.2 Design of Fire Protection Systems**

As part of the application to install a connection for fire protection purposes, the Customer shall demonstrate to the Council that the available supply is adequate for the intended purpose. It shall also be the Customers responsibility to monitor the supply to ensure it continues to be adequate for the intended purpose.

### **9.10.3 Fire Protection Connection Metering**

- (a) Where a fire connection has been installed (or located) so that it is likely or possible that water may be drawn from it by any person for purposes other than firefighting, the Council may charge for the usage.
- (b) Where the supply of water to any premises is metered, fire hose reels shall be connected only to the metered supply, not to the fire protection system. The water supply to fire hose reels shall comply with the requirements of NZS 4503:2005 Hand operated fire-fighting equipment.
- (c) Water used for the purpose of extinguishing fires shall be supplied free of charge. Where the fire protection connection is metered, and water has been used for firefighting purposes, the Council shall estimate the quantity of (Waikato District Council Water Supply Bylaw 2014 Page 29) water used, and credit to the Customer's account an amount based on such an estimate.
- (d) Ongoing Testing and Monitoring Owners intending to test fire protection systems in a manner that requires a draw-off of water must obtain the approval of the Council beforehand. Water used for routine flushing and flow testing does not constitute waste, but the quantity of water used may be assessed and charged for by the Council.

## **9.11 Backflow Prevention**

### **9.11.1 Customer Responsibility**

In accordance with the Health Act 1956, the Building Act 2004 and clause G12 Water Supplies of the Building Regulations 1992, it is the Customer's responsibility to take all necessary measures on the Customer's side of the point of supply to prevent water which has been drawn from the Council's water supply from returning to that supply. All necessary measures shall include:

- (a) Backflow prevention either by providing an adequate air gap, or the use of an appropriate backflow prevention device; and/or
- (b) The provision for the exclusion of any cross-connection between the Council water supply and
  - (i) Any other water supply (potable or non-potable)
  - (ii) Any other water source
  - (iii) Any storage tank
  - (iv) Any other pipe, fixture or equipment containing chemicals, liquids, gases, or other non-potable substances.

*Advisory Note: Fire protection systems that include appropriate backflow prevention measures would generally not require additional backflow prevention, except in cases where the system is supplied by a non-potable source or a storage tank or fire pump that operates at a pressure in excess of the Council's normal minimum operating pressure.*

### **9.11.2 Unmanaged Risk**

Where a Customer is unable to demonstrate that the risk of backflow is adequately managed or fails to take all necessary measures as required in clause 9.11.1 of the Bylaw, the Council may undertake the required works and fit a backflow prevention device on the Council side of the point of supply. In accordance with section 186 of the Local Government Act 2002, Council may recover such costs as a debt from the Customer.

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## **9.12 Council Equipment and Inspection**

### **9.12.1 Care of Water Supply System**

No person shall damage or tamper with any part of the water supply system, including but not limited to, pipe-work, valves, meters, restrictors, chambers, and backflow prevention devices. Should any damage occur which requires repairs, the Council reserves the right to recover the costs of such damage and/or repairs as a debt from the Customer.

### **9.12.2 Inspection**

In accordance with section 182 of the Local Government Act 2002, the Customer shall allow the Council or its agents, with or without equipment, access to any area of the premises for the purposes of determining compliance with this Bylaw.

## **9.13 Plumbing System**

**9.13.1** The Customer's plumbing system shall be designed, installed and maintained, both in its component parts and its entirety, to ensure it complies with the Regional Infrastructure Specifications (RITS), Building Act 2004 and the New Zealand Building Code and is compatible with the water supply service as listed in Schedule 2.

**9.13.2** Quick-closing valves, pumps, hydraulically driven equipment or any other equipment which may cause pressure surges or fluctuations to be transmitted within the water supply system or compromise the ability of the Council to maintain its stated levels of service, shall not be used on any piping beyond the point of supply. In special circumstances such equipment may be approved by the Council at its discretion. A gate valve shall not be used to control the water supply flow to the premises.

## **9.14 Prevention of Water Loss and Waste**

**9.14.1** The Customer shall not allow water to run to waste from any pipe, tap, or other fitting, nor allow the condition of the plumbing within the premises to deteriorate to the point where leakage or wastage occurs.

**9.14.2** Water is provided by the Council for consumption purposes only. The Customer shall not use water or water pressure directly from the supply for driving lifts, machinery, eductors, generators, or any other similar device, unless specifically approved by the Council.

**9.14.3** The Customer shall not use water for a single pass cooling system or to dilute trade waste prior to disposal, unless specifically approved by the Council.

**9.14.4** Where a Customer ignores advice from the Council to repair an on-going

leak, the Council may after serving notice, repair the leak and charge the Customer all associated cost as provided in the Local Government Act 2002.

*Advisory Note: The Waikato District Plan sets out water saving measures required for water supply connections.*

### **9.15 Payment**

**9.15.1** The Customer is liable to pay for the supply of water and related services in accordance with the Council's rates, fees and charges prevailing at the time.

**9.15.2** The Council may recover unpaid water rates in respect of the supply of water as prescribed in the Local Government (Rating) Act 2002 from the owner of a premises, the occupier of a premises, or both.

### **9.16 Transfer of Rights and Responsibilities**

**9.16.1** The Customer shall not transfer to any other party the rights and responsibilities set out in this bylaw.

### **9.17 Change of Ownership**

**9.17.1** In the event of a premises changing ownership, the new owner will be recorded as the Customer at those premises from the date of notification. Where the premises are metered, the outgoing Customer shall give the Council ten working days' notice to arrange a final meter reading.

**9.17.2** The Council reserves the right to reassess the conditions of supply when a change of ownership occurs.

**9.17.3** The owner of the premises at the time of the consumption is responsible for any water charges.

### **9.18 Disconnection at the Customer's Request**

Should the Customer wish to disconnect the water supply, they shall give Council ten working days' notice in writing. Disconnection shall be at the Customer's cost.



## **10. BREACHES**

### **10.1 Breaches of conditions of supply**

**10.1.1** The following are deemed to be breaches of the conditions to supply water:

- (a) An incorrect application for supply which fundamentally affects the conditions of supply;
- (b) Failure to meet any obligations placed on the Customer under all Codes and Standards specified in clause 5 of this Bylaw;
- (c) An act or omission including but not limited to any of the following:
  - (i) Any tampering or interference with Council equipment/assets, either directly or indirectly;
  - (ii) Failure to pay the appropriate charges by the due date;
  - (iii) Frustration of the Council's ability to adequately and effectively carry out its obligations;
  - (iv) Failure to repair a leak, or in any way wilfully allowing water to run to waste, or to be misused;
  - (v) The fitting of quick-closing valves, pumps, or any other equipment which may cause pressure surges or fluctuations to be transmitted within the water supply system, or compromise the ability of the Council to maintain its stated levels of service (subject to clause 9.5 of this Bylaw);
  - (vi) Failure to prevent backflow;
  - (vii) Failure to maintain, inspect backflow;
  - (viii) Using water or water pressure directly from supply for driving lifts, machinery, educators, generators, or any other similar device, unless specifically approved by the Council;
  - (ix) Using water for a single pass cooling or heating system, or to dilute trade waste prior to disposal, unless specifically approved;
  - (x) Extending by hose or any other pipe a private water supply beyond that Customer's property;
  - (xi) Providing water drawn from the Council supply to any other party without approval of the Council;

- (xii) Unauthorised removal of flow restrictors.
- (d) Every person commits a breach of this Bylaw and commits an offence who:
  - (i) Does, permits or allows anything to be done, which is contrary to this bylaw;
  - (ii) Fails to do or perform any act, or thing, that he or she is required to do by this Bylaw, within the time and in the manner required by the Bylaw, or any part of it;
  - (iii) Commits any breach of the terms and conditions of this Bylaw;
  - (iv) Does anything prohibited by this Bylaw;
  - (v) Fails to comply with any notice given under this Bylaw or any part of it or any condition that is part of any notice granted by the Council;
  - (vi) Where required, fails to obtain written approval or having obtained written approval fails to abide by the conditions (if any);
  - (vii) Obstructs or hinders any authorised officer in the performance of any duty or in exercising any power conferred by this bylaw;
  - (viii) Tamperes or interferes with any part of the Council owned water supply system without a permit;
  - (ix) Withdraws water from a fire hydrant without authorisation from the Council for any other purpose than fire protection;
  - (x) Fails to comply with water use restriction or prohibitions introduced by the Council for any specific purpose;
  - (xi) Fails to meet any obligations placed on the Customer through any permit conditions;
  - (xii) Fails to meet any obligations placed on Customer through an individual Customer agreement;
  - (xiii) Other than the Council or its authorised agents, who accesses the water supply system without a valid permit breaches this bylaw.

**10.1.2.** In the event of a breach of any provision of this Bylaw, the Council shall serve notice on the Customer advising the nature of the breach, the steps to be taken, and required timeframe to remedy the breach to the satisfaction of the Council. If the Customer persists with the breach the Council reserves the right to:

- (a) Reduce the flow rate of water to the Customer without notice.

Reinstatement of full supply shall be re-established only after the Customer completes payment of any appropriate fee and remedy of the breach to the satisfaction of the Council.

- (b) Install a water meter. The Customer will also be charged for the ongoing supply of water as per Council's fees and charges for water supply as determined by Council from time to time.

- (c) For extraordinary supply – disconnect the water supply for all purposes other than domestic water use.
- (d) If the breach is such that the Council is required to disconnect the supply for health or safety reasons, disconnection may occur immediately and without further notice to the Customer.

## **10.2 Interference with equipment**

Any tampering or interfering with Council equipment, either directly or indirectly, shall constitute a breach of this Bylaw.

## **11. OFFENCES AND PENALTIES**

- 11.1** A person who fails to comply with the requirements of this Bylaw commits a breach of this Bylaw and is liable to a penalty under the Local Government Act 2002 or under the Health Act 1956.

## **12. SCHEDULES**

The following schedules can be amended through a Council resolution.

**Schedule 1: Examples showing Single/Manifold Connection**

**Schedule 2: Table 1 Compatibility Features**

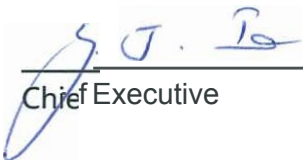
**Schedule 3: Water Supply Area Maps**

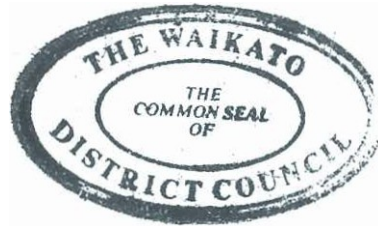
This bylaw was made pursuant to a resolution passed by the Waikato District Council on 8 September 2014 after completion of the special consultative procedure under section 86 of the Local Government Act 2002.

The Common Seal of the Waikato District Council was hereto affixed in the presence of:

*p r r.*

Mayor/

  
\_\_\_\_\_  
Chief Executive



## Waikato District Council Stormwater BYLAW

<b>Approved By:</b> Waikato District Council	<b>Date Adopted:</b> xx March 2021
<b>Date In Force:</b> xx October 2021 Clause 7.2(e) - 12 months from <i>enforcement date</i> Clause 7.2(f) – 6 months from <i>enforcement date</i>	<b>Review Date:</b> To be reviewed by October 2026

## WAIKATO DISTRICT COUNCIL STORMWATER BYLAW 2021

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# Waikato District Council Stormwater BYLAW

Waikato District Council, in exercise of its powers and authorities given to it under the Local Government Act 2002 and the Health Act 1956 and any subsequent amendments to the Acts and all other relevant powers, makes the following bylaw.

## 1. INTRODUCTION

Waikato District Council has the power to make bylaws for regulating and protecting land drainage. In addition, Council has a duty under s17 of the Waikato River Settlement Act 2010, to have regard to Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) which lists the degradation of the Waikato River and its catchment as a fundamental issue to be resolved. In this regard Waikato District recognises the special cultural, social, environmental, and economic relationship of iwi with the environment (including Waikato River) within the District and the need to protect and restore the Waikato River.

Waikato District Council's Comprehensive Stormwater Discharge resource consents and Stormwater Management Plans aim to manage stormwater discharge for quality and quantity and to avoid, remedy and mitigate any adverse effects on the environment.

The management of stormwater ultimately aims to assist in achieving the Vision and Strategy for the Waikato River by helping to protect aquatic habitats, minimising scour, erosion and flooding and improving bathing water quality.

*(Note: the above introduction does not form part of this bylaw and is intended to be read as an introductory note)*

## 2. SHORT TITLE, COMMENCEMENT AND APPLICATION

- 2.1. The bylaw shall be known as the "Waikato District Council Stormwater Bylaw 2021".
- 2.2. The bylaw shall apply to the Waikato District.
- 2.3. The bylaw shall come into force on 04 October 2021.

## 3. SCOPE

- 3.1. This bylaw shall apply to the district of Waikato pursuant to the Local Government Act 2002 and any land, building, work, or property or catchment under the control of the Council although situated beyond Council's district. This bylaw applies to both public and private stormwater systems and watercourses.

## 4. PURPOSE

- 4.1. The purposes of this bylaw are to enable Council to:
  - (a) Manage the entry of contaminants into the stormwater system to support the protection and restoration of the health and wellbeing of the receiving environment e.g. Waikato River.
  - (b) Manage the land, structure or infrastructure associated with stormwater drainage within its control.

## Waikato District Council Stormwater BYLAW

- (c) Protect and regulate against damage, misuse, or loss of the land, structures, or infrastructure related to stormwater drainage.
- (d) Prevent the unauthorised use of the land, structures or infrastructure related to stormwater drainage.
- (e) Ensure watercourses, that form part of Waikato District Council’s stormwater systems, remain clear and unobstructed.
- (f) Protect, promote, and maintain public health and safety.

### 5. COMPLIANCE WITH OTHER ACTS AND REGULATIONS, BYLAWS AND CODES

- 5.1. This Bylaw has been developed in accordance with all relevant legislation, Council policy and guidance.
- 5.2. Compliance with the requirements of this bylaw does not remove the need to comply with the requirements of any Act, regulation other bylaw and codes.

### 6. DEFINITIONS

- 6.1. In this bylaw except where inconsistent with the context:

<b>Approval</b>	Means approved in writing by the Council, either by resolution of the Council or by any Authorised Officer of the Council.
<b>Authorised Officer</b>	Means an employee or contractor of the Council warranted under the Local Government Act 2002, authorised to carry out general or specific duties in relation to stormwater including enforcement arising from any of the provisions of this act and this bylaw.
<b>Council</b>	Means Waikato District Council or an employee or contractor of the Council appointed to carry out duties relating to Stormwater management.
<b>Ecological device</b>	Means a device such as fish ramps and constructed fish protection structures designed to preserve aquatic habitat or passage.
<b>High Risk Facility</b>	Means a facility identified as a high-risk facility under any of the followings: <ul style="list-style-type: none"> <li>I. Consent conditions – Potential source of stormwater contaminants (routine and non-routine)</li> <li>II. Trade Waste requirements (as per the Waikato District Trade Waste and Wastewater Bylaw 2016)</li> <li>III. Waikato Regional Councils’ development and stormwater management guidelines.</li> </ul>
<b>Open Drain</b>	Means any system that collects and transports stormwater or groundwater through a series of open channels or ditches and may include culverts and pipes in areas of vehicle or road crossings.
<b>On-lot Devices</b>	Stormwater management devices and/or facilities that are situated on private property and are privately owned and maintained?



## Waikato District Council Stormwater BYLAW

- Overland Flow Path** Means the route along which stormwater flows. A subset of an overland flow path is called “secondary flow path”. These routes carry water which cannot flow through the primary stormwater system (usually piped) because the water flow has exceeded the capacity of that network.
- Trade Waste Management Plan** Means a plan which shows how the Consent Holder will manage their operations and discharge to comply with their Consent. It may include provision for flow and quality monitoring, sampling, and testing, Cleaner Production, waste minimisation, discharge, contingency management procedures, or any relevant industry Code of Practice (*Refer current Waikato District Trade Waste and Wastewater Bylaw*).
- Nuisance materials** Means anything that is not stormwater, including but not limited to substances that;
- (a) Pose a danger to life
  - (b) Pose a danger to public health
  - (c) Cause flooding of any building floor or sub-floor, or public roadway
  - (d) Cause damage to property
  - (e) Cause a negative effect on the efficient operation of a stormwater system
  - (f) Cause damage to any part of a stormwater system
  - (g) Cause erosion or subsidence of land
  - (h) Cause long or short term adverse effects on the environment
  - (i) Cause adverse loss of riparian vegetation
  - (j) Cause wastewater overflow to land or water
  - (k) And includes anything that causes a breach of any stormwater discharge consent condition binding Council
- Stormwater** Means surface water runoff that:
- (a) Enters or may enter the stormwater system as a result of a rain event; or
  - (b) Ground water that enters into the stormwater system and;
  - (c) Contains any substance where the type and concentration of the substance is consistent with the contributing catchments land use(s) and that of the receiving environment.
- Stormwater System** Includes any land, structure or infrastructure associated with stormwater drainage, including:
- (a) **Private Stormwater System** - Means all privately owned components of a stormwater system, including pipes, gutters, downpipes, catchpits, soakage systems, and Stormwater Management Devices that are located on private property, up to the point of discharge into the public stormwater system or a watercourse.
  - (b) **Public Stormwater System** - Means all components of the stormwater system owned by the Council or government organisation (i.e. NZTA), including drains, kerb and channel, catchpits, pipes, manholes and lateral connections and Stormwater Management Devices that carry away stormwater, whether or not any part of the system passes through private property.

## Waikato District Council Stormwater BYLAW

<b>Stormwater Management Device</b>	Means a device or facility used to reduce stormwater runoff volume, flow and/or contaminant loads prior to discharge, including, but not limited to: <ul style="list-style-type: none"> <li>• rain gardens</li> <li>• infiltration trenches</li> <li>• sand filters</li> <li>• green roofs</li> <li>• wetlands</li> <li>• swales</li> <li>• ponds</li> <li>• rain water tanks</li> <li>• propriety devices</li> </ul>
<b>Watercourse</b>	Means a channel that conveys water whether or not it passes through private property. This includes channels where, due to seasonal variations, water does not flow.
<b>Wastewater System</b>	Includes all wastewater conveyance and treatment systems (pipes, fittings, manholes, pumps, pump stations; and any land, buildings, treatment works) which are under the control of the Council for the purpose of providing a wastewater service.

### 7. STORMWATER SYSTEMS

#### 7.1. Connecting to the Stormwater system

- (a) No person may, without written approval from the Council, connect into the public stormwater system;
- (b) Any Person wishing to connect to, disconnect from, or work on the Stormwater System, must write to Council for Approval and provide any information specified by Council.
- (c) Prior to any authorisation Council may require demonstration from the owner or occupier of a site that a discharge of stormwater to the network will comply with any current Resource Consents within the Waikato District and /or catchment and may impose conditions.

#### 7.2. Protection of Stormwater System

- (a) A person must not, without specific prior approval of Council, discharge or allow to be discharged any material, chemical, (including pool water, chlorine and detergents), rubbish, litter, sediment, concrete, cement slurry, sewage, effluent, solvents, fungicide, insecticide, and green waste or other substance that causes or is likely to cause a nuisance, into the public stormwater system;
- (b) Any person must take all practicable steps to store, handle, transport and use materials in a way that prevents Nuisance Materials entering the stormwater system.
- (c) Any person undertaking earthworks must ensure that controls are in place to prevent sediments entering the stormwater system.
- (d) Any person who knows of the entry or imminent entry of Nuisance Materials to the stormwater system must immediately:

## Waikato District Council Stormwater BYLAW

- i. Take all practicable steps to stop the imminent entry or further entry of any Nuisance Materials to the stormwater system; and
  - ii. Inform an authorised officer /Council as soon as reasonably practicable.
- (e) Any owner or occupier or manager of a Trade Waste identified high-risk facility must install and maintain appropriate private stormwater interception system to eliminate as far as practicable and otherwise minimise the risk of nuisance materials entering the public stormwater system.
- (f) Any owner or occupier of a Trade Waste identified high-risk facility must develop, maintain and keep available for inspection a Trade Waste Management Plan (part of their management plan in accordance with the current Waikato District Trade Waste and Wastewater Bylaw 2016) which eliminates as far as is practicable and otherwise minimises the risk of breach of this bylaw. Council may require the Trade Waste Management Plan to be submitted for approval.
- (g) The owner, occupier and all persons on the site of a Trade Waste identified high-risk facility must comply with the requirements of the Trade Waste Management Plan.

*Advisory Note 1: for further information on sediment control refer to Council's "A Guide to Sediment Control on Building Sites".*

*Advisory Note 2: where Nuisance Materials are not managed to the satisfaction of Council, Council may require the owner/occupier to divert the Nuisance Material to wastewater and apply for a Trade Waste consent in accordance with the Waikato District Trade Waste and Wastewater Bylaw 2016.*

### 7.3. Damage to Stormwater System

- (a) No person shall cause or allow to be caused any damage to, or destroy any:
- i. Dam
  - ii. Weir
  - iii. Stormwater detention device
  - iv. Swale
  - v. Overland flow path identified in a consent notice, other documents of Council or illustrated in integrated catchment management plans.
  - vi. Stopbank
  - vii. Headworks
  - viii. Building; or, treatment device
  - ix. Drainage reserve land
  - x. Ecological device
  - xi. Erosion and scour control structures
  - xii. Stormwater inlet and outlet structures
  - xiii. Stormwater pipes
  - xiv. Any other installation connected with the stormwater system and under control of the Council

## Waikato District Council Stormwater BYLAW

- (b) No person shall modify, interfere with or remove items listed in Clause 7.2 (a) without the prior **approval** of Council.
- (c) Every person excavating or working around the public stormwater system must take due care to ensure that the excavation or work is carried out in a manner that does not damage and/or compromise the integrity of the stormwater system.
- (d) No person shall cause a temporary or permanently sustained excessive load on the public stormwater network that is likely to result in damage to the network.
- (e) Any person who knows of damage to a stormwater system must report it to Council or an Authorised Officer immediately.

### 7.4. Obstructions and Capacity of the stormwater system

- (a) A person must not, without the prior **approval** of Council:
  - i. Do anything that directly or indirectly obstructs, alters or impedes the natural flow of the stormwater system.
  - ii. Obstruct or hinder any part of any public or private stormwater system in a manner that is likely to cause nuisance.
  - iii. Erect any structure or stop bank, grow any vegetation, deposit any waste or carry out any activity that is likely to cause an adverse impact to the public stormwater system during a storm event.
  - iv. Obstruct or alter any overland flow paths identified in a consent notice, or other documents of council with any material or structures such as earth bunds, buildings, fences, retaining walls and rock gardens.
  - v. Pump or divert water into any watercourse or public stormwater system.
  - vi. Cause water to flow into a watercourse or public stormwater system from outside the catchment area where, in the opinion of the Authorised Officer, the water will overload the capacity or will otherwise interfere with the proper functioning of the watercourse or public stormwater system.
- (b) A person must not, without the prior **approval** of Council:
  - i. Stop, modify, divert or deepen any open drain or;
  - ii. Divert any open drain or otherwise cause stormwater to flow into the wastewater system.

### 7.5. Private Stormwater Systems

An owner or occupier must ensure that a Stormwater Management Device in a private stormwater system is maintained in good operating condition and does not cause or contribute to any adverse impacts.

- (a) Where it is identified that a private stormwater system is not operating effectively, Council may issue a Notice to fix to require an owner/ occupier to fix or upgrade private stormwater systems, including Stormwater Management Devices, at the owner's cost, to meet original design specifications.

## Waikato District Council Stormwater BYLAW

- (b) If the owner or occupier does not maintain or fix the system, Council reserves the right to enter the property to carry out maintenance or fix the system and charge costs in accordance with section 186 under the Local Government Act 2002.
- (c) No owner or occupier may, without Council's written **approval**, remove a private stormwater system or do anything which reduces its effectiveness.
- (d) No person shall allow stormwater to enter the wastewater system without prior **approval from** Council.
- (e) The owner, occupier, or manager of a premises that has a soakage system as part of a private stormwater system must ensure that the soakage system disposes of the stormwater from the site in accordance with original design specifications at the owner's cost.
- (f) Owners and occupiers are responsible for ensuring the maintenance of any watercourse on their premises, including the removal of any obstruction that impedes or is likely to impede the free flow of water and providing a stormwater treatment function (e.g., minimum grass height of 150mm)

### 8. ACCESS

- 8.1. In accordance with section 171 of the Local Government Act 2002, an Authorised Officer may enter and inspect any land or building (other than a dwelling house):
  - (a) for routine inspection or monitoring or for post breach monitoring. The Authorised Officer must give at least 24 hours notice of the intended entry to the owner of the property.
  - (b) of a high risk facility for routine inspection and monitoring. The Authorised Officer must give at least 24 hours notice of the intended entry.
- 8.2. In accordance with section 172 of the Local Government Act 2002, an Authorised Officer may enter and inspect any land for the purpose of detecting a breach of this bylaw if the Authorised Officer has reasonable grounds for suspecting that a breach has occurred or is occurring on the land. The Authorised Officer must give reasonable notice unless the giving of notice would defeat the purpose of entry.
- 8.3. In accordance with section 173 of the Local Government Act 2002, in the event of a sudden emergency causing or likely to cause damage to property or the environment or where there is danger to any works or adjoining property, an Authorised Officer may enter occupied land or buildings. Notice is not required.

### 9. FEES & CHARGES

- 9.1. **In accordance with Sections 150 of the Local Government Act 2002, Council may charge a fee for any inspection or re-inspection or remedial work carried out under this Bylaw. Inspection and re-inspection fees will be set by Council.**

## Waikato District Council Stormwater BYLAW

### 10. BREACHES

10.1. It is a breach of this bylaw to:

- (a) Fail to comply with any requirement of this bylaw;
- (b) Fail to comply with any defect notice issued by an Authorised Officer pursuant to this bylaw;
- (c) Obstruct an Authorised Officer in the performance of their function under this bylaw.

10.2. The Authorised Officer may report breaches or imminent breaches to Waikato Regional Council and the Environment Protection Authority for further enforcement.

10.3. An Authorised Officer may consider and enforce penalties for any breaches of this bylaw, including cost recovery for remedial works.

10.4. A person is not in breach of this Bylaw if that person proves that the act or omission was necessary to:

- (a) Save or protect life or health or prevent injury; or
- (b) To comply with Council's obligations under the Health Act 1956; or
- (c) To prevent serious damage to property; or
- (d) To avoid actual or likely damage to the environment; and
  - i. The person's conduct was reasonable in the circumstances; and
  - ii. The effects of the act or omission were adequately remedied or mitigated by the person after the breach occurred.

10.5. Any persons seeking to deviate from the requirements of this bylaw shall seek prior written approval from the Council or an Authorised Officer.

10.6. Where a person does not comply with the terms and conditions of an Approval granted by the Council, without limiting Council's enforcement options, the Council will take a staged approach through the following steps:

- (a) Issue a written warning to the person, which may be considered as evidence of a prior breach of a condition of the Approval during any subsequent review of the Approval;
- (b) Undertake a review the Approval, which may result in:
  - i. amendment of the Approval; or
  - ii. suspension of the Approval;
- (c) Following further non-compliance with terms and conditions of an Approval, after the above steps have been taken, Council will base discretion on the seriousness and impacts of that non-compliance prior to considering withdrawal of the Approval.

## Waikato District Council Stormwater BYLAW

### 11. COSTS OF REMEDYING DAMAGE ARISING FROM BREACH OF BYLAW

- 11.1. In accordance with section 186 of the Local Government Act 2002, if a notice is served on the owner or occupier requiring works to be carried out or materials to be provided in connection with the premises and/or the maintenance of a stormwater management device, Council may carry out the work or provide the materials where the owner or occupier fails to comply with the notice, either:
- (a) within the time specified in the notice, or
  - (b) within 24 hours if notice certifies that the work is urgent, or
  - (c) if the owner or occupier fails to proceed with the work with all reasonable speed.
- 11.2. In accordance with section 187 of the Local Government Act 2002, if a notice is served on any person under this Bylaw, and the person fails to take the steps within the time specified, then Council or any Authorised Officer is authorised to take the steps set out in the notice. Council may recover the cost of doing the work, together with reasonable administrative and supervision charges.
- 11.3. In accordance with section 176 of the Local Government Act 2002, a person who has been convicted of any offence against this Bylaw is liable to pay to Council the costs of remedying any damage caused in the course of committing the offence. The costs must be assessed by a District Court Judge and are recoverable summarily as if they were a fine.
- 11.4. In accordance with section 175 of the Local Government Act 2002, a person or entity who wilfully or negligently destroys, damages, stops, obstructs, or otherwise interferes with any works or property owned, constructed, acquired, or used by a local authority is liable to pay to Council the costs of remedying any damage or obstruction.

*Advisory Note 3: Costs recoverable under this clause are in addition to any other penalty under other legislation for which the person who committed the offence is liable.*

### 12. OFFENCES AND PENALTIES

- 12.1. A person who fails to comply with the requirements of this bylaw commits an offence and is liable to a penalty under the Local Government Act 2002.

**Waikato District Council Stormwater  
BYLAW**

The COMMON SEAL of the WAIKATO DISTRICT COUNCIL  
was hereunto affixed in the presence of:

Councillor: .....

Councillor: .....

Chief Executive: .....



### **Open Agenda**

<b>To</b>	Waters Governance Board
<b>From</b>	Gavin Ion Chief Executive Waikato District Council
<b>Date</b>	22 March 2021
<b>Prepared by</b>	Vishal Ramduny Acting General Manager - Community Growth
<b>Chief Executive Approved</b>	Y
<b>DWS Document Set #</b>	GOV1318 / 3043534
<b>Report Title</b>	Hamilton-Waikato Metropolitan Area Wastewater Project Update

## **I. EXECUTIVE SUMMARY**

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The purpose of this report is to update the Waters Governance Board on progress with the Hamilton-Waikato Metropolitan Area Wastewater Detailed Business Case project.

The update is provided in the attached report which was provided to Hamilton City Council elected members.

The Waters Governance Board will be aware that a Governance Group was established as part of the Hamilton-Waikato Metropolitan Area Wastewater project to provide political oversight of the project and to make decisions relating to the project. The Waters Governance Board representative on the Governance Group is Garth Dibley. Deputy Mayor Aksel Bech is Waikato District Council's representative on the Group.

Jackie Colliar, Project Manager for the Hamilton-Waikato Metropolitan Area Wastewater Project, will attend the Waters Governance Board meeting to present the report.

## **2. RECOMMENDATION**

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**THAT the report from the Acting General Manager Community Growth be received.**

**3. ATTACHMENT**

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Hamilton-Waikato Metropolitan Area Wastewater Project Update to Hamilton City Council

# Council Report

<b>Committee:</b>	Strategic Growth Committee	<b>Date:</b>	30 March 2021
<b>Author:</b>	Jackie Colliar	<b>Authoriser:</b>	Blair Bowcott
<b>Position:</b>	Strategic Manager - Infrastructure City Development	<b>Position:</b>	Executive Director Special Projects
<b>Report Name:</b>	Hamilton-Waikato Metro Waste Water Detailed Business Case Project Update		

<b>Report Status</b>	<i>Open</i>
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## Purpose - *Take*

- To seek approval from the Strategic Growth Committee on the preferred wastewater servicing option to take forward for final refinement as part of the Southern Metro Wastewater (WW) Detailed Business Case (DBC).

## Staff Recommendation - *Tuutohu-aa-kaimahi*

- That the Strategic Growth Committee:
  - receives the report;
  - notes **Option 4A (Five Plant Option)** as the preferred staff-recommended wastewater servicing option to take forward for refinement, and to inform completion of the Southern Metro Wastewater Detailed Business Case;
  - notes that the full Southern Metro Wastewater Detailed Business Case will be presented to the 29 July 2021 Strategic Growth Committee meeting for endorsement.
  - notes that successful implementation of a **Refined Option 4A** (as outlined in paragraph 68 of the staff report) requires collaborative boundaryless planning and partnership;
  - notes that successful implementation of a **Refined Option 4A** requires financial contribution and multi-partner co-ordination to complete land acquisition, designation and consenting processes for a new southern plant over the next three years in addition to the significant investment needed at the Cambridge and Pukete plants;
  - requests the Hamilton City Council Governance Group members to indicate that any support for **Option 4A** to take forward for refinement and completion of the Southern Metro Wastewater Business Case, is subject to the Waipa District and Waikato District commitment to invest in securing land and discharge consents for the new southern plant;
  - requests staff include in the Hamilton City Council submissions on the Waipa District and Waikato District Council Long term Plans a request to include necessary budgetary provision to support an equitable contribution to future-proof the delivery of a new southern plant;
  - notes that further investigation will be undertaken as part of the Northern Detailed

Business Case to consider the servicing solution for the Northern Metro Area communities; and

- i) notes that further investigation will be undertaken as part of the Southern Metro Wastewater Detailed Business to consider wastewater servicing solutions for Southern Metro Area communities and areas, including those immediately adjacent to the current Hamilton City boundary

### **Executive Summary - *Whakaraapopotanga matua***

3. In October 2020, the Project Governance Group approved two short-listed options for further development and assessment as part of the Southern Metro WW DBC:
  - i. **Option 2A - Three Plant Option** – Involves upgrades and expansion of the Pukete WWTP to service the Northern Metro area (including Taupiri, Ngaruawahia, Te Kowhai, Horotiu and majority of Hamilton); a new southern plant to service the Southern Metro area (including South Hamilton, airport area and environs, Cambridge) and the Te Awamutu WWTP.
  - ii. **Option 4A - Five Plant Option** – Involves treatment plant upgrades at Ngaruawahia, Pukete, Cambridge and Te Awamutu and a new southern plant to service the airport area and environs.
4. The approved short-listed options were reported to the Strategic Growth Committee at the November 2020 meeting.
5. The draft short-listed options assessment (November 2020) noted **Option 2A** as the emerging preferred option. This was primarily based on the outcomes of the multi-criteria assessment (MCA) which scored the **Option 2A** higher than the **Option 4A** against agreed “Best for River” objectives and other critical success factors. While **Option 2A** scored higher both short-listed options scored very well and would deliver large step change improvements (in water quality, ecological, and operational efficiencies outcomes) from the current state and business as usual (BAU) approaches.
6. Although a substantial amount of work had been undertaken to identify a preferred servicing solution in November 2020, including stakeholder engagement, several important matters required further consideration and refinement in order to recommend the preferred option with confidence. These matters included:
  - i. Reviewing the MCA scoring based on stakeholder input and more developed concepts.
  - ii. Completing the capital and operational cost estimates including documenting the design assumptions informing the estimates.
  - iii. Considering the ability to stage delivery of each option where practicable and where there is no or minimal impact on outcomes.
  - iv. Closer examination of the likely build-out capacity of the Pukete WWTP site and when the Pukete WWTP site may have insufficient space to accommodate further expansion to meet demand and, the extent of flow to be diverted from Hamilton South to a new facility.
  - v. Documenting the risks and opportunities associated with each option to inform the options assessment and preferred option recommendation, in addition to the MCA.
7. As a result of further consideration and refinement of the options assessment, **Option 4A** is recommended by the project team to be taken forward as part of the DBC for further final refinement and development.

8. **Option 2A** remains the preferred option in the very long term (100 years and beyond) but requires significant capital investment upfront with limited ability to stage that investment (particularly in terms of treatment facilities, and the construction of the conveyance system from Cambridge). When considering what is achievable and 'affordable' over the coming decades **Option 2A** is challenged.
9. In addition to major investments in the Southern Metro Area, both options rely on and require significant investment at the Pukete WWTP. The majority of flows and loads from the Metro Area will continue to be treated at Pukete. Option 2A includes for \$290M (uninflated) capital investment at Pukete WWTP out to 2061. Option 4A includes for \$304M (uninflated) capital investment at Pukete WWTP out to 2061.
10. Key reasons for recommending **Option 4A** as the preferred option for further refinement include:
  - i. **Option 4A** delivers on the agreed "Best for River" objectives in much the same way as **Option 2A** does. The updated MCA scoring brought the two options much closer together with Option 2A scoring only marginally higher than **Option 4A**. Both options scored very well against the "Best for River" objectives and critical success factors.
  - ii. Like **Option 2A**, **Option 4A** provides for a large step change in treatment quality outcomes and requires accelerated boundaryless planning and investment (i.e. for the airport and environs). In addition, while Option 4A (in its current form) includes five 'medium' to 'large' plants, this could be reduced to four (i.e. Ngaruawahia could be serviced via Pukete WWTP) delivering a similar level of operational efficiency to **Option 2A**.
  - iii. **Option 4A** is considered more flexible and adaptable than **Option 2A**. **Option 4A** has significant potential to be refined and developed over time to meet demand. This includes the staged development of a new sub-regional plant near the airport to cater for demand in the airport precinct and its environs and beyond (e.g. Southern Links area and Hamilton South).
  - iv. The total capital cost estimate (uninflated total dollars for investment out to 2061) for **Option 2A** is \$64M higher than **Option 4A**. A key differentiator are the conveyance costs associated with **Option 2A**.
  - v. The annual operating costs of the treatment plants are in the same order for both options, however the annual operating costs associated with conveyancing is significantly higher for **Option 2A** due to the high flows needing to be pumped over significant distances.
  - vi. Once an appropriate discount rate and inflation are applied, the Present Value of the Costs (PVC) of **Option 2A** (over a 50-year period) is more than 10% higher than **Option 4A**. This is because **Option 4A** avoids the need for major upfront investment in conveyance. Staged implementation of **Option 4A** can be further refined.
  - vii. With all the partners facing significant capital constraints, the opportunity cost of spending a large amount earlier than may be needed is significant. The ability to better stage and sequence **Option 4A** to match demand makes it attractive, particularly given the capital constraints facing the councils.
  - viii. **Option 4A** also has potential to apply innovative funding and financing solutions (through linking staged investment of the new southern plant to development).

- ix. The Pukete site has capacity (with significant investment, upgrades and expansion) to meet the needs of Hamilton, Te Kowhai, Horotiu, Ngaruawahia, Hopuhopu and Taupiri out to at least 2061 (based on reasonably conservative growth assumptions and including provision for wet industry).
  - x. Diverting flow away from Pukete to free up capacity at the site will incur significant costs in the short-term (large southern plant and Hamilton South conveyance), but the benefits may not be realized for many decades. Therefore, it would not be a prudent financial decision for the Councils to invest in a new large treatment facility in the south (and conveyance systems) that is not required for a reasonably long time.
11. Key risks associated with **Option 4A** include:
- i. That the partners do not co-invest in a new southern plant (land, consenting etc) in the short-term and only focus on investment in Pukete and Cambridge as per the current Long-Term Plans (LTPs). This could force landowners/developers to pursue wastewater servicing solutions (e.g. piping, package plants) that are inefficient and deliver poor environmental, economic and social and cultural outcomes for the Metro area.
  - ii. That a new southern plant could be very challenging to consent.
  - iii. That development of the new southern plant cannot be funded. This risk applies to **Option 2A** as well.
  - iv. That development pressure occurs in areas not currently contemplated in the Metro Spatial Plan requiring wastewater servicing solutions.
  - v. That the Pukete site is used up faster than anticipated, requiring flows from Hamilton to be diverted to a new plant sooner.
12. A key mitigation action for the **Option 4a** risks is to purchase land for a southern plant in the short-term. This action is strongly recommended. This would provide certainty on the long-term servicing solution for the airport and surrounding areas. Also, it should be noted that land values are increasing significantly, and that delays in securing a site may have significant cost implications.
13. Development of the site could master planned to provide for modular build out over time. This would enable flexibility and responsiveness to different patterns or rates of development.
14. Developer funding of the new southern plant could be linked to out of sequence development and future southern growth areas.
15. Another key risk mitigation would be to pursue discharge consents for the new southern plant in co-ordination with the Cambridge plant. This approach would improve the consentability of a new southern plant. A co-ordinated consenting approach would enable the environmental “betterment” from the improvements at Cambridge to be more readily recognised at a catchment scale.
16. Seeking discharge consents for a new southern plant separately from Cambridge, would likely make the consenting process significantly more challenging as the impacts of the activity would be considered in isolation from the improvements made at Cambridge.
17. Hamilton City Council (HCC) have included \$9M in Years 1 – 3 of the proposed 2021-31 LTP to contribute toward securing land and resource consents for a new southern treatment facility. Waikato District Council noted a \$4M (unfunded) contribution. Waipa District Council did not explicitly provide for a contribution toward land purchase and consenting for a new southern

plant, rather they retained funding based on their indicative cost estimates for the Cambridge facility only.

18. While HCC have included some funding in years 1 – 3, if Waipa and Waikato District Councils do not contribute to the costs of securing land and consents for a new plant simply securing the land and consents may not be possible.
19. Continued dialogue between partners is needed to secure funding required to purchase or secure a site for a new southern plant. Dialogue between partners and key stakeholders is also needed to develop and agree an appropriate consenting strategy for the southern metro area and Cambridge.
20. Investment in the new Southern WWTP (as part of **Option 4A**) is currently assumed to be required in 2031. The total capital cost estimate (uninflated) of a new Southern WWTP to service a population equivalent (PE) of 18,000 PE is \$54M. The scale and timing of investment in a new southern plant will be refined as part of the DBC. HCC have included an unfunded contribution of \$127M to construct a new sub-regional facility (in accordance with **Option 2A**) in Years 8 – 10 of the proposed 2021-31 LTP.
21. If the preferred option recommendation is accepted, the next steps to completing the Southern Wastewater DBC include:
  - Seeking Governance Group approval of the preferred option to complete the DBC.
  - Further discussions on funding land purchase for a new southern plant; co-ordinating consenting processes across the Southern Metro area and aligning partner Council LTPs.
  - Refinement of **Option 4A**: including developing the Southern Metro area preferred WW option concept designs, staging and implementation plans to support the DBC and completing sensitivity testing of different land use and growth assumptions and identifying land requirements for the southern / airport WWTP site.
22. Implementation of the Southern Metro area components of a refined **Option 4A** could include:
  - a) Years 1 – 3:
    - i. Seeking resource consents and designations for Cambridge and a new southern treatment facility near the airport.
    - ii. Securing a site (c 15 – 20ha) near the airport to meet servicing needs in and around the airport and developing treatment as demand necessitates. This site would ideally be large enough to allow a plant to be developed in the future to service growth beyond that anticipated in the Metro Spatial Plan (e.g. growth south of the current Hamilton City Boundary).
    - iii. Developing localised servicing solutions to meet the immediate needs of the airport and its environs. This could include utilising the site secured for the new southern plant in the short term with the ability to transition to a bespoke plant.
  - b) Years 4 - 10:
    - i. Building a standalone facility to service Cambridge/Hautapu, designed to allow for modular expansion over time.
    - ii. Improved servicing for Matangi/Tamahere.
    - iii. Improved servicing to meeting growth demand at Tauwhare Pa.
  - c) Years 11 onward:

- i. Developing and expanding a centralised modular facility on the secured site near the airport as development requires. The area of service could be expanded to include Hamilton South in the future as demand requires.
  - ii. Servicing Ohaupo in the future when need arises, and treatment capacity is in place via the southern facility or at Te Awamutu.
23. The servicing solution for the Northern Metro Area communities will be considered as part of the Northern Metro WW DBC. Based on the capacity assessments for the Pukete site, there will be enough space and capacity (with significant investment) to service all of Hamilton, Ngaruawahia, Te Kowhai, Taupiri, Hopuhopu and Horotiu out to at least 2061.
24. Staff consider the decisions in this report have low significance and that the recommendations comply with the Council's legal requirements.

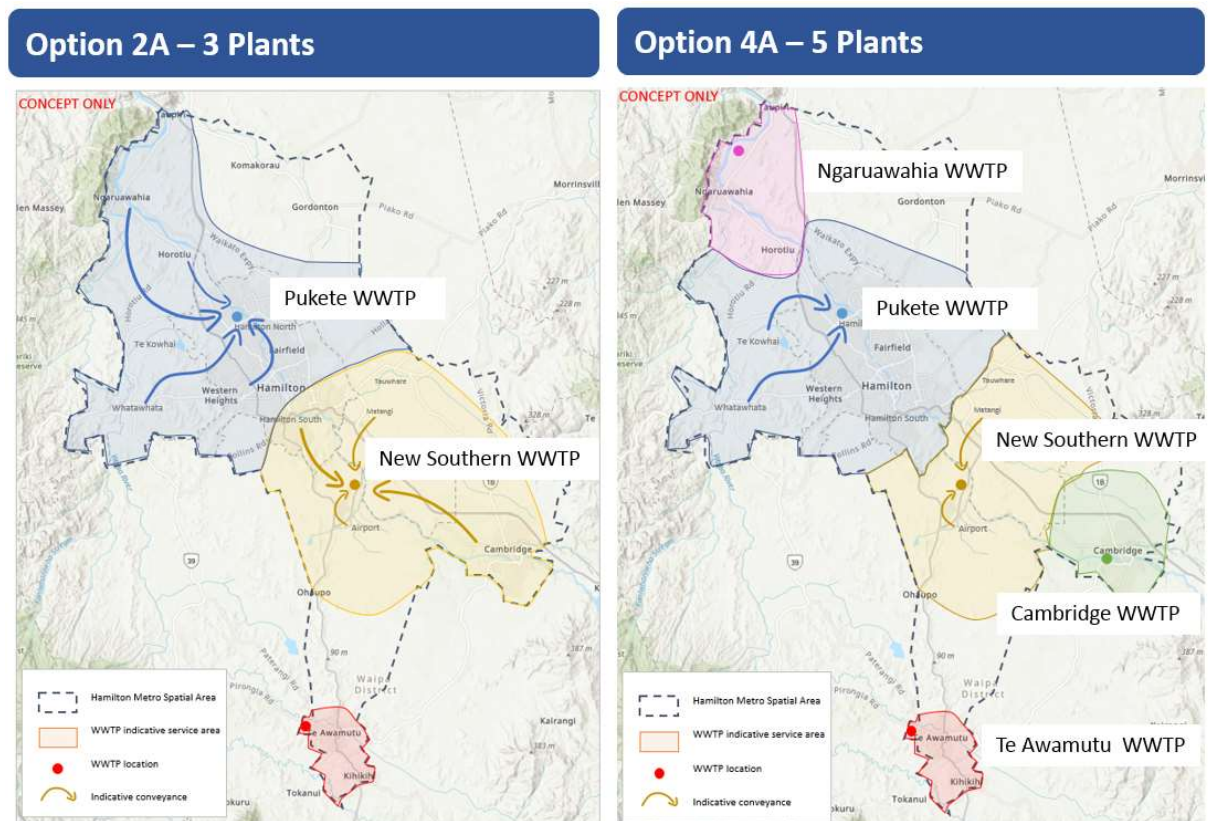
### **Background - *Koorero whaimaarama***

25. This is the third project update report to the Strategic Growth Committee. This report covers the period from late October 2020 – February 2021. Previous reports to the Strategic Growth Committee were provided at the [1 October 2020](#) and [12 November 2020](#) meetings. The presentation provided at the 12 November 2020 meeting is included as **Attachment 1**.
26. Earlier reports have included key project assumptions, methodologies and decisions approved by the Project Control Group and/or Project Governance Group. Overall project updates and emerging directions have also been reported.
27. Key project decisions presented to and approved by the Control Group and/or the Governance Group (and presented to the Strategic Growth Committee) include:
- i. Wastewater performance standards.
  - ii. Growth assumptions.
  - iii. Project investment objectives and key performance indicators.
  - iv. Multi Criteria Analysis (MCA) criteria to assess options.
  - v. Long list wastewater servicing options assessment.
  - vi. Long list of commercial options (i.e. delivery structure, contracting model, contract packaging options).
  - vii. Long list of funding and financing options.
  - viii. Short list of wastewater servicing options.
28. The growth assumptions used to size the system components for each option include for:
- i. Existing development (residential and non-residential).
  - ii. Infill development.
  - iii. Planned industrial development (e.g. Taupiri, Te Kowhai, Hopuhopu, Horotiu, Te Rapa North, Rotokauri, Ruakura, Airport, Cambridge / Hautapu).
  - iv. Planned residential greenfield development (e.g. Rotokauri, Peacockes, Temple View, R2, HT1).
  - v. Additional infill development as noted in the Metro Spatial Plan.
  - vi. "Wet industry" allowances at Horotiu, Te Rapa, Ruakura, Airport and Cambridge. While these allowances have been included in the current DBC work, the most appropriate



- strategic locations for wet industrial activity in the Metro Area needs to be properly considered and discussed by Future Proof.
- vii. The ultimate design horizon also includes for 35,000 Population Equivalent (PE) for the area between the Southern Links designation and the current Hamilton City Boundary, and an additional 30,000 PE in the vicinity of Ruakura.
29. The short-list of wastewater servicing options approved (October 2020) for further consideration are:
- i. **Option 2A - Three Plant Option** – Involves upgrades and expansion of the Pukete WWTP to service the Northern Metro area (including Taupiri, Ngaruawahia, Te Kowhai, Horotiu and majority of Hamilton); A new southern plant to service the Southern Metro area (including South Hamilton, airport area and environs, Cambridge) and the Te Awamutu WWTP.
  - ii. **Option 4A - Five Plant Option** – Involves treatment plant upgrades at Ngaruawahia, Pukete, Cambridge and Te Awamutu and a new southern plant to service the airport area and environs.
30. Schematics of the short-listed options are in **Figure 1** below. The service areas shown in Figure 1 are diagrammatic. The actual areas of service associated with each option (and each plant) are included in **Attachment 2**.

**Figure 1: Diagrammatic Overview of Short-listed Metro Area Wastewater Servicing Options**



31. The draft short-listed options assessment (November 2020) noted **Option 2A** as the emerging preferred option based on the MCA assessment. Despite the indicative cost estimates for **Option 2A** being between \$50m and \$100m greater than **Option 4A**, there was general agreement from stakeholders that **Option 2A** was the emerging preferred technical solution.

However, several important matters required further consideration and refinement in order to recommend the preferred option with confidence. These matters included:

- i. Reviewing the MCA scoring based on stakeholder input and more developed concepts.
  - ii. Completing the capital and operational cost estimates including documenting the design assumptions informing the estimates.
  - iii. Considering the ability to stage delivery of each option where practicable and where there is no or minimal impact on outcomes.
  - iv. Closer examination of the likely build-out capacity of the Pukete WWTP site and when the Pukete WWTP site may have insufficient space to accommodate further expansion to meet demand and,
    - v. linked to (iv) above, the extent of flow to be diverted from Hamilton South to a new facility.
    - vi. Documenting the risks and opportunities associated with each option to inform the options assessment and preferred option recommendation, in addition to the MCA.
32. As noted in previous reports, the project timeframes are driven by conditions in the Cambridge WW discharge consents held by Waipa DC<sup>1</sup>. The original milestone date for recommending a preferred option to the Governance group was December 2020. The recommendation to the Governance Group was deferred to provide time for the options assessment to be further refined and considered by relevant stakeholders and decision makers.
33. **Option 4A** is now the preferred option recommended by the project team to take forward as part of the DBC for further final refinement and development. This recommendation has been workshopped with and accepted by key stakeholders (January and February 2021).
34. The Control and Governance Groups workshopped the findings of the refined short-list assessment in February 2021. Some Governance Group members sought time to engage with their organisations on the findings of the short-list assessment prior to reaching a decision on the preferred option to take forward. The Governance Group workshop presentation is included as Attachment 3 of this report. The full briefing paper can be provided on request.

## Discussion - *Matapaki*

35. The summary of findings for each of the matters listed in paragraph 31 above follow.
36. These findings have all contributed to **Option 4A** being recommended as the preferred option to take forward as part of the Southern Metro WW DBC for further final refinement and development.

### MCA Scoring

37. Both options scored very well against the “Best for River” objectives and critical success factors. The MCA scoring of the short-listed options was updated to give effect to stakeholder input and feedback and further development of the concepts. The updated MCA scoring brought the two options much closer together with **Option 2A** scoring only marginally higher than **Option 4A**.

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<sup>1</sup> Waipa DC have consent obligations to submit a long-term consent application for a Cambridge stand-alone solution by 31 December 2022. If a sub-regional plant is identified as the preferred solution for Cambridge a long-term consent application must be lodged by 21 December 2023. The consent also requires a long-term solution for Cambridge to be operational by 1 December 2026. Interim milestones relating to the DBC are also included in the consent. The consent does provide opportunity to request time extensions to these deadlines.

38. Like **Option 2A**, **Option 4A** provides for a large step change in treatment quality outcomes and it requires accelerated boundaryless planning and investment (i.e. for the airport and environs). In addition, while **Option 4A** (in its current form, i.e. prior to refinement) includes five medium to large plants, this could be reduced to four (i.e. Ngaruawahia could be serviced via Pukete WWTP) delivering a similar level operational efficiency to **Option 2A**.

#### **Capital, Operating and Present Value Cost Assessments for Full Metro Area**

39. The updated capital cost estimates for the two short-listed options are<sup>2</sup>:
- **Option 2A**: \$716 million.
  - **Option 4A**: \$652 million.
40. The total capital cost estimate for Option 2A is \$64M higher than **Option 4A**.
41. These estimates include for both the northern and southern area plants and conveyance systems required to divert flow to new treatment locations. The estimates do not include the cost to upgrade existing conveyance systems (e.g. upgrading Hamilton strategic interceptors or installation of bulk storage). The cost estimates do not include for local wastewater network upgrades or the cost of conveyance needed to service new greenfield development areas (e.g. R2, HT1). These costs would likely be required irrespective of the treatment location.
42. Summaries of the capital cost estimates are included in **Table 1** below.

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<sup>2</sup> Total dollars out to 2061 and unadjusted for inflation

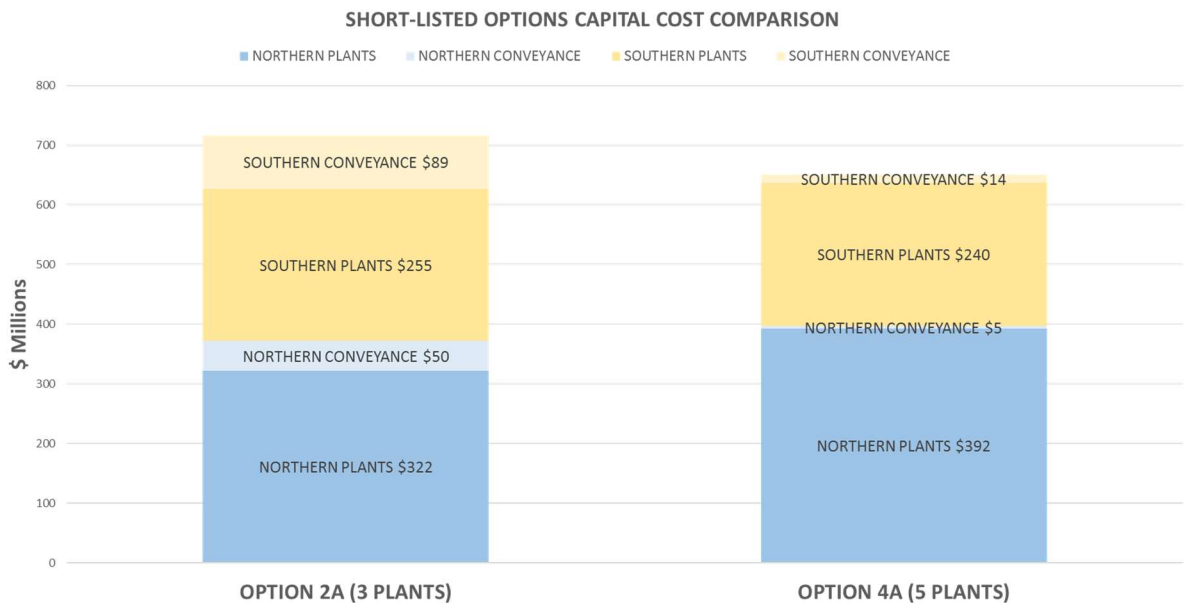
Table 1 – Summary of Total Capital Cost Estimates out to 2061 (Uninflated)

<b>OPTION 2A</b>	<b>MOST LIKELY COST ESTIMATE OUT TO 2061</b>	
WWTP name?	Plants (\$ Million)	Conveyance (\$ Million)
Pukete? (Northern) WWTP	<b>\$322 (TOTAL)</b>	<b>\$50 (TOTAL)</b>
	Upgrade WWTP: \$288 Consenting?: \$8 Procurement & council internal costs: \$26	Hamilton North \$0 Te Kowhai \$5? Ngaruawahia \$45?
New Southern WWTP?	<b>\$222 (TOTAL)</b>	<b>\$89 (TOTAL)</b>
	Land purchase: \$12 Consenting: \$8 New WWTP: \$177 Decommissioning: \$2 Procurement & council internal costs: \$23	Hamilton South? \$33? Matangi? \$7? Airport? ? Ohaupo? \$7? Cambridge? \$42?
<b>SUB-TOTAL</b>	<b>\$544</b>	<b>\$139</b>
<b>TOTAL COSTS</b> (excluding TA, Tauwhare)	<b>\$683</b>	
<b>TOTAL COSTS</b> (including TA, Tauwhare)	<b>\$716</b>	
<b>OPTION 4A</b>	<b>MOST LIKELY COST ESTIMATE OUT TO 2061</b>	
WWTP name?	Plants (\$ Million)	Conveyance (\$ Million)
<b>NORTHERN METRO</b>	<b>\$392 (TOTAL)</b>	<b>\$5 (TOTAL)</b>
Pukete (Northern) WWTP	?\$337	\$5
	Upgrade WWTP: \$304 Consenting?: \$8 Procurement & Council internal costs: \$25	Te Kowhai \$5?
Ngaruawahia WWTP?	\$55	?
<b>SOUTHERN METRO</b>	<b>\$207 (TOTAL)</b>	<b>\$14 (TOTAL)</b>
New Southern WWTP?	\$93	\$14
	Land purchase: \$12 Consenting: \$10 New WWTP: \$54 Decommissioning: \$2 Procurement & council internal costs: \$15	Airport ? Matangi? \$7? Ohaupo? \$7?
Cambridge? WWTP	\$114	?
<b>SUB-TOTAL</b>	<b>\$599</b>	<b>\$19</b>
<b>TOTAL COSTS</b> (excluding TA, Tauwhare)	<b>\$618</b>	
<b>TOTAL COSTS</b> (including TA, Tauwhare)	<b>\$652</b>	

43. Key components of the capital cost estimates are compared in **Figure 2** below. These are grouped by location (Northern or Southern Metro area) and system component (plant or

conveyance). The capital cost difference between the two options is largely associated with the cost of conveyance.

**Figure 2: Short-listed Options Capital Cost Comparison (including Te Awamutu & Tauwhare)**



44. Both options require significant investment at the Pukete WWTP. **Option 2A** includes for c\$290M (uninflated) investment at Pukete WWTP out to 2061. **Option 4A** includes for \$304M (uninflated investment) at Pukete WWTP out to 2061.
45. The annual operating costs of the treatment plants are in the same order for both options, however the annual operating costs associated with conveyancing is significantly higher for **Option 2A** due to the high flows needing to be pumped over significant distances.
46. Applying inflation to the capital and operating costs and a discount rate reflecting the cost of capital the Present Value of the Costs (PVC) of the two options are:
  - **Option 2A:** \$1,213 million.
  - **Option 4A:** \$1,097 million.
47. The PVC includes capital cost inflation of 3%, operating cost inflation of 2%, costs modelled to 2071 (50 years) and 5% discount rate. The summary of the PVC assessment is shown below in **Table 2**.

**Table 2– Full Metro Wastewater Servicing Present Value of the Costs**

	OPTION 2A	OPTION 4A
Present Value of Costs	\$ Million	\$ Million
Capital costs	555.5	515
Renewal capital costs	24	27
Operating costs - Conveyancing	84	2.5
Operating costs - Treatment Plants	549.5	555
<b>TOTAL</b>	<b>1,213</b>	<b>1,097</b>

48. The serviced areas, population equivalents (PE), capital costs estimate (unadjusted) and initial staging for the Southern Metro area components of **Options 2A** and **4A** are included below in **Figure 3** and **Figure 4** respectively.

Figure 3: Option 2A – Southern Metro Area Servicing Details

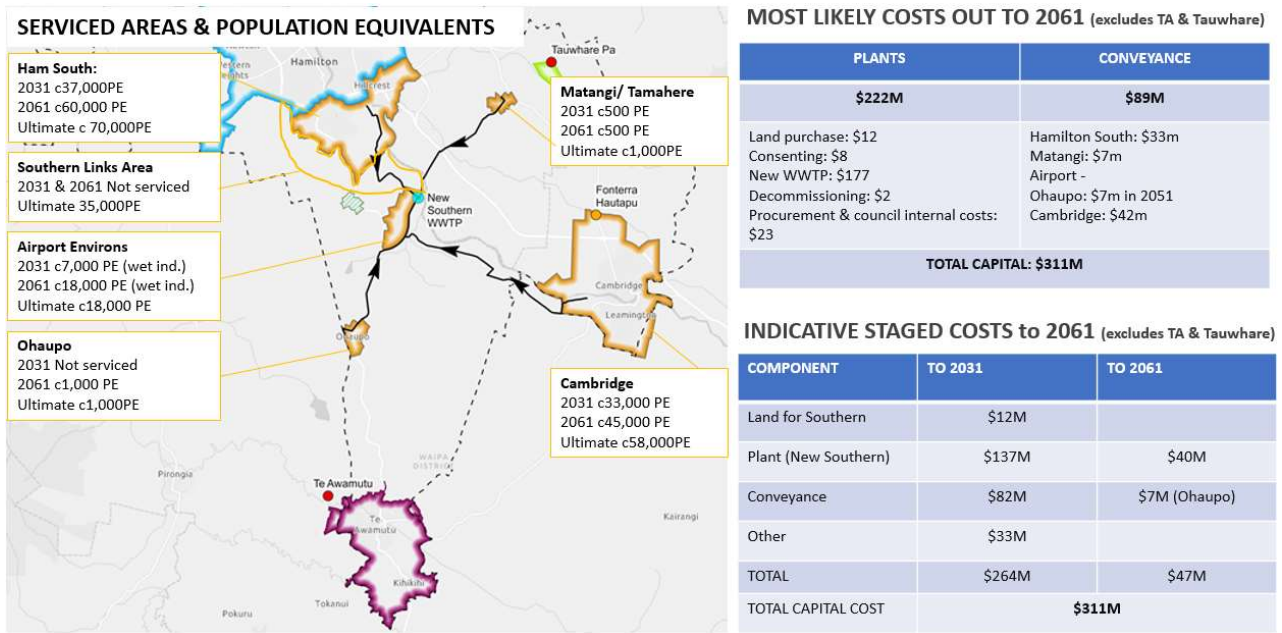
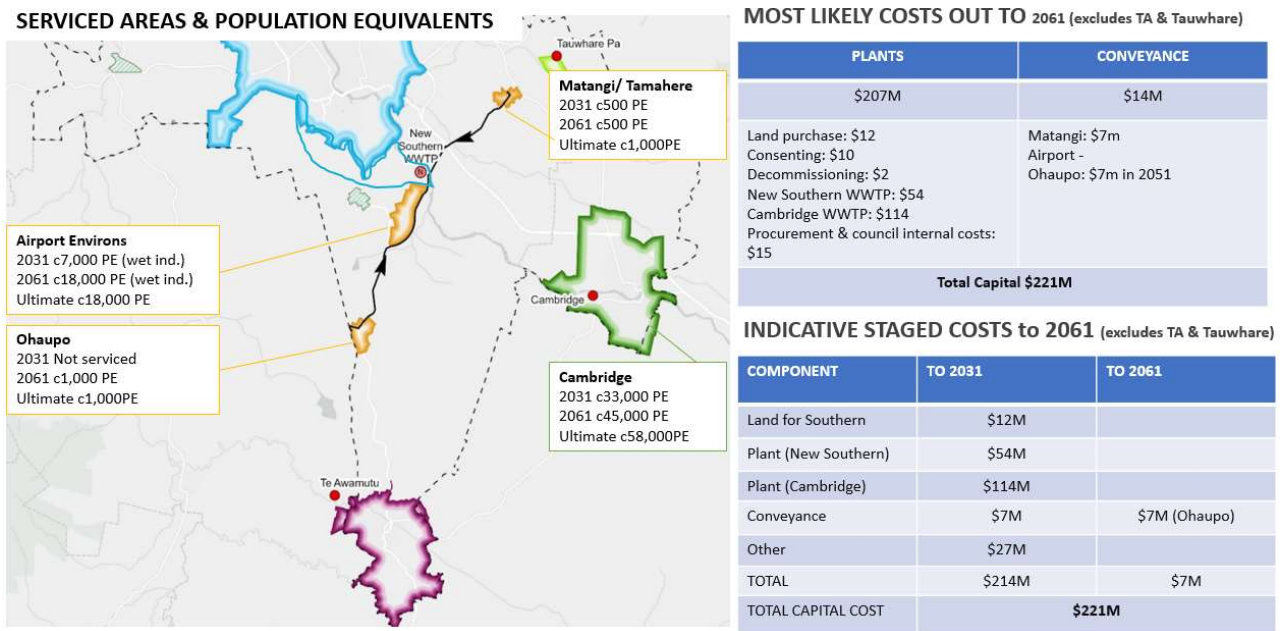


Figure 4: Option 2A – Southern Metro Area Servicing Details



Potential Staging of Options

- Option 2A** requires a new southern plant and conveyance system to be constructed by 2031 to service Cambridge. While there may be some potential to stage servicing of smaller communities as part of **Option 2A**, major investment in the new southern plant and conveyance systems from Cambridge are required upfront. There is limited ability to defer or stage that investment.
- Option 4A** requires the new Cambridge Plant to be constructed by 2026, again with limited ability to defer or stage that investment. However, the new southern plant included in **Option 4A** has significant potential to be refined and developed over time to meet demand. The southern plant sizing and cost estimates are based on servicing up to 18,000 PE in and around the airport. A significant proportion of this PE comes from the “wet industry” assumptions

used for the DBC. As part of refining the preferred option, changes to the growth and land use assumptions, such as removing “wet industry” from the airport area and/or increasing the area to be serviced by the new Southern plant (e.g. the Southern Links area and South Hamilton), can be tested and allowed for in master planning a new site. In addition, there may be options available to further stage investment in and around the airport to meet demand.

51. Costs and risks of conveyance from the southern extent of the city/airport area to Pukete may mean that a new plant in the south is a better approach than conveyance to Pukete, irrespective of Pukete having space to accommodate further treatment. This will be considered as part of the preferred option refinement.
52. Given the points noted above, **Option 4A** is considered more flexible and adaptable than Option 2A with greater ability to match investment in system capacity to meet need.
53. The potential to defer investment in the Pukete WWTP site as part of **Option 2A** was considered. Very little opportunity exists to defer investment in the Pukete WWTP process in the next 10 – 20 years. This is largely because the investment needed at Pukete is largely driven by compliance and resilience needs. In addition, the assumed portion of Hamilton flow and load to be diverted away from Pukete to a new plant in the south would be replaced by flow and load from the northern communities, therefore retaining the need to invest in Pukete in the short, medium and long term.
54. Potential to defer capital expenditure associated with lower water quality standards (i.e. the Te Awamutu WWTP consent standard) was also investigated. The advice from the technical team was that the capital cost savings were expected to be minimal, however the operating cost savings could be more significant. While this work was considered, the project partners have consistently promoted adoption of at least the Pukekohe standard used to develop the concept designs and cost estimates.

#### **Pukete Wastewater Treatment Plant Site Capacity**

55. Closer examination of the likely build-out capacity of the Pukete WWTP site and in particular when the Pukete WWTP site may have insufficient space for expansion to meet demand was considered as part of testing the short-listed options.
56. This work determined that the current plant site has space to provide treatment for both short-listed options out to at least 2061 with a change to MBR technology and additional treatment processes. The assessment assumed that the treatment plant would be redeveloped and expanded within the existing site-built footprint only (outlined in red in Figure 5).
57. This is considered a reasonable approach to inform this DBC given that the full land holding owned by HCC (outlined in green) provides appropriate buffers to surrounding sensitive land uses, including residential development to the south and the Waikato River to the east. There are however, areas of the total land holding that may be appropriate for siting non-process related assets, such as the administration building, to maximise the use of space within the existing footprint (outlined in red). There may also be some areas that are suitable for future process unit expansion (e.g. the area west of Pukete Road).
58. The Pukete WWTP site capacity has an impact on recommending **Option 2A**, as the costs of diverting flow away from Pukete to free up capacity at the site would be incurred in the short-term, but the benefits not be realized for many decades.

**Figure 5: Pukete Wastewater Treatment Plant.** The overall site owned by HCC is outlined in green. This includes buffers around the site. The site build - out assessment was based on re-developing and expanding the treatment processes within the area outlined in red only.



59. The assessment of the build out capacity of the Pukete WWTP site indicates that (with appropriate staged investment) Pukete can meet the needs of Hamilton, Te Kowhai, Ngaruawahia, Taupiri, Hopuhopu and Horotiu to at least 2061. There are several risks associated with the assessment that must be highlighted.
- i. The assessment is based on assumed characterisation of wastewater and expected rate and patterns of growth. Higher strength waste, or faster and more intensive development could reduce the period that the Pukete site will be able to meet the needs of Hamilton and the Northern Metro communities. This could in turn bring forward the need to divert flow away from Pukete to a new treatment facility.
  - ii. The Pukete WWTP capacity assessment relies on significant network upgrades (including storage) to be implemented to manage peak wet weather flows. If these interventions are not implemented in the network, storage at the WWTP may be required which may take up valuable space at the site.
  - iii. The extent of ground dig out and remediation required in northern area of the Pukete site is unknown, which presents cost risks. While some allowances have been included for geotechnical uncertainty the allowances may not be enough.
  - iv. Brownfields construction complexity may impact the ability to make the site as efficient as necessary and add to the overall cost of building out the Pukete site. This requires further consideration as part of the Northern DBC.



- v. Renewals of existing structures/buildings not factored into cost estimates (although these costs apply to both Option 2A and 4A).
- vi. Maximising the capacity that Pukete can deliver relies on a change in technology (i.e. the adoption of MBR technology). Commitment and appropriately staged investment will be required to implement the technology change (included in the indicative cost estimates) over time to enable the plant to remain operational and compliant through future upgrades. This requires further consideration as part of the Northern DBC.
- vii. The potential to service wet industry may be limited by the build-out capacity of the Pukete site. While the agreed wet industry land use assumptions (i.e at Te Rapa, Horotiu, Ruakura) have been included in the assessment of the Pukete site, servicing major dischargers (e.g. Fonterra, Open Country Dairy, AFFCO) through the Pukete site may not be feasible options in the long term. This requires further consideration as part of the Northern DBC.
- viii. Sludge management – A future management strategy could require additional processing steps.

### Key Risks and Opportunities

60. Key risks associated with **Option 2A** include:
- i. Inability to secure funding or agreement to implement the preferred option in acceptable timeframes (i.e. as determined by the Cambridge discharge consents). This is evidenced by insufficient funds included in the HCC, Waipa DC and Waikato DC proposed 2021-2031 LTPs. HCC has included funds for Pukete WWTP upgrades, and a share of a new plant and Waipa DC has included for a Cambridge Plant but it is not enough for the full **Option 2A**.
  - ii. Building infrastructure well in advance of need and ratepayer bearing the financial burden of that investment.
61. Key risks associated with **Option 4A** include:
- i. That the partners do not co-invest in a new southern plant (land, consenting etc) in the short-term and only focus on investment in Pukete and Cambridge as per the current LTPs. This could force land owners/developers to pursue wastewater servicing solutions (e.g. piping, package plants) that are inefficient and deliver poor environmental, economic and social and cultural outcomes for the Metro area.
  - ii. Development opportunity potentially lost between Cambridge and Hamilton South.
  - iii. Development south of Hamilton that is not currently contemplated in the Metro Spatial Plan could require a wastewater servicing solution sooner than expected. This could be an outcome of significant growth pressures, or pressure to develop in ways not currently reflected in sub-regional planning.
  - iv. Not being able to consent a new southern plant.
  - v. Not consenting the new southern plant at the same time as Cambridge, and therefore not being able to benefit from the “betterment” created through upgrading the Cambridge plant.
62. A key mitigation action for the **Option 4A** key risks would be to purchase land for a southern treatment plant in the short-term. This would enable flexibility and responsiveness to different patterns or speed of development. The new southern plant could be developed in stages to progressively respond to growth. Staged development and developer funding of the new

southern plant could be linked to out of sequence development and future southern growth areas.

63. **Option 4A** potentially foregoes the following opportunities that **Option 2A** presents:
- i. Partially financing a sub-regional facility using monies need to meet the immediate and long-term needs of Cambridge.
  - ii. To partner with Central Government and attract third-party funding to develop a sub-regional facility, although there is no evidence to suggest that third-party funding would be available.
  - iii. Supporting wet industry in and around the airport. Option 2A had the advantage of a high domestic flow from Cambridge that could buffer the flows and loads from wet industry in and around the airport. If the assumed airport wet industry were to proceed, the proportion of wastewater flow and load originating from wet industry would be very large, therefore resulting in significant operational risks at the plant which could prove challenging to manage. As noted earlier, wet industry locations need to be properly considered and discussed by Future Proof.

### Recommended Preferred Option for Refinement

64. **Option 4A** is recommended as the preferred option to take forward for refinement as part of the DBC.
65. Key reasons for the recommendation are:
- i. **Option 4A** and **Option 2A** achieve similar outcomes in relation to the investment objectives (MCA) and 'Best for River' outcomes.
  - ii. **Option 4A** and **Option 2A** are assessed as having similar ability to be successfully consented and implemented. Note that the assessment assumes that the consenting for the Southern Metro area WW facilities will be co-ordinated.
  - iii. The unadjusted capital cost estimate (out to 2061) for **Option 4A** is \$64M less than **Option 2A**.
  - iv. The annual operating costs for the treatment plants for both **Options 2A** and **4A** are similar, however the annual operating costs for the conveyance systems associated with **Option 4A** are significantly lower than **Option 2A**.
  - v. Option 4A has a Present Value Cost (PVC) estimate of \$1,097 million compared with Option 2A which is \$1,213 million. This includes capital cost inflation of 3%, operating cost inflation of 2%, costs modelled to 2071 and 5% discount rate.
  - vi. **Option 4A** is considered more flexible and adaptable than **Option 2A** with greater ability to match investment in system capacity to meet need.
  - vii. The ability for a refined **Option 4A** to be staged to deliver infrastructure to meet demand. **Option 4A** includes a new plant vicinity of the airport, however the timing of that need will be dependent on the type, location and rate of growth. **Option 4A** has the potential to stage investment in the new southern plant to progressively respond to growth. Staged development and developer funding of the new southern plant could be linked to out of sequence development and future southern growth areas.
66. Other key factors that along with the above points have collectively resulted in **Option 4A** being recommended include:

- i. Greater confidence in the conveyancing costs, energy consumption and costs associated with each option and the difference between the two options. The costs and energy consumption associated with **Option 2A** (largely arising from conveyance) are significantly greater than **Option 4A**.
- ii. Greater clarity on the capacity of the Pukete WWTP site footprint and the ability of that site (through staged upgrades, investment and adoption of alternative technologies) to meet the needs of the Hamilton, Ngaruawahia, Taupiri, Hopuhopu and Horotiu for at least the next 40 years; further investigation will be undertaken as part of the Northern DBC.

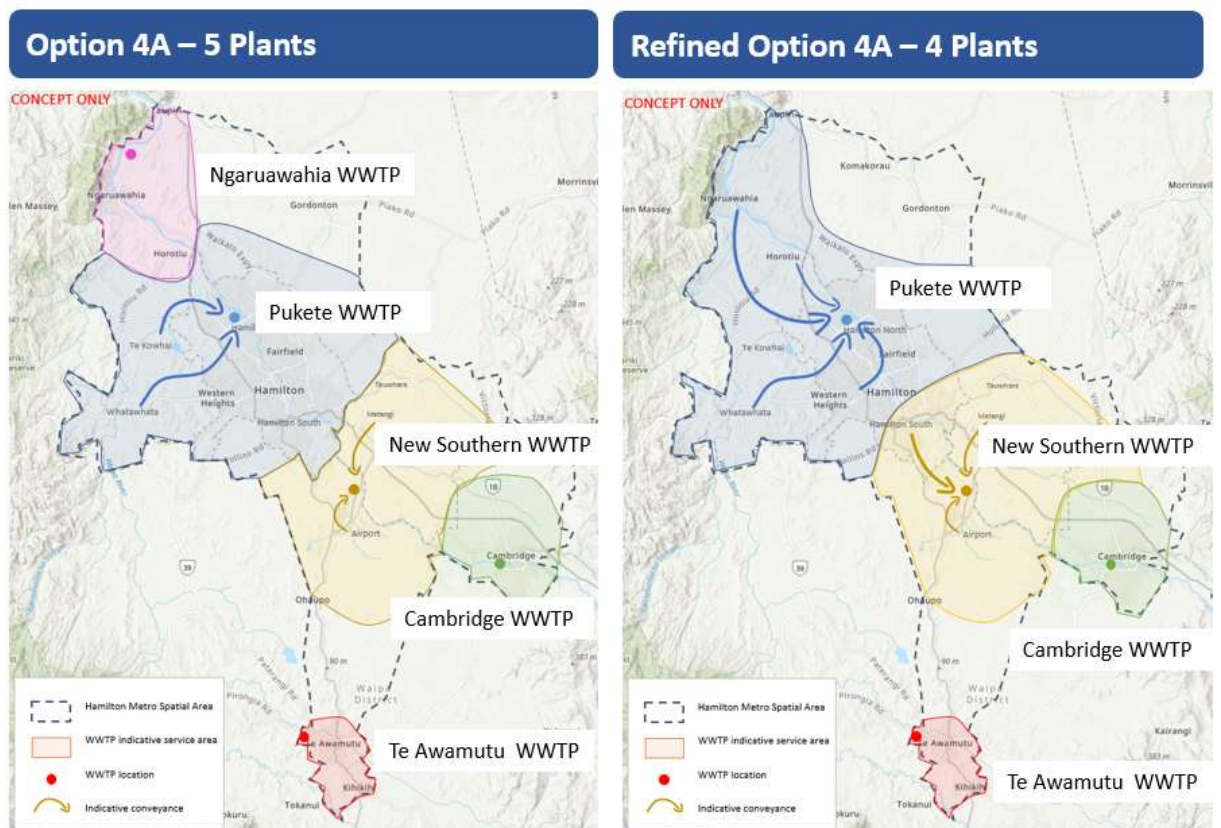
### Next Steps

67. If the preferred option recommendation is accepted, the next steps to completing the Southern Wastewater DBC include:
  - i. Seeking Governance Group approval of the preferred option to complete the DBC.
  - ii. Further discussions on funding and coordinating land purchase and consenting process across the Southern Metro area and alignment of partner Council LTPs.
  - iii. Refinement of **Option 4A**: including developing the Southern Metro area preferred WW solution concept designs, staging and implementation plans to support the DBC and completing sensitivity testing of different land use and growth assumptions and identifying land requirements for the southern / airport WWTP site.

### Southern Metro Area - Refined Option 4A Concept

68. The refined overall **Option 4A** could include Ngaruawahia/Taupiri/Horotiu being serviced via Pukete instead of via an upgraded plant at Ngaruawahia and a new southern plant being master planned to service a larger area than the Airport and environs as demand requires (e.g. Hamilton South and Southern Links area). A possible refinement of option 4A is shown diagrammatically in Figure 6 below. The new Southern WWTP would be staged to meet demand.

Figure 6: Diagrammatic Overview of Option 4A and a possible refined Option 4A



69. Implementation of the Southern Metro area components of a refined **Option 4A** could include the following:

a) Years 1 – 3:

- i. Seeking resource consents and designations for Cambridge and a new southern treatment facility near the airport.
- ii. Securing a site (c 15 – 20ha) near the airport to meet servicing needs in and around the airport and developing treatment as demand necessitates. This site would ideally be large enough to allow a plant to be developed in the future to service growth beyond that anticipated in the Metro Spatial Plan (e.g. growth south of the current Hamilton City Boundary).
- iii. Developing localised servicing solutions to meet the immediate needs of the airport and its environs.

b) Years 4 - 10:

- i. Building a standalone facility to service Cambridge/Hautapu, designed to allow for modular expansion over time.
- ii. Improved servicing for Matangi/Tamahere.
- iii. Improved servicing to meeting growth demand at Tauwhare Pa.

c) Years 11 onward:

- i. Developing and expanding a centralised modular facility on the secured site near the airport as development requires. The area of service could be expanded to include Hamilton South in the future as demand requires.

- ii. Servicing Ohaupo in the future when need arises, and treatment capacity is in place via the southern facility or at Te Awamutu.
70. The servicing solution for the Northern Metro Area communities will be considered as part of the Northern Metro WW DBC. Based on the capacity assessments for the Pukete site, there will be enough space and capacity (with significant investment) to service all of Hamilton, Ngaruawahia, Te Kowhai, Taupiri, Hopuhopu and Horotiu out to at least 2061.

### **Project Update**

71. A high-level update on the overall Waikato Metro Wastewater Project is included as **Attachment 4**.
72. The project is behind programme with the Governance Group meeting planned for December 2020 to consider the recommended preferred option to take forward deferred to April 2021.
73. The original completion date was late May 2021. The forecast completion date for the Southern Metro WW DBC is now July 2021. Achieving the July 2021 completion date relies on confirming the preferred option to take forward for refinement by early April 2021.

### **Programme - Cambridge Wastewater Consent Obligations**

74. The project delivery timeframes are being driven by key dates in the resource consent to discharge wastewater for the Cambridge plant (RC AUTH141113.02.01):
- a. Completion of the DBC by March 2021 and endorsement by Waipa DC (the consent holder) by 20 June 2021 (Interim milestones in Condition 33).
  - b. If a standalone long-term wastewater solution is proposed at Cambridge, then a long-term consent application shall be prepared and submitted to WRC by 31 December 2022 (Condition 33).
  - c. If a sub-regional option at a new location is pursued as the long-term option for Cambridge, then a consent application shall be prepared and submitted to WRC by 31 December 2023 (Condition 33).
  - d. If the above timeframes cannot be met, then an appropriate timeframe can be agreed in writing with the consent authority and will consider feedback from key stakeholder groups. Any extension shall be as brief as reasonably practical (Condition 33).
  - e. Condition 34 states that the long-term option for wastewater treatment currently undertaken at Cambridge WWTP shall be in place and operational by the expiration (1 December 2026) of the consent or as otherwise agreed in writing with the consent authority.
75. Waipa DC are responsible for ensuring compliance with the conditions of consent. Given the delays in the project, Waipa DC will be seeking extensions to dates specified for the Interim milestones in paragraph 61 (a) above.

### **Financial Considerations - *Whaiwhakaaro Puutea***

76. There are no financial implications in relation to this current report, however implementing the DBC recommendations is likely to have significant financial implications for the 2021–31 LTPs if adopted by the partner Councils.
77. As noted in the 12 November 2020 Committee meeting, staff from HCC, Waikato DC and Waipa DC worked to align 2021-31 LTP requests across organisations so that funding is available for at least the initial planning and land acquisition elements of a new Southern WW facility.

78. The “order of magnitude” estimate to secure land, designate and consent a new wastewater facility south of the city (as at November 2020) was c\$22M. To align with Waipa DC requirements for Cambridge, these activities would be spread over Years 1 to 3 of the 2021-31 LTP as shown below:

	TOTAL Y 1 - 3	YEAR		
		1	2	3
Land Purchase	\$ 12,250,000	\$ 250,000	\$ 12,000,000	
Designation & consenting process	\$ 9,500,000	\$ 2,025,000	\$ 3,800,000	\$ 3,675,000
Plant, conveyance, indirect costs				
<b>Total</b>	<b>\$ 21,750,000</b>	<b>\$ 2,275,000</b>	<b>\$ 15,800,000</b>	<b>\$ 3,675,000</b>

79. The cost-apportionments between the three Councils and associated funding requests submitted to fund the Year 1 – 3 activities are below:

	% contribution	TOTAL Y 1 - 3	1	2	3
Waikato District Council	18%	\$ 3,915,000	\$ 409,500	\$ 2,844,000	\$ 661,500
Waipa District Council	41%	\$ 8,917,500	\$ 932,750	\$ 6,478,000	\$ 1,506,750
Hamilton City Council	41%	\$ 8,917,500	\$ 932,750	\$ 6,478,000	\$ 1,506,750
HCC ROUNDED		\$ 9,000,000	\$ 1,000,000	\$ 6,500,000	\$ 1,500,000

80. This approach was taken to preserve the opportunity to commence delivery of a new Southern WW facility in line with Waipa DC programme needs.
81. Funding for construction of a new treatment facility and strategic conveyance systems could potentially be programmed to commence from Year 9 and extend beyond the 2021-31 LTP.
82. HCC have included for c\$9M in the proposed 2021-31 LTP to contribute toward the costs of land acquisition and consenting a new southern treatment facility in years 1 – 3. HCC noted a \$127 million (uninflated) contribution toward building a new sub-regional treatment facility in years 9 – 10 of the proposed 2021-2031 LTP (in accordance with Option 2A) but did not fund the expenditure in the proposed LTP.
83. Waikato DC noted a \$4M contribution to the facility in years 1 – 3 of their proposed 2021-2031 LTP but did not fund the expenditure in the proposed LTP.
84. Waipa DC were unable to revise their 2021-31 LTP funding requests to reflect the 40% contribution to purchase land and consent a new southern treatment facility as they had already finalised their proposed 2021-31 LTP by October 2020. They retained their indicative cost estimates for the Cambridge facility only.
85. While HCC have included some funding in years 1 – 3, if Waipa and Waikato DC do not contribute to the costs of securing land and consents for a new plant simply securing the land and consents may not be possible.

#### **Legal and Policy Considerations - *Whaiwhakaaro-aa-ture***

86. Staff confirm that this project complies with the Council’s legal and policy requirements.

#### **Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga***

87. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future (‘the 4 wellbeings’).

88. The Metro WW DBC(s) will adopt the Treasury Better Business Case Programme Business Case model. The 4 wellbeing's are core considerations in delivering the business case in addition to Te Ture Whaimana o te Awa Waikato – The Vision and Strategy for the Waikato River and relevant Iwi Management Plans.

### **Risks - *Tuuraru***

89. Delays in identifying the preferred option to take forward as part of the DBC has impacted on the project and increases the risks of not being able to implement the findings of the DBC. This is due to time constraints associated with Cambridge Wastewater short-term consent conditions. While mitigation strategies are being developed, further delays will increase this risk.
90. There are several significant risks associated with the successful delivery of the overall project. A project risk register has been prepared for the project. The significant risks relate to:
- a) lack of alignment across partner organisations leading to conflicting aspirations, inconsistent messaging, partner disagreement at key decision points; and
  - b) funding and affordability challenges
  - c) timing constraints arising for Cambridge Wastewater short-term consent conditions.
91. Other risks associated with the recommended option to take forward as part of the DBC are described from paragraphs 9 – 10 and 47 – 51.
92. Detailed implementation risk management plans will be developed as part of completing the DBC.

### **Significance & Engagement Policy - *Kaupapa here whakahira/anganui***

#### **Significance**

93. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the matter(s) in this report has/have a low level of significance.

### **Attachments - *Ngaa taapirihanga***

Attachment 1 - Attachment 1 - Waikato Metro WW DBC - Strategic Growth Committee - 2020-11-13 - Presentation

Attachment 2 - Attachment 2 - Short-listed Waste Water Options - Servicing Areas

Attachment 3 - Attachment 3 - Waikato Metro WW DBC- PGG Workshop Presentation 2021-02-26

Attachment 4 - Attachment 4 - Metro Area WW Project Governance Group Agenda - 2021-02-26 Project Update .

### Open Meeting

<b>To</b>	Waters Governance Board
<b>From</b>	Gavin Ion Chief Executive
<b>Date</b>	24 March 2021
<b>Prepared by</b>	Matt Horsfield Democracy Advisor
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1318
<b>Report Title</b>	Exclusion of the Public

## I. RECOMMENDATION

**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 each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
PEX Item 1 Confirmation of Minutes	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
PEX Item 2 Actions		
Item 3.1 Watercare Waikato – Electricity Pricing Summary		



PEX Item 3.2 Contract Financial Report – February 2021		
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This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item No.	Section	Interest
PEX Item 1 Confirmation of Minutes		Refer to the previous Public Excluded reason in the agenda for this meeting.
PEX Item 2 Actions Register		Refer to the previous Public Excluded reason in the agenda for this meeting.
PEX Item 3.1 Watercare- Waikato – Electricity Pricing Summary	7(2)(a)	To protect the privacy of natural person, including that of deceased natural persons.
	7(2)(b)	To protect information where the making available of the information: <ul style="list-style-type: none"> <li>(i) Would disclose a trade secret, or</li> <li>(ii) Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</li> </ul>
	7(2)(j)	To prevent the disclosure or use of official information for improper gain or improper advantage.
PEX Item 3.2 Contract Financial Report – February 2021	7(2)(a)	To protect the privacy of natural person, including that of deceased natural persons.
	7(2)(b)	To protect information where the making available of the information: <ul style="list-style-type: none"> <li>(i) Would disclose a trade secret, or</li> <li>(ii) Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</li> </ul>

7(2)(j) To prevent the disclosure or use of official information for improper gain or improper advantage.