

**MINUTES** for a meeting of the Waters Governance Board of the Waikato District Council held in Committee Rooms 1 & 2, District Office, 15 Galileo Street, Ngaruawahia on **TUESDAY, 5 SEPTEMBER 2023** commencing at **10.00AM**.

**Present:**

Mr D Wright (Chairperson)  
Ms R Schaafhausen – *via audio visual link*  
Mr GJ Ion (Chief Executive, Waikato District Council)  
Ms J Colliar (Intern)

**Attending:**

Her Worship the Mayor, Mrs JA Church (*until 10.10am*)  
Cr C Beavis  
Cr E Patterson  
Cr V Reeve  
Cr P Thomson  
Cr D Whyte (*from 10.45am*)

Mr C Morgan (Community Growth General Manager)  
Mr D Sharma (Three Waters Reform Project Manager)  
Mr J Baldwin (Waters Engineering Manager)  
Mrs J Calambuhay (Management Accountant)  
Mr W Gauntlett (Growth & Analytics Manager)  
Ms M May (Service Delivery General Manager)  
Ms K Ridling (Senior Solicitor – RMA)  
Ms C Pidduck (Legal Counsel)

Mr D Chambers (Chief Executive – Watercare)  
Mr M Telfer (Operations Manager Waikato – Watercare)  
Mr R Ball (Watercare)  
Ms M van der Lee (Watercare)

Mr R Bax (Richard Bax Consulting)  
Ms E Saunders (Senior Democracy Advisor)

The meeting was opened with a karakia.

Her Worship the Mayor, Mrs JA Church addressed the Board and provided an overview of the ongoing relationship between the Waters Governance Board and Council Elected Members.

## **APOLOGIES AND LEAVE OF ABSENCE**

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

**THAT** the apology for:

- a. non-attendance from Mr G Dibley and Mr K Martin (Waters Manager) be received.

**CARRIED**

**WGB2309/01**

## **CONFIRMATION OF STATUS OF AGENDA ITEMS**

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

**THAT** the agenda for a meeting of the Waters Governance Board Meeting held on Tuesday, 5 September 2023:

- a. 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
- b. in accordance with Standing Order 9.4 the order of business be changed with agenda item 6.6 [*Raglan Wastewater Treatment Plant MOU Update*] being considered after agenda item PEX3.8 [*Wastewater Demands & Constraints for Pookeno & Tuakau*].

**CARRIED**

**WGB2309/02**

## **DISCLOSURES OF INTEREST**

It was noted by the Chairperson that the item “Acting Chief Executive – Central Effluent Development Agency” can now be removed from the Register of Interests.

## **CONFIRMATION OF MINUTES**

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

**THAT** the minutes for a meeting of the Waters Governance Board Meeting held on Tuesday, 25 July 2023 be confirmed as a true and correct record of that meeting.

**CARRIED**

**WGB2307/03**

## **ACTIONS REGISTER**

### Agenda Item 5

The Three Waters Reform Project Manager spoke to the report which was taken as read and highlighted the following key points:

- The Department of Conservation item had been deferred to the October 2023 meeting.
- The Leak Detection information was circulated to the Board by Mr M Telfer as requested.
- It was noted that the other items on the Register were going to be addressed throughout the meeting with the agenda reports.

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

**THAT the Waters Governance Board receives the Actions Register to August 2023.**

**CARRIED**

**WGB2309/04**

## **REPORTS**

### Three Waters Governance Report – August 2023

#### Agenda Item 6.1

Mr Telfer spoke to the report which was taken as read and further discussion was held.

#### Key Highlights:

- A contractor of Watercare (Allen's United) reported a traffic accident which occurred in July 2023 on the road to Te Akau. The incident involved a car vs Water Tanker and whilst the tanker driver sustained no injuries there were minor injuries sustained to the passengers of the car, who were not wearing seatbelts.
- Police attended the incident and were satisfied with the driving and speed of the tanker driver. The initial and final reports were provided to Council.
- The improvements within the Stormwater area were starting to have effects however there were still challenges with capital delivery.

#### Questions/Discussion:

- A question was raised in relation to Finances – the amount in the report is a little bit lower than what was budgeted. Can the Board expect this to continue? It was advised that this was partially due to recruitment but this will be discussed further in the Public Excluded section of the meeting.

- It was noted that it would be good to get some commentary from the new Stormwater employee to get an understanding around Catchment Planning as well as the approach to ensure work is being done in line with best practices. It was noted that Mr R Pullar was working closely with the new Stormwater Planner and Council.

**ACTION:** Further commentary to be provided at the next meeting by Watercare in regards to Stormwater Catchment Planning and gain an understanding of what the approach is to ensure work is being done in line with best practices.

- A question was raised by the Board in regards to the car vs water tanker traffic accident and whether a drug & alcohol test was undertaken on the tanker driver? As the driver was a contractor it was advised that no drug or alcohol testing was undertaken by Watercare however it was noted that the Watercare procedure for an incident like this was to undertake testing on their staff.
- The report refers to a draft mitigation report which had been submitted by Babbage Consultants for Te Kowhai Stormwater – was the report available? It was noted that the report was currently under review as there were a couple of inconsistencies that Watercare want to go back and test.
- A question was raised regarding Rural & River water quality with a request for a more comprehensive assessment to be provided from Watercare. It was noted that the team itself had done a lot of work over the last 12 months but further information will be provided at the next meeting.

**ACTION:** Watercare to include information in the Governance Report at the next meeting that covers the Rural & River water quality changes.

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

**THAT the Waters Governance Board receives the Three Waters Governance report for August 2023.**

**CARRIED**

**WGB2309/05**

### Three Waters Reform Project Update – August 2023

#### Agenda Item 6.2

The Three Waters Reform Project Manager spoke to the report which was taken and read and highlighted the following key points:

#### Key Highlights:

- It was advised that all of the Waters Reform Legislation had now been passed by the House of Representatives on 15 August 2023.
- It was advised that a “go live” date had now been provided for the Waikato Water Services Entity and it was confirmed for 1 July 2025.
- It was noted that the Risk Register had been attached to this report for the Boards information and consideration.

### Questions/Discussion:

- What was the approach to the Long Term Plan (LTP) now that the go live date had been confirmed? What needs to come through to the Waters Governance Board to inform those timeframes? There was some general discussion at the last meeting but there had not been any further progression since then.
- It was advised that Council's plan was to be in a position prior to Christmas 2023 to have agreed in principal a budget for the LTP. Based on that timeline when will the Board be required to consider the Asset Management Plan (AMP) for input into the LTP? It was confirmed that this would need to be done at the next Board meeting in October to meet the timeframes.
- The Board needs to be in a position at the next Board meeting to a) be comfortable and b) endorse the AMP for input into the LTP so if the information was provided out of cycle prior to the next meeting that would be fine.
- A question was raised in regards to Entity B and the AMP working group and what Councils involvement is with this? It was noted by the Three Waters Reform Project Manager that Council had made it clear to the National Transition Unit (NTU) that we will not be requiring them to make an addendum for us and that we will be furnishing our own AMP with our own local knowledge.
- It was further noted that with regards to the Working Group we have put forward two names that can be our representatives with Mr R Pullar (Watercare) being one of them – Council had not had any confirmation to date but this will be followed up to ensure we are represented.

**ACTION:** Further information to be provided to the Board that outlines Councils approach to the LTP; the involvement Council has had with Entity B to date and what involvement Council will have going forward

- An indepth discussion was had by the Board in regards to both the AMP and the Council LTP planning cycle. It was discussed at length what the best approach would be moving forward and it was decided to provide an AMP for the Board for their consideration, either out of cycle or at the next meeting, that includes the following:
  - i. The most recent 10-year view that has been fed into the NTU;
  - ii. A 2-year proposed Three Water Scheme that feeds into Councils LTP.
- It was noted that Year 1-2 of the AMP will be the constrained view Year 3-10 will be the unrestrained AMP for the entity
- The Growth & Analytics Manager responded to a query about development contributions and it was noted that the indication from the Board that a 10 year view was needed is very important to the Development Contributions team as they will need to push that into the development contribution model to ensure levies remain appropriate. The relevant Council teams (Finance and Development Contribution Team) will work with Watercare to cover this.
- It was confirmed that the entire AMP will need to be reviewed again if the Waters Reform Legislation doesn't go ahead after the election.

**ACTION:** A detailed Asset Management Plan is to be provided to the Board for their review and consideration at the next meeting which outlines both a 2-Year view (for the Council LTP cycle) and a 10-Year view (as provided to the NTU)

- A query was raised in relation to the attached Risk Register; it's very comprehensive but there were concerns with the Board accepting the risk register as per the recommendation when it has a few extreme risks highlighted. It was decided that the Board would note and receive the Risk Register rather than accept it as a lot of these risks are outside the Boards control.

**ACTION:** The Risk Register to be amended before the next meeting to only highlight the risks that are of concern to Officers that are within the Boards element of control.

- The concern around Watercare Waikato staff wellbeing was raised and it was noted that it was important that staff were informed and bought along on the journey so they don't feel left behind. It was confirmed that existing staff will go over with Watercare as part of Entity A on 1 July 2024 and then will come back when Entity B is established.
- The Chairperson raised a question in relation to the new Resource Management Act (RMA) as there was discussion that the Act will set a new 10 year maximum consent requirement – was this correct and what does that mean for Council? Staff will come back to the Board with this information.

**ACTION:** New Resource Management Act (RMA) legislation – Council staff to come back to the Board with clarification around the potential 10 year maximum consent requirement and what impact this might have on existing/new consents.

- Mr D Chambers (Watercare Chief Executive) addressed the Board and gave his insights into the Three Waters Reform from a Watercare perspective and the impacts that Council need to consider. A brief discussion was held with the Board particularly around Working Groups and the need for Council to have representation in this space.

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

**THAT the Waters Governance Board:**

- a. notes that the project management for water services reform is ongoing; and**
- b. that the Risk Register be received.**

**CARRIED**

**WGB2309/06**

## District Wide Plant Fencing Agenda Item 6.3

Mr M Telfer spoke to the report which was taken as read and highlighted the following key points:

### Key Highlights:

- 18-20 months ago a fencing project was done around Wastewater Treatment Plants with a focus on security rather than staff or public Health & Safety.
- The project identified an appropriate fencing and security standard moving forward and the report was before the Board to approve the allocation of funds within the existing Wastewater Treatment Plant budget.

### Questions/Discussion:

- It was noted that the \$350,000 required covers the construction of the fencing. It was further noted that initially the project was going to just cover fencing around the treatment ponds only however; after a rescope of the project it was recommended that all ponds & waterways at all Water and Wastewater Treatment Plants were to be isolated.
- The 1<sup>st</sup> plant that Watercare are looking at fencing is Te Kauwhata with the plan to do a few more plants in the district. It was asked if the \$350,000 will cover the costs of fencing at all the plants in the district and the answer was confirmed that no, it will not cover all plants. The total cost for all plants is unknown at this stage.
- It was noted that this report was rather open ended and the Board wanted clarification on how far this fencing budget would go? Will there be a significantly higher bill? The original quote that was obtained was \$350,00 for the fencing of the water bodies at the District's plants only but it has now be rescoped to include wetlands. Once the total cost is known Watercare will come back to the Board with that information.
- How was Watercare prioritising how the \$350,000 is spent? It was noted that essentially the team are working on a high risk basis for each plant with Te Kauwhata being used as an example of a high risk site due to the increase in residential properties around the site.
- It was noted that even if there were more than \$350,000 available the works being completed at all plants across the district in this LTP year was unknown particularly since the Contractor and their capacity to complete works have not been confirmed yet.
- It was noted in response to a query raised that Watercare is or has already fenced not only their ponds in Auckland but the Wetlands aswell.
- It was thought by the Board that this project requires a risk assessment along with a prioritisation programme that outlines which plants will be completed and the timeline. It would be also be good to see Health & Safety measures that were being considered and undertaken. A brief overview of the current Health & Safety risks and standards for staff was given to the Board.
- An addition to the resolution was requested by the Board that encompasses the requirement for a comprehensive risk assessment to be undertaken that includes what

the prioritisation strategy will be along with an additional note of the risk assessment (once completed) needing to come back to the Board that advises what the final costings will be.

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

**THAT the Waters Governance Board:**

- a. **approves all water and wastewater treatment plant ponds and waterways have appropriate fencing installed; and**
- b. **approves the initial allocation of \$350,000 from Wastewater Treatment Renewals to the fencing project based on the initial quote. Any available capex funding as the year progresses could be allocated to the project and a comprehensive risk assessment is to be undertaken to work on the prioritisation of plant fencing; and**
- c. **once the risk assessment is completed, an updated and full report is to be brought back to the Waters Governance Board to advise on a final costing for all fencing of plants**

**CARRIED**

**WGB2309/07**

Three Waters Compliance Update  
Agenda Item 6.4

Mr M Telfer along with Ms M van der Lee spoke to the report which was taken as read and highlighted the following key points:

Key Highlights:

- A brief overview of the report was provided to the Board along with a brief history as to the requirement of this report.
- An overview of the Wastewater aspects of compliance and abatement notice was provided to the Board as per the report.
- The Water balance table included in the report was spoken to and it was noted that Watercare wanted to highlight this success.

Questions/Discussion:

- The Board expressed a disappointment in the information provided as, at the last meeting, it was noted that a further comment needed to be added to the report that explains the actions that staff were taking to address any non-compliance. It is not suffice to simply state that non-compliance exists or identify any potential issues and not report on the works that were being undertaken to address them.



- It was noted that having an additional column in the report that addresses the work being undertaken to rectify any issues and non-compliance would definitely help the Board get a better understanding of what is happening on the ground.
- It was confirmed that this report be presented to the Board on a quarterly basis.
- It was confirmed that the upgrade project at the Maramarua Wastewater Treatment Plant started this week and the team were working towards compliance.
- A question was raised in relation to compliance levels – what was the difference between high level of compliance and full level of compliance? It was confirmed that this is the Waikato Regional Council (WRC) framework.
- The Board appreciated the Water Balance table in the report and found it insightful. It was confirmed that Watercare were keeping in touch with WRC and other key stakeholders when working on areas where there is low or no compliance.

**ACTION:** Watercare to ensure that works being undertaken to address any non-compliance is included in the Compliance report moving forward.

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

**THAT the Waters Governance Board receives the Three Waters Compliance Update report.**

**CARRIED**

**WGB2309/08**

Proposed New Water Supply Bylaw  
Agenda Item 6.5

The Three Waters Reform Project Manager along with the Corporate Planner spoke to the report which was taken as read and highlighted the following key points:

Key Highlights:

- Noteworthy opportunity –
- Engineering design standards
- Have added the requirements for the Developers in terms of meeting the new updated standards
- Updated the bylaw to speak to more current issues

Questions/Discussion:

- It was confirmed that any technical issues that come out of the Bylaw will come back to the Board for their information however it is a Council bylaw and as such it will go to Council for approval/adoption.

- It was confirmed that staff are proposing to have a Council workshop next week to look at the Bylaw with elected members and then it will go through to the Policy & Regulatory Committee for approval to consult.
- It was noted that there was an absence of a reference for Te Ture Whaimana which needs to be included in the bylaw and it was further queried whether the absence of the Firefighting standards and code is a gap that also needs to be looked at.

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

**THAT the Waters Governance Board receives the Proposed New Water Supply Bylaw Report**

**CARRIED**

**WGB2309/09**

## **EXCLUSION OF THE PUBLIC**

Agenda Item 7

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

**THAT** the public be excluded from the following parts of the proceedings of this meeting; and

- a. 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:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
<b>Item PEX 1 Confirmation of Minutes</b>	<b>Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987</b>	<b>Section 48(1)(a)</b>
<b>Item number PEX 2 Action Register</b>		
<b>Item PEX 3.1 Te Kauwhata Wastewater Treatment Plant Discharge Resource Consent Renewal Update</b>		
<b>Item PEX 3.2 Waikato Waters Contract Financial Report – July 2023</b>		
<b>Item PEX 3.3 Bulk Water Supply Pipeline Extension – Pookeno Road</b>		
<b>Item PEX 3.4 Capital Delivery Programme Overview</b>		
<b>Item PEX 3.5 Scada Telemetry Upgrade Project</b>		
<b>Item PEX 3.6 Ngaaruawaahia WWPS Upgrades and Flow Diversion</b>		

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
<b>Item PEX 3.7 Matangi Reservoir Site Acquisition</b>	<b>Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987</b>	<b>Section 48(1)(a)</b>
<b>Item PEX 3.8 Wastewater demands and constraints for Pookeno &amp; Tuakau</b>		
<b>Item PEX 3.9 Raglan Wastewater Treatment Plant MOU Update</b>		

- b. 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:

<b>Item No.</b>	<b>Section</b>	<b>Interest</b>
<b>Item PEX 1 Confirmation of Minutes</b>  <b>Item number PEX 2 Action Register</b>	<b>Refer to the previous Public Excluded reason in the agenda for this meeting.</b>	
<b>Item PEX 3.1 Waters Financial Results – July 2023</b>	<b>7(2)(b)(ii)</b>	<b>To protect information that would otherwise unreasonably prejudice a person’s commercial position.</b>
	<b>7(2)(h)</b>	<b>To enable commercial activities to be carried out without prejudice or disadvantage.</b>

<b>Item No.</b>	<b>Section</b>	<b>Interest</b>
<b>Item PEX 3.2 Waikato Waters Contract Financial Report – July 2023</b>	<b>7(2)(h)</b>	<b>To enable commercial activities to be carried out without prejudice or disadvantage.</b>
	<b>7(2)(j)</b>	<b>To prevent use of the information for improper gain or advantage.</b>
<b>Item PEX 3.3 Bulk Water Supply Pipeline Extension – Pookeno Road</b>	<b>7(2)(b)(ii)</b>	<b>To protect information that would otherwise unreasonably prejudice a person’s commercial position.</b>
	<b>7(2)(h)</b>	<b>To enable commercial activities to be carried out without prejudice or disadvantage.</b>
	<b>7(2)(j)</b>	<b>To prevent use of the information for improper gain or advantage.</b>
<b>Item PEX 3.4 Capital Delivery Programme Overview</b>	<b>7(2)(h)</b>	<b>To enable commercial activities to be carried out without prejudice or disadvantage.</b>
	<b>7(2)(i)</b>	<b>To enable negotiations to carry on without prejudice or disadvantage.</b>
<b>Item PEX 3.5 Scada Telemetry Upgrade Project</b>	<b>7(2)(b)(ii)</b>	<b>To protect information that would otherwise unreasonably prejudice a person’s commercial position.</b>
	<b>7(2)(h)</b>	<b>To enable commercial activities to be carried out without prejudice or disadvantage.</b>
	<b>7(2)(j)</b>	<b>To prevent use of the information for improper gain or advantage.</b>

Item No.	Section	Interest
<b>Item PEX 3.6</b> <b>Ngaaruawaahia WWPS</b> <b>Upgrades and Flow Diversion</b>	7(2)(b)(ii)  7(2)(h)  7(2)(j)	<p>To protect information that would otherwise unreasonably prejudice a person's commercial position.</p> <p>To enable commercial activities to be carried out without prejudice or disadvantage.</p> <p>To prevent use of the information for improper gain or advantage.</p>
<b>Item PEX 3.7</b> <b>Matangi Reservoir Site</b> <b>Acquisition</b>	7(2)(b)(ii)  7(2)(h)  7(2)(j)	<p>To protect information that would otherwise unreasonably prejudice a person's commercial position.</p> <p>To enable commercial activities to be carried out without prejudice or disadvantage.</p> <p>To prevent use of the information for improper gain or advantage.</p>
<b>Item PEX 3.8</b> <b>Wastewater demands and</b> <b>constraints for Pookeno &amp;</b> <b>Tuakau</b>	7(2)(b)(ii)  7(2)(h)  7(2)(g)	<p>To protect information that would otherwise unreasonably prejudice a person's commercial position.</p> <p>To enable commercial activities to be carried out without prejudice or disadvantage.</p> <p>To maintain legal professional privilege.</p>
<b>Item PEX 3.9</b> <b>Raglan Wastewater</b> <b>Treatment Plant MOU</b> <b>Update</b>	7(2)(b)(ii)  7(2)(g)	<p>To protect information that would otherwise unreasonably prejudice a person's commercial position.</p> <p>To maintain legal professional privilege.</p>

- c. **Mr R Bax (Richard Bax Consulting)** be permitted to remain at this meeting, after the public has been excluded to discuss Item **PEX3.1 – Te Kauwhata Wastewater Treatment Plant Discharge Resource Consent Update** because of his knowledge and work on this Item and the assistance being provided.

**CARRIED**

**WGB2309/10**

*The meeting adjourned at 10.24am for morning tea and resumed at 10.47am.*

*Resolutions WGB2309/11 - WGB2309/ are contained in the public excluded section of these minutes.*

There being no further business the meeting was declared closed at .....PM.

Minutes approved and confirmed this                      day of    2023.

David Wright  
**CHAIRPERSON**