
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, 25 JULY 2023** commencing at **8.30AM**.

Present:

Mr D Wright (Chairperson)
Ms R Schaafhausen
Mr G Dibley
Mr GJ Ion (Chief Executive, Waikato District Council)
Ms J Colliar (Intern)

Attending:

Her Worship the Mayor, Mrs JA Church (*from 8.48am*)
Cr E Patterson
Cr L Thomson – *until 10.24am*
Cr P Thomson
Cr D Whyte

Ms A Diaz (Chief Financial Officer)
Mr K Martin (Waters 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) - *from 8.44am*

Mr M Telfer (Operations Manager Waikato – Watercare)
Mr J Turner (Watercare) – *from 9.58am*
Mr P Crabb (Watercare) – *from 9.31am*
Mr R Pullar (Watercare) – *from 9.31am*

Ms E Saunders (Democracy Advisor)

APOLOGIES AND LEAVE OF ABSENCE

All members were present.

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, 25 July 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.**

CARRIED

WGB2307/01

DISCLOSURES OF INTEREST

It was noted by Ms R Schaafhausen that she would declare a non-financial disclosure of interest in relation to:

- Item 6.2 (Three Waters Reform Project Update) as she is on the Strategic Advisory Committee Member to the Chief Executive Officer of the Department of Internal Affairs (DIA), and
- Item 6.3 (HopuHopu Reservoir Demolition and Site Clearance) as a trustee of the Endowment College

It was noted by Ms J Colliar that she would declare a non-financial disclosure of interest in relation to:

- Item 6.2 (Three Waters Reform Project Update) in regards to the Select Committee submission, and
- Item 6.3 (HopuHopu Reservoir Demolition and Site Clearance) due to the location of the project, and
- Item PEX3.2 (Capital Projects Delivery Update) as a trustee of Nga Muka.

CONFIRMATION OF MINUTES

Resolved: (Ms Schaafhausen/Mr Dibley)

THAT the minutes of a meeting of the Waters Governance Board Meeting held on Wednesday, 14 June 2023 be confirmed as a true and correct record of that meeting.

CARRIED

WGB2307/02

ACTIONS REGISTER

Agenda Item 5

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

Key Highlights:

- Retired Assets update – it was noted that land which had retired assets has now either been re-utilised or the structure is no longer there. There is nothing of consequence that the Board need to be aware of.
- It was confirmed that the Department of Conservation (DOC) own the land and the reservoir in Ngaruawahia however a concern was raised in regards to who is looking after the structure of the dam? It sits above a large Council asset (the Water Treatment Plant) so it would be good to have an asset management plan from DOC outlining what their plans are for the reservoir structure.

ACTION: The Waters Manager to go back to the Department of Conservation and request the management plan for the Water Reservoir Structure in the Hakarimata Ranges in Ngaruawahia.

- A Compliance and Abatements update will be provided at the next Board meeting.
- The Raglan Wastewater Treatment Plant Memorandum of Understanding (MOU) update advised that whilst the conversations with the land owner have been fruitful they have also been dragging on quite a bit. It was further confirmed that if an MOU is completed it will be Mr Ion who will sign it on behalf of Council.
- It was noted that Watercare would need to provide further information on both the leak detection update and the District Reservoirs and the Dam Safety Regulations as there was no update for this meeting.

ACTION: Watercare Staff to provide more in-depth information out of cycle by the 4 August 2023 in relation to both the Leak Detection work that is currently being undertaken and the District Reservoirs and the Dam Safety Regulations.

Resolved: (Mr Wright/Mr Ion)

THAT the Waters Governance Board receives the Actions Register to June 2023.

CARRIED

WGB2307/03

REPORTS

Three Waters Governance Report – July 2023

Agenda Item 6.1

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

Key Highlights:

- A loss time injury occurred during this period when an employee (who was not handling chemicals correctly, nor was wearing protective eye-wear) had some splash into their eyes. Treatment was sought at the hospital and the employee had the following day off work.
- Concerns addressed with the staff member who is an experienced operator and knows the regulations and need for safety gear to be worn. Watercare will continue to do follow up reminders to all staff to ensure safety procedures are being followed at all times.
- An extensive discussion followed around Health & Safety procedures in the workplace and what Watercare are doing to ensure incidents like this do not occur in the future. It was confirmed that the staff member did not undertake any drug or alcohol testing as Watercare did not believe it was warranted.
- A brief overview of the End of Year performance results were given and highlights were noted as per the report.
- It was noted that the tour of the northern Wastewater and Water Treatment Plants with Elected Members was a great day and the team were grateful for the opportunity to show their work and what they are currently doing in the project space.

Questions/Discussion:

- Are the goals that have been set for the coming year in line with Key Performance Indicators (KPIs)? It was noted that there are a few goals that staff have that range from individual performance to the delivery of works and the capital programme.
- It was noted that the final approval for the budget is still outstanding as per the report and a brief discussion was held around the issues that were highlighted.
- Concerns around the Capital Works were noted along with the Capital Project budget. It was confirmed that further discussion would take place in the public excluded section of the meeting in the Capital Works item.
- A discussion was held in relation to the budget figures given the carry-forwards into this financial year. It was noted that approval is required to recruit for a Stormwater Planner which is where some of the concerns around Capital Project delivery comes from. The Chief Financial Officer advised to go ahead and progress the recruitment but it was noted that confirmation in writing was required to confirm the budget was there – this has now been given.
- It was asked if some of the costs for recruiting a Stormwater Planner could be done against the Capex Project since a few of those projects are Stormwater related? It was noted that some of the costs of this recruitment can be capitalised but it was noted that the majority of the planning works cannot be capitalised.

- Section 3.1 of the report and the reference to increased dredging was discussed and it was noted that whilst an exact figure on the frequency of dredging that has been done to date there are no plans to change the water intake and it was further noted that increased operational costs are factored into the budget.
- Section 3.3 of the report (Te Kowhai Flooding Mitigation) was raised however it was decided to discuss this item further in public excluded. It was noted further though that there seems to be a lot of missed opportunity between Waikato District Council (WDC) and Hamilton City Council (HCC) to engage on Stormwater and erosion issues in our cross boundary communities. It was noted that there was a shared study between WDC and HCC that has stalled but looking to engage further in this space.
- It was noted that there are no Water Treatment Plant services at Te Kowhai, only Wastewater services but further discussion can be done in the Asset Management Plan discussion later in the day. It was noted that an understanding on what the implications would be on Council and Te Kowhai if re-zoning is done without consideration of the services.
- A discussion was held around firefighting shortfalls across the district and whether we are hitting the most at risk parts of the district in the Upgrade programme? It was noted by Mr Telfer that he would probably need to have the planning team attend a meeting to discuss that further but also advised that another Watercare colleague attending the workshop this afternoon could also assist with this.
- An understanding of Councils liability associated with not meeting codes was needed. It was advised that all new developments needed to meet those requirements or meet the requirement of minimum water tanks on site. It was acknowledged however that existing developments did need to be looked at. It was advised that this topic should be in the Asset Management Plan discussion in the afternoon.

Raglan Wastewater Treatment Plant:

- The timeframe for landing on the preferred discharge option has taken a significant amount of time. It was noted that that the Regional Council have also expressed their concerns at the time this has taken but have also been part of the process from the start.
- Is there anything that could be done to expedite the process? The team are working hard with all parties involved but it was noted that we need to decide on a timeframe on when the exercise becomes futile and the need to go back to the community to advise that land discharge is no longer a viable option.
- It was discussed that the timeframe should sit within the six month mark – if nothing has changed at that time then a move to Plan B should begin. It was noted that the monthly meetings held with the Raglan Community were not producing results.
- It was noted that the new systems for Wastewater discharge these days and the new technologies that could be used are really good and maybe it was time to have an honest conversation with the community and be upfront with where we actually are. The community and mana whenua were adamant that discharge into the harbour was not an option but we need to have robust engagement and say that we have gone as far as we can with this option.

- A discussion on the technical capability of the land and what it could handle was had and it was noted that there were still some technical aspects with land discharge to be considered.
- An extensive discussion was held around the risk of all this work being done, the need for this project to be passed through Council and the potential for Council not being in agreement. We need to start having the conversation with the community and look at the possibility of running two parallel options. An update on the Memorandum of Understanding (MOU) would be given in public excluded by the Growth & Analytics Manager.
- It was noted that any alternative option considered does not automatically mean a reduction in costs for this project. There will be costs involved no matter which option is decided upon and this needs to be taken into consideration when passing this project through Council.
- It was noted that mana whenua are part of the conversations and involved in any engagement.

ACTION: The Board request a report for the next Water Governance meeting in relation to the Raglan Wastewater Treatment Plant with a firm recommendation on a preferred outcome or direction. If a firm recommendation cannot be given than a clear direction of where this project is going and clear timeframes as to when this will happen.

Te Kauwhata Wastewater Treatment Plant:

- The long list noted on Page 32 of the report has raised concerns with the Board as it was thought that this process had already been done and we were now at a short list of options.
- It was noted by Mr Telfer that this was in the report just to show the options that Watercare were working with and it was confirmed that we are down to two (2) options.
- A further concern was raised that it appears we have gone from a long list of options to the Water Hub option with nothing to show in between on how we have landed on that option. It was noted that options have been secured but nothing has been landed on as yet.
- An extensive conversation in regards to community engagement with Te Kauwhata took place and how it has been navigated to date. The Waters Manager spoke to this and it was decided that a further paper to the Board was required.

ACTION: Watercare staff to provide the Board with a short list of options for the Te Kauwhata Wastewater Treatment Plant along with an accompanying report that outlines a firm plan of what is going to happen next in this project and moving forward.

Other Items of Discussion:

- A discussion was had in relation to asset management and in particular glass lined water tanks and the strengths and weaknesses of these. It was noted by the Waters Manager that it was his opinion that these are not the right asset for what they are intended as the whole of life consideration was never considered along with the need to empty a tank every five (5) years to service.
- It was noted after a further extensive discussion in relation to that either way all assets need to be managed and since we have them they will be managed accordingly.
- It was noted that there are threads of communications throughout this report and a question was raised regarding:
 - i. where is the communication plans and strategies for each project?
 - ii. who is running these communications and who is telling those stories of our projects as we go along?
 - iii. have we got the right communication experts to tell these stories to our communities?
- It was confirmed that Communications sit with Council and not Watercare but an action has been raised to respond to the questions.

ACTION: Council staff to consider the communications planning for these projects and how best we can use this tool effectively to tell the projects story.

- An extensive discussion was had in relation to Stormwater assets that are Waikato District Councils (WDC) jurisdiction vs Waikato Regional Council (WRC) jurisdiction and how often the two councils meet to discuss any issues? It was confirmed that Stormwater assets that are under WDC control have a scheduled maintenance plan however it was further noted that flooding issues or Stormwater conversations with WDC and WRC are outside the Water Governance Board purview and not for this forum.
- A brief discussion was held in regards to Water Quality complaints in Huntly which was addressed by Mr Telfer.

Resolved: (Ms Schaafhausen/Mr Ion)

THAT the Waters Governance Board receives the Three Waters Governance report for July 2023.

CARRIED

WGB2307/04

Three Waters Reform Project Update – July 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:

- A brief overview of the submission prepared for Waikato District Council was given along with an outline of the 3 options presented.
- It was noted that the Water Governance Board had the support of Waikato Tainui with their submission.
- The Three Waters Reform Project Manager has sought clarity from the Select Committee on the strength of community priority statements relative to Te Mana o Te Wai and the interface between the two statements.
- The threshold for making a community priority statement is for a person to have an interest in a body of water within the proposed entity boundary. The Three Waters Reform Project Manager has asked select committee how a person can demonstrate this interest.
- The Three Waters Reform Project Manager has also noted that the Joint Management Agreement between Waikato Tainui and Council is predicated on Te Mana o Te Awa. The Te Mana o Te Wai statements will, if succeeding Te Mana o Te Awa, need to account for these principles, particularly that Waikato Te Awa is tuupuna to the tribe and is a single, indivisible being, that needs to be considered in its entirety.
- It was noted that transition funding has been extended for a further six months.

Questions/Discussion:

- It was advised by Ms Colliar that she was not aware of the previous conversations with Waikato Tainui but she wanted it noted for the minutes the following statement in the Waikato Tainui submission to the select committee on the amendment bill – clause 40:
 - i. *“Waikato Tainui do not support any potential merger, voluntary or otherwise, of the Waikato Water Services Entity in whole or in part with either Bay of Plenty Water Services or the Northland and Auckland Water Services Entity”.*
- At the local transition team meeting it was noted in the public forum that Council did indeed have the support of Waikato Tainui so this statement is surprising.
- The dates of each of the submissions from both Waikato Tainui and Waikato District Council are a day apart but Ms Colliar confirmed that a response wasn't required – it was just to be noted for the minutes.

Resolved: (Mr Ion/Mr Wright)

THAT the Waters Governance Board:

- a. receives the **Three Waters Reform Waters Project Update report for July 2023**; and
- b. notes that the project management for three waters reform is ongoing.

CARRIED

WGB2307/05

Hopuhopu Reservoir Demolition and Site Clearance

Agenda Item 6.3

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

Key Highlights:

- It was noted that this is an information only report rather than an approval report.
- It was confirmed that funding for this project will come from the Operational surplus budget and the cost of \$288,400 will see the project through to completion.

Questions/Discussion:

- It was confirmed that the old reservoir is located on Council land and the new reservoir is located on Waikato Tainui land.
- The negotiations with Waikato Tainui are to formalise the hand over of the old reservoir site (owned by Council) to Waikato Tainui in exchange for a 100 year lease for the land the new reservoir occupies.

Resolved: (Mr Wright/Mr Dibley)

THAT the Waters Governance Board:

- a. supports the proposed plan to demolish the aged steel reservoir situated at the **Waikato-Tainui College for Research and Development in Hopuhopu**; and
- b. strongly recommends that Council negotiations with Waikato Tainui are concluded in good faith to formalise the hand over of the old reservoir site, owned by Council, to Waikato Tainui in exchange for a 100 year lease from Waikato Tainui to Council for the land the new reservoir occupies.

CARRIED

WGB2307/06

EXCLUSION OF THE PUBLIC

Agenda Item 7

Resolved: (Mr Wright/Mr Dibley)

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:

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
Item PEX 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)
Item number PEX 2 Action Register		
Item PEX 3.1 Waters Financial Results – June 2023		
Item PEX 3.2 Capital Works Programme – June 2023		
Item PEX 3.3 Washer Road Wastewater Pump Station		

- 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:

Item No.	Section	Interest
Item PEX 1 Confirmation of Minutes Item number PEX 2 Action Register	Refer to the previous Public Excluded reason in the agenda for this meeting.	
Item PEX 3.1 Waters Financial Results – June 2023	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a person’s commercial position.
	7(2)(h)	To enable commercial activities to be carried out without prejudice or disadvantage.
Item PEX 3.2 Capital Works Programme June 2023	7(2)(h)	To enable commercial activities to be carried out without prejudice or disadvantage.
	7(2)(j)	To prevent use of the information for improper gain or advantage.
Item PEX 3.3 Washer Road Wastewater Pump Station	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a person’s commercial position.
	7(2)(h)	To enable commercial activities to be carried out without prejudice or disadvantage.
	7(2)(j)	To prevent use of the information for improper gain or advantage.

CARRIED

WGB2307/07

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

Resolutions WGB2307/08 - WGB2307/14 are contained in the public excluded section of these minutes.

There being no further business the meeting was declared closed at 12.42PM.

Minutes approved and confirmed this day of 2023.

David Wright
CHAIRPERSON