

# Te Manawhenua Forum Mo Matamata-Piako

## Kaupapataka Wātea | Open Agenda



Notice is hereby given that an ordinary meeting of the Te Manawhenua Forum Mo Matamata-Piako will be held on:

**Ko te rā | Date:** Tuesday 1 June 2021  
**Wā | Time:** 10.00am  
**Wāhi | Venue:** Council Chambers  
35 Kenrick Street  
TE AROHA

### Ngā Mema | Membership

Mayor Ash Tanner, JP

Deputy Mayor Neil Goodger

### Ngāti Hauā

**Mema Tūturu | Principal Member**  
Mrs Te Ao Marama Maaka (Chair)

**Mema Tautoko | Alternate Member**  
Ms Rangitionga Kaukau

### Ngāti Hinerangi

Mr Tony Harrison

Ms Hinerangi Vaimoso

### Ngāti Maru

Mrs Kathy Ngamane

Mr Wati Ngamane

### Ngāti Rāhiri-Tumutumu

Mrs Jill Taylor

Mr Daniel Braid

### Ngāti Paoa

Mr Gary Thompson

Mrs Glenice Puke

### Ngāti Whanaunga

Mr Michael Baker

Mr Gavin Anderson

### Raukawa

### Ngāti Tamaterā

Waea | Phone: 07-884-0060  
Wāhitau | Address: PO Box 266, Te Aroha 3342  
Īmēra | Email: [secretary@mpdc.govt.nz](mailto:secretary@mpdc.govt.nz)  
Kāinga Ipurangi | Website: [www.mpdc.govt.nz](http://www.mpdc.govt.nz)

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**1 Whakatūwheratanga o te hui | Meeting Opening**

**2 Karakia | Prayer**

**3 Ngā whakapāha | Apologies / Tono whakawātea | Leave of Absence**

At the close of the agenda no apologies had been received.

**4 Pānui i Ngā Take Ohore Anō | Notification of Urgent/Additional Business**

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the public -
  - (i) The reason why the item is not on the agenda; and
  - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
  - (i) That item is a minor matter relating to the general business of the local authority; and
  - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
  - (iii) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

**5 Whakaaetanga mēneti | Confirmation of Minutes**

## Welcome to Kaitakawaenga Māori

CM No.: 2433919

### Rāpopotonga Matua | Executive Summary

Forum members worked closely with Council staff on the recruitment for a Kaitakawaenga Māori. Mr Tuatahi Nightingale-Pene was appointed to the role and started with Council 18 May 2021.

### Tūtohunga | Recommendation

That:

1. The Forum welcomes Tuatahi Nightingale-Pene as Kaitakawaenga Māori.

### Ngā Tāpiritanga | Attachments

There are no attachments for this report.

### Ngā waitohu | Signatories

Author(s)	Ann-Jorun Hunter <b>Policy Planner</b>	
Approved by	Sandra Harris <b>Corporate Strategy Team Leader</b>	
	Don McLeod <b>Chief Executive Officer</b>	



# Te Aroha Spa Project Update

CM No.: 2434874

## Rāpopotonga Matua | Executive Summary

The purpose of this report is to update the Forum on key activities and progress on the Te Aroha Spa project.

## Tūtohunga | Recommendation

That:

1. The information be received

## Horopaki | Background

Following the work completed under the PGF process, including the Feasibility Study, Business Case and Post Covid-19 Addendum, Council has expressed a desire to pursue a project that contemplates bringing to life a leading spa, hot pools and beauty therapy business situated within the Te Aroha Domain to replace the existing business's facility.

## Project Governance

In December 2020 Council formally endorsed proceeding with a project that contemplates bring to life a leading spa hot pools and beauty therapy business situated within the Te Aroha Domain to replace the existing business's facility. This follows on from the work completed under the PGF process, including the Feasibility Study, Business Case and Post Covid-19 Addendum.

From the initial project plan a key action was to form a Project Governance Group (PGG) to oversee the project's progress.

The makeup of the PGG is as follows:

- Independent Co-Chairs
- A representative from elected Council
- A representative from Ngāti Tumutumu
- An independent member with expertise in tourism
- An independent member with experience in the spa and beauty therapy industry

### Norm Hill – Co-Chair

Ngāti Tumutumu suggested Norm Hill as Co-chair. Norm is quite well known to MPDC so was seen as a suitable Co-chair candidate bringing the tikanga Māori perspective to the PGG. Norm is Maangai Maaori appointee at Hamilton City Council as well as independently providing cultural and environmental advisory/advocacy services. Norm is a Strategic Advisor to Boffa Miskell (a leading environmental planning and design consultancy) and a Board Member of Tainui Waka Tourism.

### Barry Harris – Co-Chair

After due process it was decided to offer the other Co-chair role to Barry Harris. Barry has considerable governance and leadership experience in local/regional government and commercial enterprises. Barry served 10 years as Chief Executive of Environment Waikato and Greater Wellington Regional Council prior to that.

Following these roles, Barry was Group Director of Fonterra Milk Supply for 5 years then more recently employed as chief executive of Hamilton City Council up to October 2014. He currently serves as a director on the boards of DairyNZ, OSPRI, WELnetworks, Waikato River Authority, Primary ITO and Chair of Food Innovation Waikato, Agricultural Services LTD, Waikato Institute of Technology and McFall Fuel.

#### Elected member representative

Mayor Tanner was confirmed as the Council elected member on the PGG

#### Jill Taylor – Ngāti Tumutumu

The project plan acknowledges that Ngāti Tumutumu are a unique stakeholder in this project so it was seen as essential that they were represented on the governance group. As the General Manager of Ngāti Tumutumu Jill is well positioned to represent Iwi's views and contribute strategically to this project, as well as bringing tikanga Māori perspectives and influence

Kiri Goulter – tourism/regional development

Kiri runs her own consultancy business and has been appointed as an independent member. Kiri brings considerable leadership experience in regional and national tourism strategy and regional economic development alongside her governance experience. She is currently a director of Wintec and Deputy Chair of Te Waka

#### Spa experience

We are currently on a recruitment drive to fill the vacancy for this independent member role.

### **Key Project Activities**

#### A. Business Case review

The Project Manager has reviewed the Business Case. Within this context, a 'hybrid' \$5m project spend was introduced as a placeholder number in part to satisfy the LTP process.

The Business Case was supporting 'Option B' a circa \$17m project (not adjusted for inflation) however, Council may wish to consider a lower cost, spa entry development (call it Option D). To test this concept the PM considered a stripped back 'Option B' as there were several concepts under 'Option B', such as Hamam baths, experience showers, etc. that if removed will reduce the initial investment required, although probably not to the \$5m level.

With the governance group largely formed and a review of the Business Case now complete, the PGG is now in a position to begin framing up a strategy for a new spa/hot pool entity. Potential options around a lower cost, more modest facility than the 'Option B' being put forward in the Business Case will be part of the strategic considerations. Clearly funding, ownership models, facility location and investment/business risk will be key considerations within strategy development.

The PM is very mindful that the Feasibility Study and Business Case were supporting broader objectives around economic, social and cultural developments of the Domain and Te Aroha town. It was envisaged that the new spa facility and business would be a catalyst project supporting those broader objectives and that decisions about the spa should probably consider these objectives too. The PM understands that the regeneration aspects are outside of his brief but the conceptual thinking around these will form part of the overall consideration going into any spa development concept.

B. Strategic planning

The PGG, PM and Council executives will be meeting on 21 May to begin framing up a strategy for a new spa and hot pool facility and business using concepts from the Business Case 'Option B' as a starting point. How any new facility should look, feel and operate along with strategic imperatives and a vision will be progressed during this inaugural session.

C. Other early stage activities

Deliverable	Comment
Visit leading spas to observe and take learnings	In the process of being booked/arranged
Form Project Governance Group	Apart from 1 vacancy the PGG has now been formed and can undertake its business
Form Project Management Group	Initial meeting held in December
Develop communication strategy	Under action, PM is working with Council staff
Develop consultation strategy	Waiting to progress other aims
Develop financial and reporting systems	Reprioritise but basics are in place
Establishment risk register	Will be developed following early stage strategic planning processes
Safety and wellbeing plan	Under action. PM has met Group Safety Manager so framework understood. Will accelerate when project advances further
Develop procurement strategy	Existing MPDC framework understood by the PM

**Mōrearea | Risk**

In the context of establishing the PGG, the only apparent risk is a financial one in the scenario where the project doesn't proceed to any material extent on the one hand but on the other, the full PGG has been established. This risk is easily mitigated as the PGG can be downsized or completely disbanded at any time, thus rightsizing the cost structure to match project dynamics.

With the potential for a circa \$18m project, there is a moderately material risk of suboptimal outcomes should a well-structured, appropriately resourced governance structure **not** be established.

**Ngā Whiringa | Options**

To mitigate the risks identified above, a thorough, well structured selection and recruitment process was undertaken and although there remains 1 vacancy still to fill, similarly thorough processes will apply to selecting candidates and recruiting for this role.

### **Ngā take ā-ture, ā-Kaupapahere hoki | Legal and policy consideration**

As a matter of policy, Council would be required to have an appropriately resourced governance structure, such as that being contemplated/recommended, in place for a project of this nature.

### **Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes**

The MPDC communications team and PM are in contact at appropriate frequency to maintain good project communications output.

### **Ngā take ā-lhinga | Consent issues**

No consent issues arise directly at this stage although it is understood that water take, and building consents are 2 key consents that will need to be traversed in the future.

### **Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source**

Remuneration for the PPG members has been approved by Council and members have received their contracts.

In the draft Long Term Plan budget Council has put forward \$1.5 million in 2022/23 and \$3.5million in 2023/24 for the development of Spa.

Feedback was called for as part of the consultation process.

Council has decided to budget \$18.9 in the final Long Term Plan 2021-31 in 2022/23, 2023/24 and 2024/25 years.

### **Ngā Tāpiritanga | Attachments**

There are no attachments for this report.

### **Ngā waitohu | Signatories**

Author(s)	Niall Baker <b>Corporate Strategy Team Leader</b>	
	Graham Shortland <b>Project Manager - Te Aroha Spa Development</b>	
Approved by	Don McLeod <b>Chief Executive Officer</b>	

## District Plan Update

CM No.: 2434312

### Rāpopotonga Matua | Executive Summary

The purpose of this report is to update the Forum on the rolling review of the District Plan; the update covers the progress of the current RMA policy processes.

#### Tūtohunga | Recommendation

That:

1. The information be received; and
2. That TMF confirms the representation for the iwi working group for the National Planning Standards.

### Horopaki | Background

#### Current Plan Changes

Plan Change 49 – The Matamata-Piako District Council is in the early stages of preparing a plan change “Waharoa Zoning and Development”- Plan Change 49 (PC49). The plan change aims to review the spatial planning for the town and to recognise the character of Waharoa.

Following a recommendation from Ngāti Hauā, Council staff have engaged Simon Hunter to facilitate two hui with Waharoa’s community and stakeholders. The purpose of the hui is to understand the communities’ concerns and aspirations for Waharoa and to assist with defining the scope of the plan change. Staff in collaboration with Ngāti Hauā are working on a stakeholders/community members list in preparation to the hui.

Plan Change 53 – The Matamata-Piako District Council is preparing a plan change - Settlements (PC53) to the District Plan. The key settlements have a different mix of land use and different zones. The aim of this plan change is to recognize the character of the settlements by providing for the historical business and community activities. This plan change will also review the District Plan rules for the rural house sites within the district.

PC53 was publicly notified on 18 November 2020, following two rounds of informal public consultation, carried on 23 October 2019 and 19 August 2020. During the notification period we received 14 submissions. On 3 February 2021 a call for further submission was made and three further submissions were received.

A Council hearing for PC53 was held Monday, 17th May 2021 in Te Aroha. Staff are now updating the hearing’s report.

For more information please visit: <https://www.mpdcc.govt.nz/settlements>

Plan Change 54 – The Matamata-Piako District Council is preparing a plan change to the District Plan, which seeks to update the District Plan provisions for papakāinga development (PC54). The aim is to ensure that the District Plan provides an enabling framework for quality papakāinga development that supports the social, cultural and economic wellbeing of tangata whenua.

On 13 April 2021 the IWG met at the Silver Fern Farms Events Centre. The hui was an opportunity to confirm the terms of reference, further discuss the proposed provisions and to confirm the use of the term Tangata Whenua for Plan Change 54.

The draft provisions recommends the creation of a Māori Purpose Zone (MPZ) to encompass the marae and surrounding land under Māori land titles. The MPZ aims to provide a more enabling framework for papakāinga and associated activities. At this stage a significant challenge we are facing is identifying and engaging potential land owners in order to achieve approval for the rezoning. Once approval is achieved the blocks can be put forward to become part of the Māori Purpose Zone.

Therefore at this stage, Council is seeking to get feedback from tangata whenua and other key stakeholders in the District. The two main changes to the District Plan include the following:

- New district-wide provisions that provide for papakāinga on Māori Freehold Land, General Land owned by Māori and Treaty Settlement Land; and
- A new Māori Purpose Zone with new provisions that provide for papakāinga.

Council also understands there are aspirations to further develop existing papakāinga at Kutia Road, Gillett Road and Rukumoana Road. We are in initial stages of preparing draft provisions to enable further kāinga to be built on this land.

For more information please visit: <https://www.mpd.govt.nz/district-plan/district-plan-review/121-district-plan/district-plan-review/3499-plan-change-54-papakāinga>

National Planning Standards (NPS)

Central government, has introduced the National Planning Standards to make council plans and policy statements easier to prepare, understand and comply with. The first set of planning standards came into force on 3 May 2019. In order to improve consistency and to become more user friendly, all plans and policy statements around the country must have the same structure and format. This requires a mandatory process.

At the last TMF meeting the Forum directed staff to create a working group formed by TMF members to work on the NPS requirements for the Mana Whenua/Tangata Whenua chapter of the District Plan. Therefore, we seek direction from TMF to nominate which members will be part of the working group.

Furthermore, although we acknowledge the direction given, we must bring to your attention that not all iwi/hapu within the Matamata-Piako District are represented at the Te Manawhenua Forum. From our understanding Ngāti Hako, Ngāti Koroki Kahukura, Ngāti Tamatera, Ngāti Tara Tokanui, Raukawa and Waikato currently do not have a representative member at the Forum. The decisions and recommendations from the working group have the potential to cause an impact on the iwi listed above, therefore we seek direction from the Te Manawhenua Forum in how we should approach this issue. In addition to the nominated TMF members, our suggestion is to engage the RMA representatives listed on Te Puni Koriki website for those iwi not represented and invite them to also form part of the iwi working group.

**Ngā Tāpiritanga | Attachments**

There are no attachments for this report.

**Ngā waitohu | Signatories**

Author(s)	João Paulo Silva <b>RMA Policy Planner</b>	
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Approved by	Ally van Kuijk	
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	<b>District Planner</b>	
	Dennis Bellamy <b>Group Manager Community Development</b>	



# State of Environment Report 2019/20

CM No.: 2434307

## Rāpopotonga Matua | Executive Summary

The purpose of this report is present the 2019/20 Matamata-Piako District State of the Environment Report for the Te Manawhenua Forum. The report has been updated with the 2019/20 information.

### Tūtohunga | Recommendation

That:

1. That the report be received.

### Horopaki | Background

The Matamata-Piako District State of the Environment Report 2019/20 was prepared under section 35(2)(a) of the Resource Management Act 1991, which states that:

- (2) Every local authority shall monitor—
  - (a) the state of the whole or any part of the environment of its region or district—
    - (i) to the extent that is appropriate to enable the local authority to effectively carry out its functions under this Act.

The SOE report is based on indicators developed under the 1999 Matamata-Piako District Council Environmental Monitoring Strategy and based on the ‘anticipated environmental results’ stated in the Matamata-Piako District Plan.

It is currently updated on an annual basis, using information from resource consents and information from Council and other agencies, and is presented on the Council website.

The District Plan contributes to the community outcomes set out below (and as reported in the 2019/20 Annual Report):

Community Outcome	Rationale	Level of service	How we measure performance
Resource consent services ensure that the rules in the District Plan are applied appropriately to manage the use, development and protection of natural and physical resources. Imposing appropriate resource consent conditions and monitoring compliance ensures the integrated management of land and associated natural resources in the district.	Monitoring and reporting on the state of our environment allows us to identify if we are achieving our objectives to protect the environment and highlights any issues that need to be addressed during District Plan reviews.	We will provide an annual update on progress on land use and development, and the protection of natural and physical resources of the district.	State of the Environment monitoring reports will be updated on Council’s website each year.

## Ngā Take | Issues / Kōrerorero | Discussion

### Interesting findings from the report

- On October 2020, the Waikato Regional Council provided MPDC with valuable data on trends and actual status of Matamata-Piako's significant rivers; Waihou, Piako and Waitoa. The figures revealed that overall water quality of the rivers for the past 25 years are mostly stable or improving:

Over the past 25 years, the water quality of the Hauraki Rivers has:

- Generally, been 'stable' (62% of records)
  - Improved (27% of records)
  - Deteriorated (11% of records)
- Another set of data provided by WRC, this time in regards riparian planting from the Waikato Regional Council Funded Riparian Retirements for MPDC, shows that from 2002 to June 2020, 165.651 plants were planted within the Matamata- Piako Catchment's riparian margins. While 207.248 metres of fencing were erected, resulting in 163.966 metres of streambanks retired from farming. With a total retired area of 264 hectares.
  - Another positive figure is the numbers of noise complaints received by Council, there was a significant drop from 434 in 2018/19 to 356 on 2019/20.

The 2020 State of the Environment Report is the last report developed under the 1999 Matamata-Piako District Council Environmental Monitoring Strategy, the 2021 report will be prepared under the new 2020 District Plan Monitoring Strategy.

## Ngā take ā-ture, ā-Kaupapahere hoki | Legal and policy considerations

Section 35(2)(a) of the Resource Management Act 1991, quoted above.

## Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes and consistency with Council Vision

**Theme:** Making a difference

**Community Outcome:** Environmental Sustainability.

## Ngā Tāpiritanga | Attachments

[A↓](#). State of Environment Report 2019/20 Final

## Ngā waitohu | Signatories

Author(s)	João Paulo Silva <b>RMA Policy Planner</b>	
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Approved by	Ally van Kuijk	
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Item 6.4

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	<b>District Planner</b>	
	Dennis Bellamy <b>Group Manager Community Development</b>	



## State of the Environment Report 2019/20



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## The People in Our District

### Growth

There was a 3.3 percent population growth in Matamata-Piako between 2001 and 2006, to 30,483, and 3.5 percent growth between 2006 and 2013, to 31,536. From 2013 to 2018 there was 9.1 percent growth to 34,404 people in the district.

The Matamata, Morrinsville and Te Aroha townships all increased in population size between 2006 and 2018. Morrinsville increased by 17.5 percent, Matamata by 23.7 percent and Te Aroha by 20.8 percent.

### 2018 Census figures

Total population 34,404

- Morrinsville 7,761
- Matamata 7,806
- Te Aroha 4,554

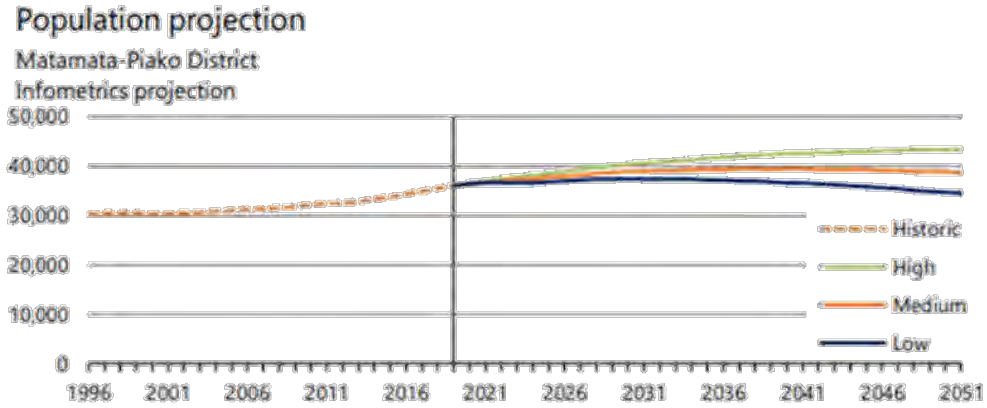
- 19.7% of district over 65 years of age
- 20.3% percent aged less than 15 years
- 76% European, 16.7% Maori
- Rural/Urban mix: 41.5% rural, 58.5% urban



In April 2020, economy strategy specialists, Infometrics delivered a review of growth projections for Matamata-Piako District Council. The main purpose of the review was to provide population, employment and dwelling projections covering the period 2018 to 2051. Council has adopted this report as the basis for its Long Term Plans and future District Plan Changes. Below is transcript and a chart from the Infometrics report, for the full report please refer to: [Population projections 2018-2051 for Matamata-Piako District Council](#).

*'Matamata-Piako District's population has grown steadily over the past 15 years, from 30,900 in 2004 to 36,000 in 2019. Under the medium scenario, the district is projected to gradually grow to peak at 39,500 by 2039, beyond when the population will stabilise for the remainder of the projection period, easing slightly to 38,700 in 2051. Higher levels of net migration under the high scenario lead to steady growth throughout the projection period, with the district reaching a population of 43,600 by 2051. Under the low scenario, the population does grow in the near term, reaching 37,400 by 2029, before gently easing to 34,300 by 2051.'*

Charge Population Projections 2019 to 2051



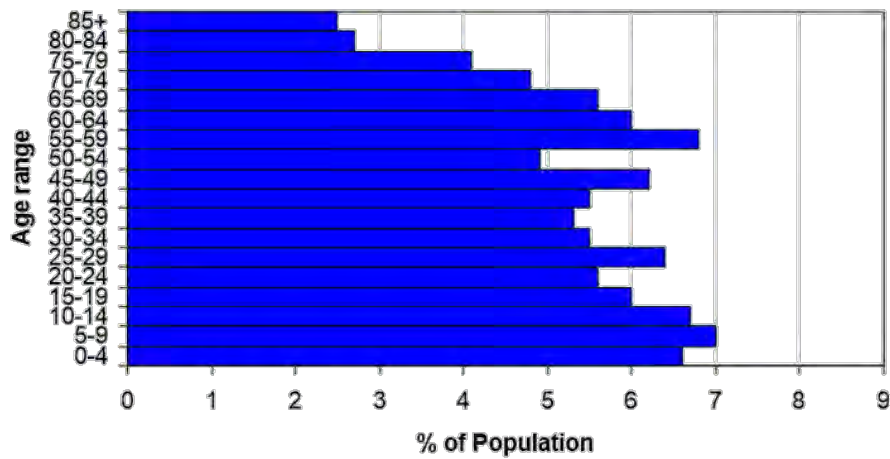
Source: Infometrics report referred above.

Below is an overview of the predicted population data for the Matamata-Piako District for 2051:

2051 Infometrics medium growth projection

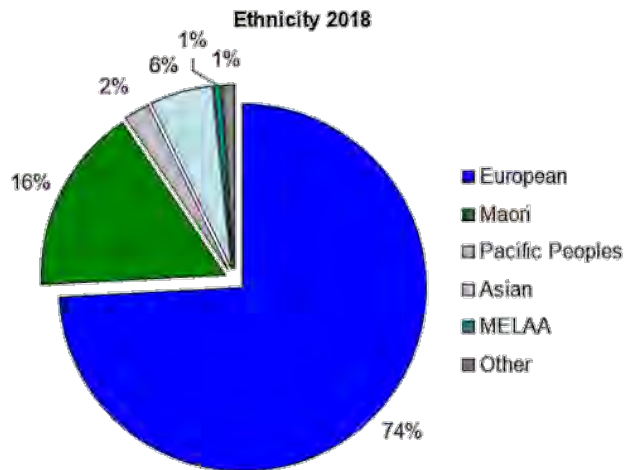
- Total population 38,700
- Morrinsville 9,420
- Matamata 9,353
- Te Aroha 5,400

Matamata-Piako Population Age Structure 2018



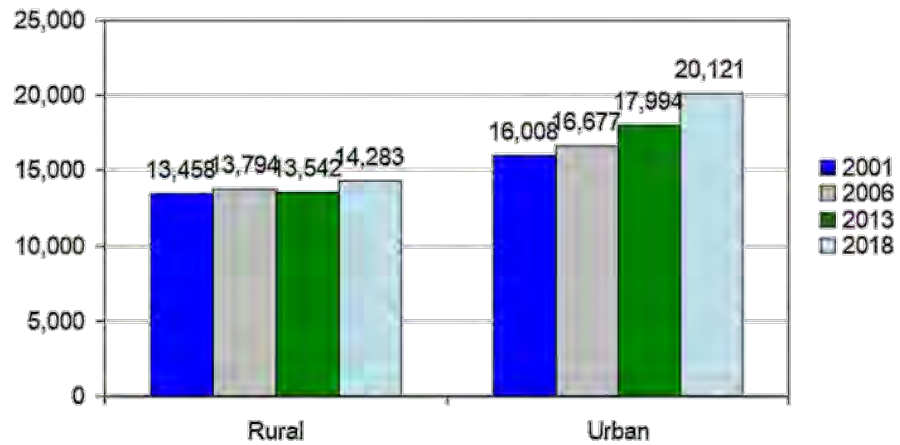


Change in Matamata-Piako age structure based on projections



(Total percentage is greater than 100% as more than one ethnicity can be chosen)

Rural/Urban Mix of Matamata-Piako District



(Source of all data unless otherwise noted: Statistics New Zealand)

**Useful Links**

[https://www.mpdc.govt.nz/images/CouncilDocuments/Reports/Population\\_Projections\\_2018-2051\\_for\\_Matamata-Piako\\_District\\_Council\\_prepared\\_by\\_Infometrics\\_23\\_April\\_2020.pdf](https://www.mpdc.govt.nz/images/CouncilDocuments/Reports/Population_Projections_2018-2051_for_Matamata-Piako_District_Council_prepared_by_Infometrics_23_April_2020.pdf)  
<http://www.mpdc.govt.nz/pdf/OurCommunity/SocioDemographicProfile.pdf>  
<http://www.stats.govt.nz>

# Amenity



## Amenity Indicators

### Overview

Amenity values are natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, and cultural and recreational values.

Having a safe and healthy environment for living, working and recreation is important for Matamata-Piako residents. This involves maintaining generous access to daylight and private open space, especially in urban areas. Amenity values can differ in rural areas to those in urban areas, as people in rural areas commonly both live and work on the land, and can be involved in activities that generate noise, odour, dust and other effects.



### Pressures

The amenity and heritage values of Matamata, Morrinsville and Te Aroha could be adversely affected by unsuitable development. Amenity in rural areas can also be compromised by rural activities that generate noise, odour, dust and other effects.

In general, disturbance to amenity values as a result of legitimate farming activities undertaken in accordance with best practice is acceptable; however, in urban areas and near large-scale rural industry, it is expected that any significant negative effects on amenity values will be avoided, remedied or minimised.



### Our Situation

#### Development Controls

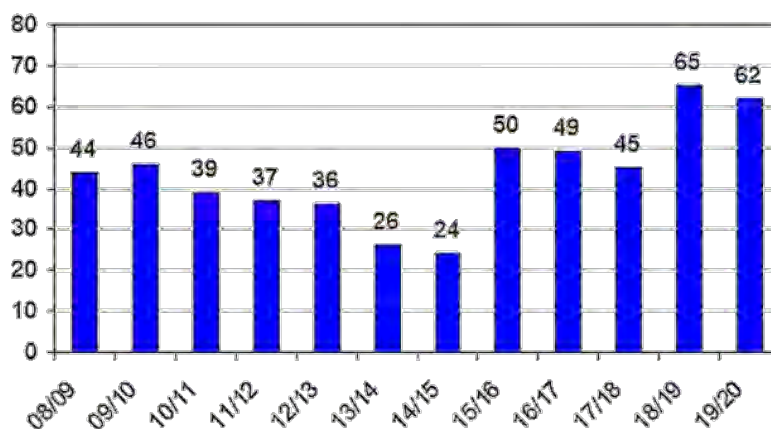
The number of resource consent applications to breach Council's development control rules in the District Plan had decreased since 2009/10, but increased again since 2015/16. In 2016/17, 40 of 49 of resource consent applications to breach development controls were for yard encroachments. In 2017/18, it was 39 of 45 of resource consents applications. The other six consent applications were for five applications to encroach upon the height-to-boundary rules and one application to encroach on recreational space requirements. In 2018/2019, the number of resource consent applications to breach development controls have increased to 65. That is a result of the growth that the district is experiencing and the implementation of the

Permitted Boundary Activity (PBA) in 2018. The PBA is a process that can be used when there is a non-compliance in regards to yard setbacks and the applicant has written consent from the affect parties, the application is processed in a shorter timeframe. From the 65 applications, 25 were processed as a standard resource consent application and 37 were PBAs applications. On 2019/20 from the 62 breaches, 16 were from PBAs and 46 from resource consent applications. The ongoing volume of applications to breach development control rules is in line with the overall increase in the number of building consent applications. Yard areas provide space for outdoor activities and landscaping, and also create a pattern of open space and built up space, which forms the character of the district.

The Council's Plan Change 47 – Plan Your Town reviewed the sections of the District Plan relating to the planning rules and zoning for each of the district's largest three towns and the areas around them. Rule changes included a reduction in the building setback distances from some boundaries for residential and rural-residential properties, changes to residential infill subdivision around town centres and identifying likely future urban growth areas. A hearing was held in June 2017 and a decision was notified in April 2018, allowing the plan change to become part-operative. Plan Change 47 became fully operative in 22 April 2020 after a decision from the Environmental Court in regards to the Banks Road rezoning.

During 2019/20 Council carried two rounds of informal public consultation for Plan Change 53 – Settlements (PC53). The plan change is proposing to review the development rules for our small villages using a new zoning mechanism called Settlement Zone provided by the National Planning Standards. Currently, most of our settlements are zoned as Rural and our rules for the Rural Zone does not reflect the residential land use character of the settlements. Therefore, with a new zoning mechanism MPDC expects to facilitate the process for development and breaches of development standards, such as yard setbacks. The following settlements are under the scope of PC53: Waihou, Waitoa, Tahuna, Mangateparu, Motumaho, Walton, Hinuera, Te Poi, Manawaru and Te Aroha West. The plan change is also proposing reduced yard setbacks for small rural sites.

**Number of resource consent applications to breach development standards (e.g. daylight admission and bulk and location requirements)**

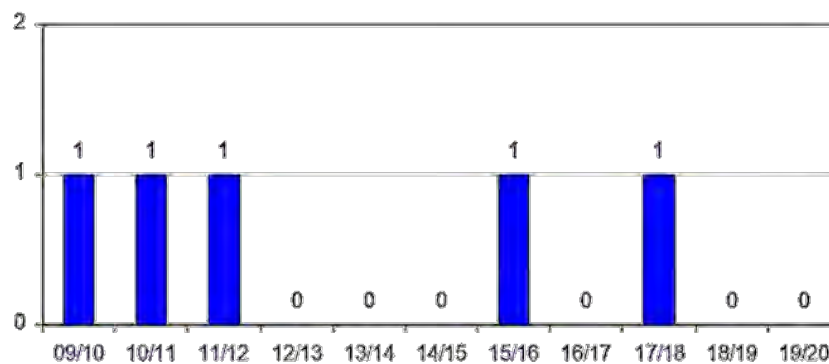




**Offsite Signage**

Increased signage and advertising can also impact upon the visual amenity and traffic safety of the environment; however, the number of resource consent applications for off-site signage has remained low since 2008/09. There have been only two applications received since 2012/13. One application was received in 2015/16 for a billboard in Thames Street, Morrinsville, predominantly used for community or local advertising. The only other application in the last six years was processed in 2017/2018, and it was for a petrol station price display sign to be located on a neighboring property. In May 2018 Council received an application for a change of sign conditions for a store in Te Poi, no applications were received for 2019/20.

Number of resource consent applications received for off-site signage

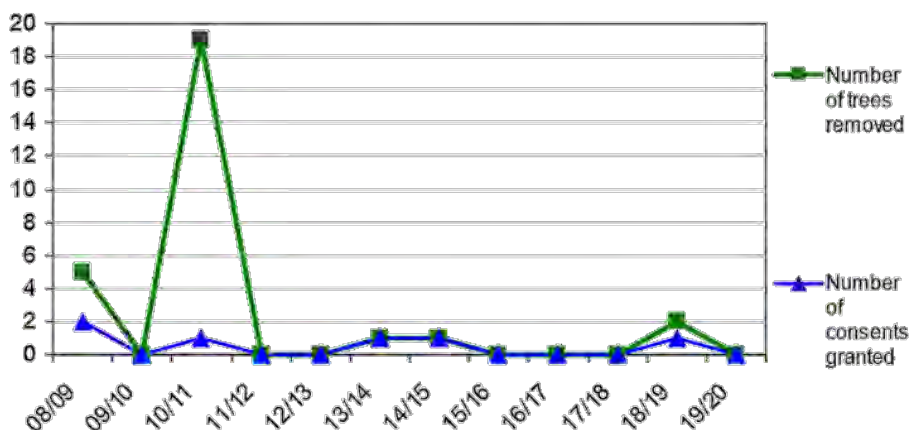


Complaints about signage can relate to the size of text, content, location and size of a sign. In 2017/18, 10 complaints were received about signage; mainly about real estate or business's sandwich-board style signs. On 2018/19 only four complaints were received; two in regards to signs blocking road visibility. For 2019/20 six complaints were received; four in regards to signs blocking road visibility, one for a non-complying sign at a reserve and a complaint for moving a public toilet sign.

**Protected Trees**

Removing trees can also have an impact on amenity values. As of 2018/19, there were 95 scheduled protected tree sites in the district. Very few resource consents have been granted for the removal of protected trees since two were granted in 2008/09. In 2018/19, there was one granted resource consent application for the removal of two protected trees, as shown below:

Number of Resource Consents granted for removal of protected trees



During 2008, Council completed a plan change to amend the tree protection provisions within the District Plan. Previously, a resource consent was needed to remove, or do any major work to any tree over 10 metres in height. This approach was deemed to be too restrictive by Council, and changes to the Resource Management Act meant that only trees specifically listed in a schedule of the District Plan could be protected.

A process was undertaken to identify those trees which added to the amenity of the district and these were added to the schedule of outstanding or significant natural features and trees and other protected items. This plan change aimed to give confidence to whether or not a resource consent would be needed to remove a tree and to remove any unnecessary restrictions. The plan change allows notable trees to be removed as a permitted activity if they were dead, dying or terminally damaged.

This has had an effect on the number of consents granted and trees removed over the past five years. The number of trees removed as a result of being considered a permitted activity has not been monitored; however, at least some trees have been removed each year under this provision.

In 2010/11 there was an application for the removal of 19 scheduled trees within a woodlot adjacent to the Morrinsville Stream, to allow for construction of a wastewater treatment plant. The trees were seen as being significant because they were part of the woodlot, not as individual trees, and replanting with 38 trees was seen as an effective mitigation measure. Resource consents were granted in both 2013/14 and 2014/15 to remove single protected trees. No resource consents were granted in 2011/12, 2012/13, or from 2015/16 to 2017/18 to remove protected trees. In 2018/19, there was one granted resource consent application for the removal of two protected oak trees. The reason behind the removal was that the trees were failing and consequently causing significant damage in property and potential risk for people. According with the arborists inspection report the maintenance of the trees was not an option. However, as referred to above, protected trees may have been removed as a permitted activity if considered by an approved arborist to be dead, dying or terminally damaged. For 2019/20 no applications were received in order to remove protected trees.

Two consent notices required the protection of notable trees in 2012/13. There have been no similar consent notices in the years since.

In 2014/15, Plan Change 48 – Protected Trees commenced, which reviewed the rules and provisions relating to protected trees, as well as Schedule 3 in the District Plan, which lists all protected trees in our District.

All currently protected trees were examined by an arborist, using the Standard Tree Evaluation Method to assess and score them. Council nominated a threshold score of 140 that all trees proposed for protection must meet and then held a public formal submission process in 2015/16.

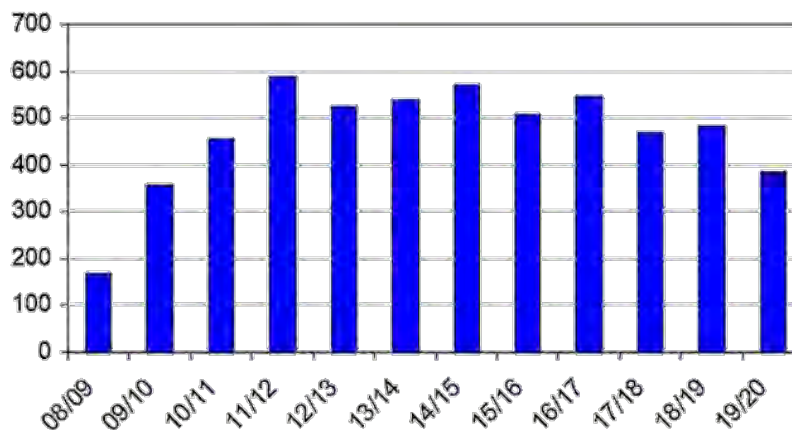
As a consequence of Plan Change 48, which became operative in 2016/17, 97 individual or groups of trees achieve the threshold of 140 and have been protected by Schedule 3A of the District Plan. 129 trees or groups of trees were removed from the schedule and are no longer protected by the District Plan. A further 46 items, including stands of trees and remnants of bush, were transferred to schedule 3B: "Outstanding or Significant natural features and other protected items".

Council will maintain a record of location, by ward, of protected trees that are removed annually. None were removed in either the 2016/17 or 2017/18 years. In 2018/19, two protected oak trees were removed.

**Complaints**

Council receives many complaints concerning amenity values. The majority of complaints are about noise, mainly loud music. There was a large increase in the number of complaints between 2008/09 and 2011/12 and a moderate increase in 2016/17. In 2017/18, the number of complaints dropped to its lowest rate in seven years. The reduction was mainly due to a reduction in the number of noise complaints. Other noise complaints were about machinery or tools, motorbike and car noise, or noise early in the morning. It is these complaints, which are few in number, that are more likely to affect people's perception of the amenity of the district.

**Number of complaints received concerning amenity values**



**Matamata-Piako Residents' Perception of Their Local Environment**

The 2013 Waikato Regional Perception Survey found that 76.4 per cent of respondents from the



Matamata-Piako District were satisfied with the 'unique or special character of your town'. This has increased from 74 per cent satisfaction in the 2010 survey.

The 2013 survey also asked 'how strongly do you agree or disagree with that you feel a sense of pride in the way your district looks and feels'. 76 per cent of respondents agreed with this statement, which is consistent with the survey in 2007 and 2010.

In 2000, 2003 and in 2006 the Waikato Regional Council surveyed people in the Waikato region to get their views on environmental issues. A similar study was repeated in 2013,

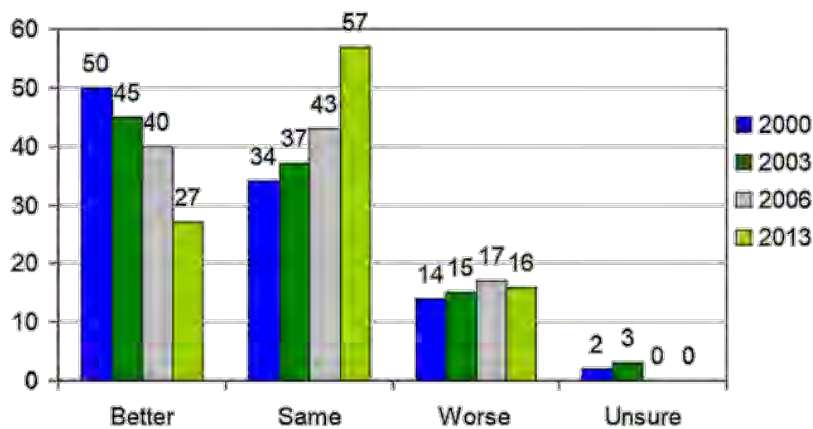
The most important environmental issues that were identified by Matamata-Piako residents were:

2000	2003	2006	2013
Water Pollution – 28%	Water Pollution – 25%	Water Quality and Supply – 19%	Water – Pollution/Quality – 32%
Waste Disposal – 27%	Sprays and Pesticides – 6%	Water Pollution – 15%	Water – availability and suitability for use – 19%
General Pollution – 8%	General Pollution – 6%	Don't Know/ No Reply – 10%	Don't Know – 15%
Air Pollution – 6%	Rubbish Disposal – 6%	Air Pollution – 8%	Drought – 10%
Don't Know – 14%	Animal Pest and Disease – 4%	Effluent disposal/ run off- 8%	Waikato River – 5%

The Waikato Regional Council also asked residents if they thought the overall state of their local environment had improved.

Since 2000 the number of Matamata-Piako residents who consider the overall state of their local environment to have improved has decreased steadily. However, an increasing number of people consider that the overall state of the environment is the same, and slightly fewer people think it is worse.

Community perception of the change in the overall state of the environment 2000–2013



**Participation in Protecting the Environment**

In the Matamata-Piako District in 2000, 18% of residents had taken action to protect the environment and 42% of those people believed their action was effective.

In 2003 16% of residents had taken direct action for the protection of the environment through methods such as attending meetings, preparing submissions or writing to Council. Of the residents that had taken direct action, 49% believed that their actions were effective. 14% of respondents had not taken any action to protect the environment.

In 2006, of the respondents who had been involved in public action, 87% of these perceived the effectiveness of the public action to be fairly or very effective. This is a significant increase from 2003.

In 2013, some survey questions were worded differently from those in the earlier surveys, and the overall percentage of people who took action to protect the environment was no longer recorded. However, the following statistics were recorded:

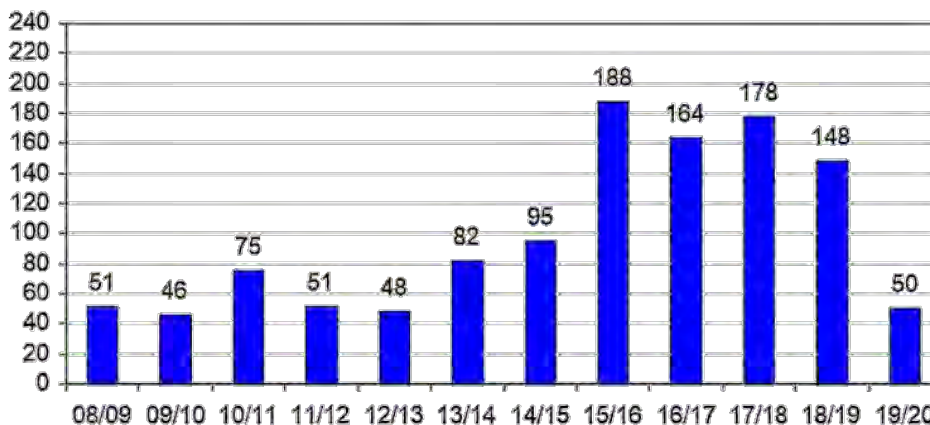
8% of residents were involved in public action or meetings. Of those residents who had taken public action, 39% were on a committee or attended a meeting, and 30% participated in an action group. 50% of people who were involved in public action perceived the effectiveness of that action to be very effective.

**What Council Is Doing**

Council is able to impose conditions on new development to reduce impacts on amenity. These include the control of noise, dust, odour, glare, vibration, spray drift and signage, and more than one condition may be imposed on a resource consent. The number of conditions imposed has increased since 2012/13. The 188 conditions imposed on 94 resource consents in 2015/16 is the highest number recorded to date.

The number of amenity conditions varies from year to year with the type of activities applying for consent and the environmental effects they may have. Council’s Regulatory Planners apply conditions to consents clearly stating the limits of what is acceptable in terms of amenity effects.

**Number of resource consent conditions imposed to control noise, dust, odour, glare, vibration, spray drift and signage**



### Significant Natural Features Grant

Council is also working with local land owners to protect the district's significant natural features. Landowners who think they have a significant site on their property can apply for a Significant Natural Features Grant to help pay for fencing off the site. This grant was established in 2006 when Council worked with an ecologist to determine significant native vegetation in the district. 667 units of habitat totaling 3,111 hectares have been surveyed and 23% of this area (721 hectares) was considered significant. Of the total area surveyed, 78% was determined to be indigenous (predominantly native species), 20% (mainly non-native species) and 2% was not determined. The significant features included native indigenous vegetation, such as native tree stands, areas of bush, and wetlands. Council, along with a working party made up from different sectors of the community, considered different incentives to offer landowners who fence off and protect significant natural features.

Council is happy to provide an ecologist to survey potentially significant sites that have not already been visited within the district. Please contact Customer Services to discuss this further.

### What You Can Do To Help

Contact Council if you are affected by loud noise or offensive odours.

### Useful Links

[Matamata-Piako Noise Control Information](#)

[Incompatible Activities](#)

[Environmental Awareness, Attitudes and Actions Survey](#)

[Waikato Region Perception Survey](#)

### For More Information

Contact [info@mpdc.govt.nz](mailto:info@mpdc.govt.nz) or

Customer Services  
Matamata-Piako District Council  
PO Box 266, Te Aroha 3342  
Phone: 07 884 0060  
Fax: 07 884 8865

## Our Economy

In 2018, the Matamata-Piako district had a Gross Domestic Product (GDP) per capita of \$56,965 and a mean household income of \$98,200.

Learn more about our district and its economy [here](#).

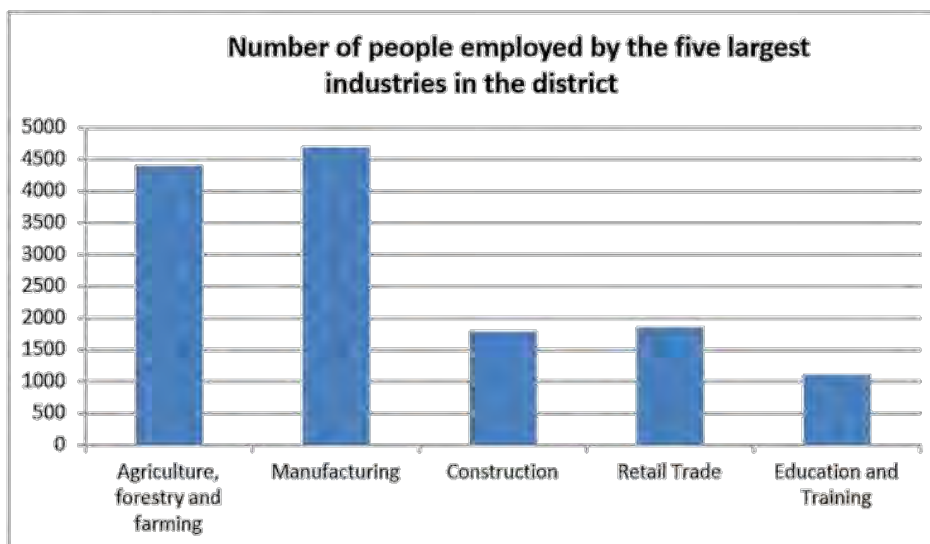
### Economic Significance of Matamata-Piako to New Zealand

The proportion of the national GDP produced in the Matamata-Piako District has increased from 0.9% in 2013 to 0.98% in 2018. The percentage change in GDP from 2017 to 2018 for the District was 7.6% while the national change was 3.5%.



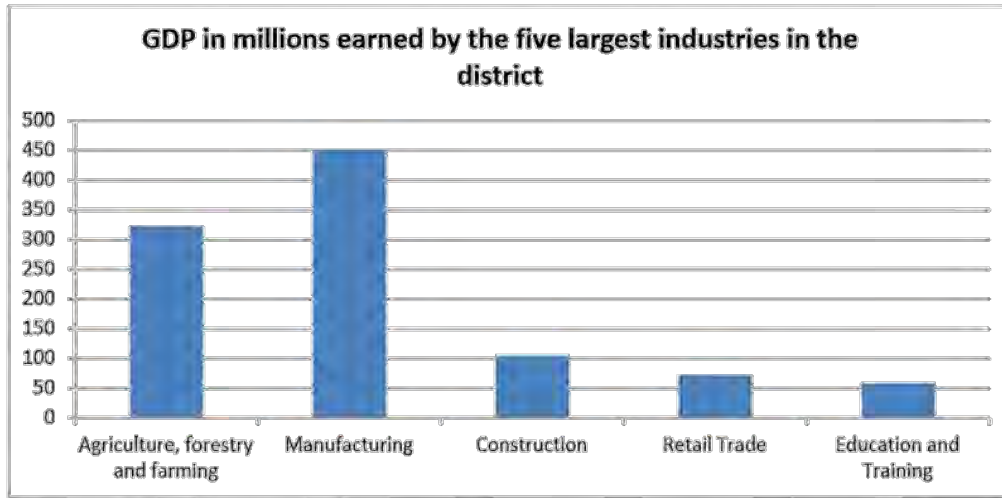
The five leading employers in the district in the year to March 2018 are:

- Manufacturing
- Agriculture, forestry and fishing
- Construction
- Retail Trade
- Education and Training



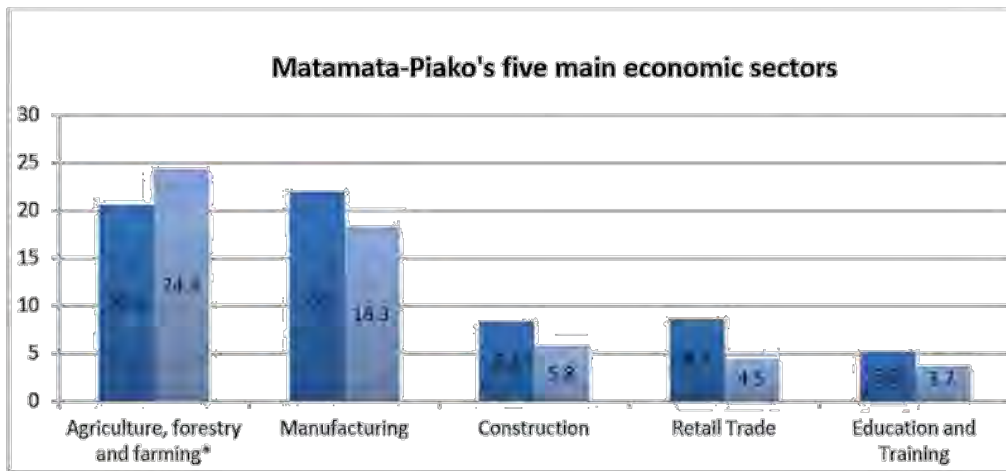
Source: [Infometrics](#)





With some of the best quality soils in New Zealand our district is one of New Zealand's cornerstones of the dairy industry. There is also a strong presence of other large primary industries such as horticulture and meat processing. These all play a major role in building a strong local economy.

The graph below shows the Matamata-Piako's five largest industries (by employee number) in 2018, the percentage of the district's workforce that they employ (dark blue) and the share of the District's total GDP that they produce (pale blue).



Source: [infometrics](https://www.infometrics.co.nz/)

The percentage of the district's GDP earned by Agriculture, as the leading earner, has been displayed above. This graph shows that the agricultural sector contributes a higher proportion of the total

economic output of the district (24.4%) than the percentage of people that are employed in the sector (20.6%). It is thus the most productive large industry when GDP is divided by number of employees.

Sources:

Statistics New Zealand

[Ministry for Business, Innovation and Employment Regional Economic Activity Report](#)

[Infometrics – Matamata - Piako District's Economic Profile](#)

# Heritage



## Heritage Indicators



### Overview

Heritage refers to things of historic value, including buildings, possessions, and culture that have been passed on to us by previous generations. There are a number of sites in the district that contain heritage values, including:

- The Te Aroha Heritage Character Area, which is a unique array of historic buildings and places.
- Historic buildings and places that are registered on the New Zealand Heritage list (formerly the Historic Places Trust Register) and within the District Plan.
- Archaeological sites that contain features such as middens and pa sites.
- Culturally significant sites, including pa sites, urupa (burial sites), and marae.



### Our Situation



#### Te Aroha Heritage Character Area

Development in the district can result in pressure to inappropriately use and develop heritage and cultural sites. The Te Aroha Heritage Character Area has special recognition to protect its unique buildings and places.

Plan Change 47 – Plan Your Town examined both the extent of the Te Aroha Character area and the mechanism for protection of character values for buildings within the area. To make the rules more effective, the Character Area was reduced in size to a central area around Whitaker Street and Boundary Road, and it was also renamed the Te Aroha Heritage Character Area. The rules now also focus on building frontages rather than applying to all buildings on the sites in question.

From 2008/09 to 2019/20, 12 resource consents have been applied for (and granted) to substantially modify scheduled buildings in the Te Aroha Heritage Character Area. These have mainly related to altering the appearance of buildings by the addition of signage or decks.

In 2012/13 two consents were granted. Extensions were made to the Te Aroha fire station. This was granted with the effects being considered minor given that the appearance of the original building appeared unchanged from the street frontage, with the additions being recessed from the main building, and that the upgrade allowed for its continued use as a fire station.

The Te Aroha Masonic Lodge was rebuilt for use as a veterinary clinic. This included demolition of the building, which was in disrepair, apart from the floor, and reconstruction using the original bricks, and replica stucco detailing, and wooden framed doors and windows. The form, materials and detailing of the building were reinstated, and therefore the effect on the Te Aroha area was considered limited. One consent was granted in 2013/14 to refurbish an existing retail facility within



the Te Aroha Heritage Character Area while a consent was granted in 2014/15 to erect a workshop in the Character area on Rewi Street. No consents have been granted since 2014/15.

Two consents were granted in the 2006/07 year to develop structures in the Heritage Character Area. One structure was a covered outdoor area for a hotel and the other was a garage. There have been no consents granted to construct new buildings within the Te Aroha Heritage Character Area in the last 10 years.

#### Heritage Features

Since 2008/09, two resource consents have been granted to modify listed heritage features outside the Te Aroha Heritage Character Area. The most recent consent application was granted in 2013/14. It was an extension of time for a resource consent first granted in 2008/09. This was for the removal of the Thames Valley Power Board building in Matamata. Council worked through conditions for this consent with the Matamata Historical Society and a condition was imposed requiring that if the building is removed then a monument be built in its place.

#### Number of resource consents granted to modify listed heritage features outside Te Aroha Heritage Character Area

Year	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
Number of consents granted	0	0	0	0	1	0	0	0	0	0	0

The number of resource consents applied for and granted involving sites that contain or adjoin a known culturally significant site has been very low. In 2011/12, there was one application involving the relocation of the Horahora Historical Power Pylon to the Firth Tower Reserve, and also an upgrade of buildings at the Rukumoana Marae. In 2012/13 there was an application to construct a new whareniui meeting house to replace an existing building at Raungaiti Marae in Waharoa. There was also an application to quarry adjacent to the Ongatiti Ignimbrite Bluffs, which were found to be unaffected by the proposal. In 2016/17, two consents were granted for erosion protection works beside Lake Karapiro, and for the construction of a farm bridge over the Topehahae stream.

#### Number of resource consents applications involving sites which adjoin or contain a culturally significant site

Year	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
Number of applications	1	0	2	2	0	0	0	2	0	0	0

There are 88 listed heritage features in the Matamata-Piako District Plan. These include historic buildings such as churches and commercial buildings, as well as monuments, geological formations, and landing sites.

In the 2010/11 year the Te Aroha Power House was added to the heritage schedule. Electric current was provided to the Te Aroha Borough in 1906 through this facility, making the borough the first local body in the Thames Valley to provide this amenity. Water was taken from the Tunakohoa and Omaha Streams, stored in a reservoir above Hamilton Street, and then delivered by pipeline to

the power house. The plant became a standby electricity source in 1923 after power from the Arapuni Hydro Dam became available. The listing in the district plan schedule was in response to a 2006 request from the community that the Power House, water reservoir and the Tunakohoia Pipeline at the Hamilton Street site be protected.

There are 78 other culturally significant sites in the district including urupa (Maori burial site), pa and midden sites, and marae. One of these culturally significant sites (a pa site) was added to the District Plan in the 2006/07 financial year after a plan change was undertaken.

The 2013 Waikato Regional Perception Survey found that 76 per cent of respondents in the Matamata-Piako District were satisfied with the 'unique or special character of your town'. This has increased from 74 per cent satisfaction in the 2010 survey.

**What Council Is Doing**

Development pressures are the biggest threat to the rich heritage history in the district. Council is continuing to monitor development to ensure heritage values are maintained. Six consent conditions have been imposed on resource consents to protect or enhance heritage resources since 2008/09. These conditions related to a variety of issues including; waiving car parking requirements, erection of signage, constructions of decks and the control of a building's appearance.



In 2009/10 the conditions imposed related to the erection of district-wide Heritage Trail signage by Council, and the replacement of a building within the Te Aroha Heritage Character area.

Plan Change 47 has reviewed the extent of the Te Aroha Heritage Character area to ensure that it forms a precinct of historic buildings - to act as a focal point - near to the centre of the town. Section 10 of the District Plan has also been reviewed to ensure that the rule framework is not unduly restrictive to these building owners.

**Number of imposed conditions on resource consents to protect or enhance heritage**

Year	08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
Number of conditions imposed	4	2	0	0	0	0	0	0	0	0	0	0

Council has allocated funds for the protection and promotion of the heritage resources in the district, including managing the Matamata, Te Aroha, Morrinsville and Matamata-Piako District Heritage Trails. Each of the four heritage trails has a corresponding brochure which is distributed through our information centres.

In addition, heritage funding assists with advertising for the Te Aroha Leisure Pools and Spas, and assisting with funding of the three museums in Morrinsville, Matamata (Firth Tower) and Te Aroha.

**Amount of Council spending on protecting, enhancing and promoting heritage features**

Year	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
Amount spent (\$ 000)	107	43	30	283	154	175	62	13	47	45
* approximate										

In 2017/18, the largest contribution from Council was that of \$5,500 to help maintain historic buildings at the Te Aroha Domain. A further \$3,667 was spent to assist with the Te Aroha Museum operating costs. \$2,892 was spent on building maintenance at Firth Tower.

In 2018/19, Council spent \$28,001 for the maintenance of the historic buildings and operating costs for Firth Tower. At the Te Aroha Domain the cost for maintaining historic buildings was \$9,500.

In 2019/20, \$ 6,157.35 of heritage funding was spent on building maintenance at Te Aroha Domain and \$ 3, 2735.17 at Firth Tower and a further \$ 393.60 was spent on the maintenance and repair of the Te Aroha town clock.

**What You Can Do To Help**

- You can register any heritage site with Heritage New Zealand.
- Apply for heritage protection funding

**Useful Links**

[Heritage New Zealand](#)

[Waikato Regional Council Perception Survey](#)

**For More Information**

Contact [info@mpdc.govt.nz](mailto:info@mpdc.govt.nz) or

Customer Services  
Matamata-Piako District Council  
PO Box 266, Te Aroha 3342  
Phone: 07 884 0060  
Fax: 07 884 8865



## Incompatible Activities



### Incompatible Activities Indicators

#### Overview

##### What are incompatible activities?

Incompatible activities happen when one activity has a negative impact on another nearby activity. This can happen when farming activities affect nearby dwellers, or dwellers intrude on farmland or nearby businesses. The most common negative effects that create these situations are loud noise, offensive odours and nuisance from dust, vibration, and glare. Incompatible activities have a higher chance of occurring if new developments and new houses are built in certain areas such as sites neighbouring industrial spots or established intensive farms (e.g. chicken and pig farms).



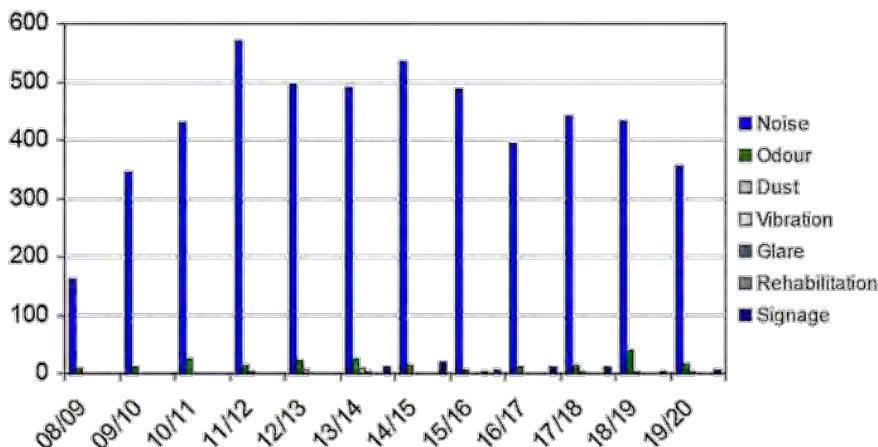
##### Our Situation

The most common complaint received by Council is about noise. Most of these complaints are related to loud stereos in urban areas; however, noise from activities such as industry, farming and other activities also has negative effects.

Odour from farm activities, particularly from chicken and dairy farming, along with other activities such as effluent disposal, smoke from fires, and rubbish, also contribute to the issues within the district. Dust and vibration also create a nuisance, although these are less common than noise and odour.

Noise complaints increased steadily until a peak of 570 in 2011/12, before dropping slightly over the next two years. In 2014/15, noise complaints rose again to 533 before fluctuating over the next three years. In 2018/19 there were 434 complaints, with a reasonable drop for 2019/20 with 356 complaints, most of this as a result of excessive noise. Odour complaints, which are consistently the second greatest cause of complaint after noise, have remained more constant, but at much lower levels; 39 odour complaints in 2018/19 and only 17 for 2019/20. There have been only two complaints about vibration, five about glare, and no complaints about rehabilitation since 2011/12. The vast majority of noise complaints since 2010/11 have been about loud music in residential areas.

Complaints received for adverse effects from activities



Number of building or resource consents granted within 500m of an intensive farm or within a scheduled industrial site

Year	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
Number	1	0	2	0	0	0	0	0	0	0	0

The two consents granted in 2011/12 were for additional dwellings located within 500 metres of the intensive farms with which they were directly associated.

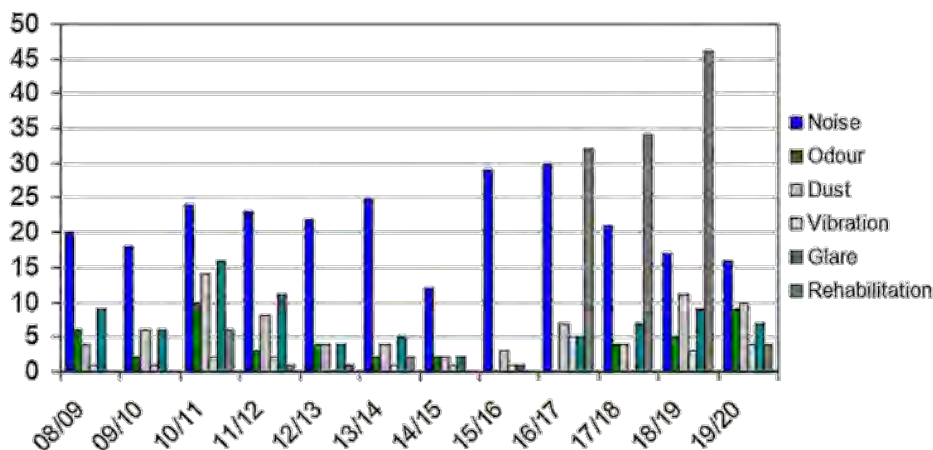
**What Council Is Doing**

Council is able to control the effects of new developments through provisions in its District Plan. Zones set environmental standards, which reflect the desired values and environmental outcomes within that zone. Performance standards also control potential nuisance effects of activities, and conditions may be imposed on resource consent applications to control these nuisances.



In 2016/17, 61% of consents had conditions imposed to prevent incompatible activities. In 2017/18, 57% of resource consent applications were approved with conditions on noise, dust, vibration, glare and rehabilitation. This figure was 46% in 2018/19 and 54% for 2019/20. Conditions of resource consent are not likely to prevent effects of loud music in residential areas. This issue is addressed through the excessive noise provisions under the Resource Management Act 1991.

Number and type of resource consent conditions imposed to control adverse effects from activities



The conditions relating to rehabilitation are often in the form of a requirement on the consent holder to ensure that damage to a relocated building or a footpath as a result of a consented activity is remedied in a set time frame. This helps to ensure that matters such as neighborhood amenity values or pedestrian safety are maintained.

**What You Can Do To Help**

- Consider the effects of your activities
- Let us know if you are being affected by noise, odour, dust, etc
- [Control noise](#)

Also see our [amenity indicator](#) information

**For More Information**

Contact [info@mpdc.govt.nz](mailto:info@mpdc.govt.nz) or

Customer Services  
Matamata-Piako District Council  
PO Box 266, Te Aroha 3342  
Phone: 07 884 0060  
Fax: 07 884 8865

# Natural Environment



## Natural Environment Indicators

### Overview

Our 'Natural Environment' means our native ecosystems, such as wetlands, lakes, bush, forests and geothermal areas. It includes both the physical and biological components of natural areas.

Before settlement, the district was covered in indigenous vegetation. The Kopuatai Peat Dome made up the majority of this vegetation. It stretched from the Hauraki Gulf to Matamata and from the Kaimai Ranges to the Western Ranges.



The Matamata-Piako natural environment contains outstanding natural features; in some cases these are of national and international significance.

- The Kaimai Ranges are considered to be the most outstanding natural feature in the district.
- The Hinuera Valley is an important regional feature due to its rarity and landscape features.
- The Kopuatai Peat Dome is the only true peat/dome/restaid bog remaining intact in New Zealand. As well as the largest remaining freshwater wetland left in the North Island, it is the best example of its kind in New Zealand. It supports a vegetation type unique to the world.

### Our Pressures



The primary activity affecting our natural environment is changes in land use such as land drainage, bush clearing, subdivision and development.

The health of our native plants and animals is also threatened by predation and competition from introduced species. 69 regional plant pests and 35 animal species to be managed were identified in the Waikato Regional Pest Management Plan 2014-2024. The Plan includes five groupings of plant pests, and a table of animal pests that hold a production, environmental or public threat. The Waikato Regional

Council will directly control and manage some pests and will provide advice and assistance for others.



Plant pests include Manchurian wild rice (particularly in the Piako and Waihou rivers), Noongoora bur, and the Water poppy. Moth plant, Nodding thistle and Pampas are also significant plant pests in the district. Some of the animal pests damaging our natural environment include possums, feral goats, feral cats and mustelids such as ferrets and stoats.

**Our Situation**

In 2017/18 native vegetation made up 11.8% (20,786 ha) of the Matamata-Piako District, of which 19,475 ha is held within the Department of Conservation Estate. Council owns and manages around 12.6 hectares. The largest area of Council-owned and fenced reserve is Hawes Bush, which has an area of 2.2 hectares.

Within Matamata-Piako, the Kaimai Forest Park makes up an area of 14,670 hectares, and the Kopuatai Peat Dome an area of 5,313 hectares (approximately one third of the Dome is within Matamata-Piako). There are 5911 hectares of peat soil in the district. The Te Tapui Reserve comprises 2370 hectares. There are 338 hectares within Matamata-Piako that are protected by covenants from the Queen Elizabeth II Trust.

**Activities within the Kaitiaki Zone**

A small number of resource consents are applied for to carry out activities within the Kaitiaki (Conservation) Zone each year. This shows development is generally occurring in conjunction with existing land use, facilities and zoning, rather than in areas with conservation values.

In 2018/19 MPDC did not grant any resource consent applications for activities in the Kaitiaki Zone. There were three resource consents granted in 2017/18 for activities in the Kaitiaki Zone: these were for the construction of a weir on the Piako River, the construction of a back country hut and vegetation clearing and for road embankment earthworks. There were 6 consents granted in 2016/17 for activities in the Kaitiaki Zone. Two related to the harvesting of plantation forestry and two others related to earthworks near, and the construction of a jetty on, Lake Karapiro. There were 3 consents granted in 2015/16 for activities in the Kaitiaki Zone. These were for the construction of a dwelling, the extension of the Hauraki Rail Trail and assorted work including channel excavation and remediation work on the Tui mine site. In 2019/20 there were no applications for activities within the Kaitiaki Zone.

**Resource Consents granted in the Kaitiaki Zone**

Year	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
Number of consents	0	1	5	4	1	0	3	6	3	0	0

**Protection of Natural Resources**

In the 2005 Operative District Plan, Council listed outcomes they wished to achieve relating to protecting and enhancing the natural resources within the district. Significant steps have already been taken towards meeting these outcomes.

In 2012/13 two subdivision consents were granted with conditions requiring the protection in perpetuity of areas of native vegetation, amounting to an area of 8,200m<sup>2</sup>. There were no similar consents granted in 2013/14. There were two consents granted in 2014/15. Both had conditions requiring effluent systems to have specific engineering designs.

In 2018 Council granted a consent for subdivision in Matamata at Banks Road with conditions in

relation to ecological enhancement, such as the planting of native plants, stock exclusion fences and weed & pest eradication within the riparian and wetland areas. In 2019 Council granted a subdivision consent for an application at Thomas Road, Waihou, with conditions in regards to ecological enhancement and landscape mitigation; covering stock exclusion fences, weed and pest eradication and a landscape mitigation planting scheme.

In 2006 Council worked with an ecologist to determine significant native vegetation. 667 units of habitat totaling 3,111 hectares were surveyed, resulting in 23% of this area (721 hectares) being considered significant. Of the total area surveyed, 78% was determined to be indigenous (predominantly native species), 20% exotic (mainly non-native species) and 2% was not determined. These significant features include native indigenous vegetation, such as native tree stands, areas of bush and wetlands. Native fauna also exist in significant areas.

There are a number of rare or threatened species that are still considered to be living within the district. These include:

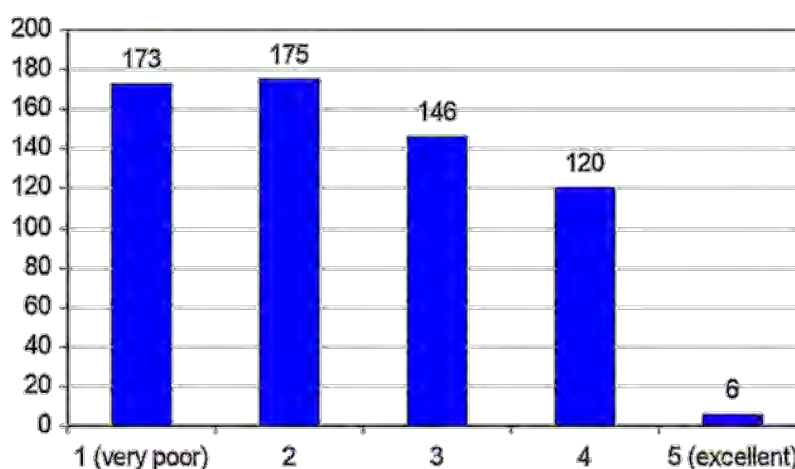
Threatened species	Where you might see them
<b>Birds</b>	
North Island brown kiwi	Kaimai/Mamaku ranges
North Island kokako	
NZ falcon	
Kereru	
North Island kaka	
Australasian bittern	Kopuatai Peat Dome
Branded rail	
Marsh crane	
North Island fernbird	
<b>Reptiles</b>	
Striped skink	Kaimai/Mamaku ranges
<b>Amphibians</b>	
Hochsetters frog	Kaimai/Mamaku ranges
<b>Mammals</b>	
Both short and long tailed bat	Kaimai/Mamaku ranges
<b>Fish</b>	
Giant kokopu	Kaimai/Mamaku ranges
Banded kokopu	
Black mudfish	Kopuatai Peat Dome
<b>Invertebrates</b>	
Te Aroha stag beetle	Kaimai/Mamaku ranges
<b>Plants</b>	
Stout milfoil	Kaimai/Mamaku ranges
Scarlet mistletoe	
Red mistletoe	
King fern	
Clubmoss	Kopuatai Peat Dome
Giant Wire Rush	

These rare or threatened species are present in the above locations, but may also be present in other, smaller, areas in our district.

#### The Condition of Our Native Vegetation

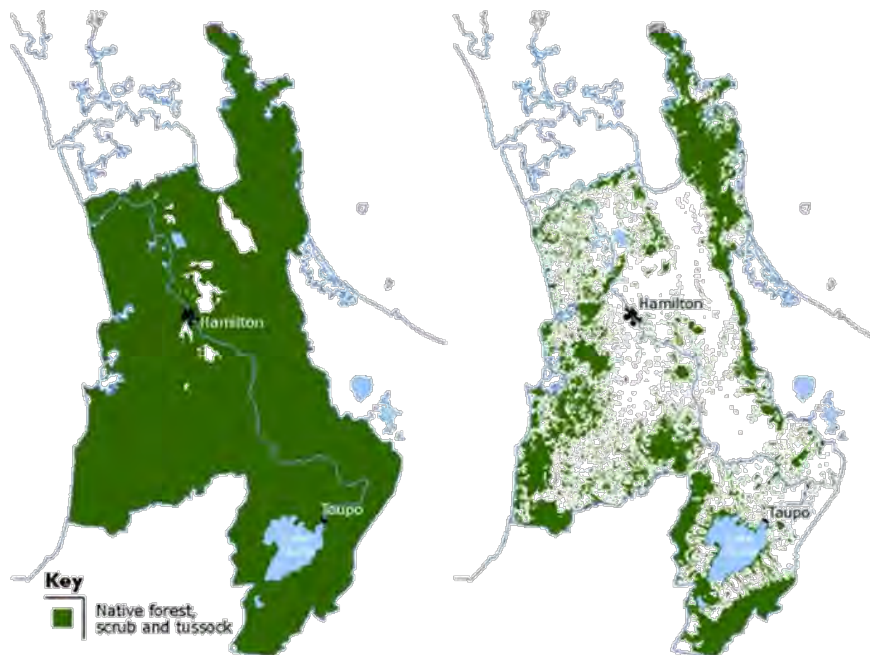
As part of the identification of areas of significant native vegetation within the district the condition of the vegetation was also assessed. Vegetation units were given a rating between 1 (very poor condition) and 5 (excellent condition). The average condition was 2.36. Only 6 of the 667 units of vegetation surveyed were considered to be in an excellent condition.

Condition of Vegetation Surveyed



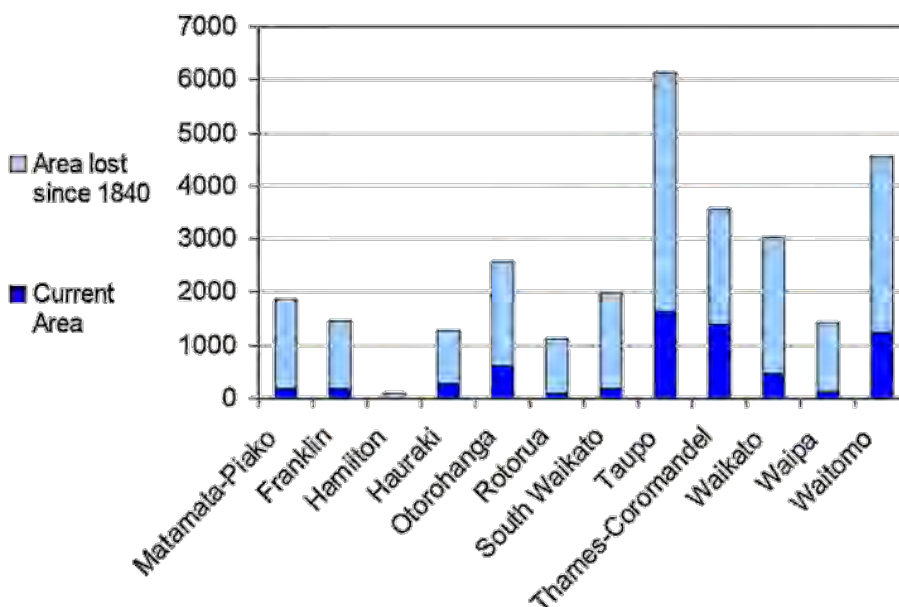
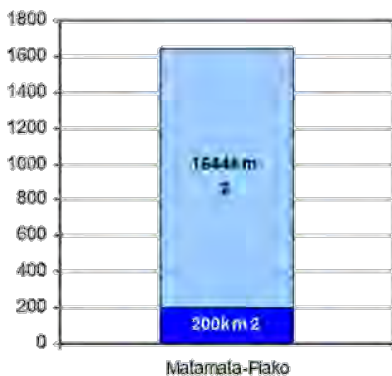
In 1840, 95% of the district was covered in native vegetation; this figure is now 15%, most of which is in the Kaimai ranges. Through provisions of the District Plan, Council is attempting to manage the natural environment; this includes zoning and putting methods in place for the protection of areas of significance.

The maps below show the historic (around 1840, on the left) and current (right) extent of native forest, scrub and tussock in the Waikato Region.





Change in areas of native forest, scrub and tussock from 1840 – present (km<sup>2</sup>)



From the 2013 Waikato Regional Perception Survey, 73.5 per cent of respondents in the Matamata-Piako District were satisfied with 'community treatment of your district's natural assets'.

**Incentives**

In 2006 Council approved the introduction of funding rounds, allowing landowners and Community Groups to apply for financial assistance to undertake projects such as fencing significant sites and controlling pests. Landowners who have a significant natural feature on their land can also apply for rates remissions. Funding rounds occur once a year around September. To establish this process, Council has worked with numerous organisations and people including Federated Farmers, Department of Conservation and individual farmers. Two areas along a stream on Council-owned land in Te Aroha were fenced off and native plants were planted between the stream and the fence in both 2014/15 and 2015/16. Council is happy to provide an ecologist to

survey potentially significant sites that have not already been visited within the district. Please contact Customer Services to discuss this opportunity.

#### What else is Happening?

Council is aware of a number of landcare groups operating in Matamata-Piako that are taking measures to benefit waterways and their margins. The Mangawara Landcare Group and the Morrinsville Landcare Group aim to improve environmental health by protecting river margins and increasing biodiversity by planting and fencing streams and bush remnants. The Manaaki Kaimai Mamaku Trust has representation from iwi, recreational groups, primary industry and conservation groups and aims to restore forest biodiversity, enhance recreational activities and provide for sustainable land use across the entire Kaimai-Mamaku area, straddling several territorial boundaries. There are several other initiatives with a focus on waterway rehabilitation.

There are other groups that are currently working towards restoring our natural environment such as the Piako Catchment Forum, Ngāti Hauā Mahi Trust, the Te Miro Pest Control Group, Friends of Hawes Bush and Keep Te Aroha Beautiful. The Piako Catchment Forum.

See [Riparian Management](#) for more information about these groups.

The Matamata-Piako District Council also contributes to the general landscape of the district through tree planting programmes such as Arbor Day. From the Arbor Day celebrations held in 2011/12, 186 children attended from eight schools and planted trees at the Howarth Memorial Wetland in Te Aroha, Howie Park in Morrinsville and Furness Reserve in Matamata.

During 2019/20:

- 3000 native plants were planted at the Morrinsville stream by the Piako Catchment Forum;
- 100 Kahikatea trees were planted at Herries Park wetlands in Te Aroha by Keep Te Aroha Beautiful;
- 600 native plants were planted at the Matamata Swap Park; and
- Plantings of more native plants on a floodplain portion of Skidmore Reserve, Te Aroha, next to the Waihou River;
- Animal pest control at Te Miro Forest which is reducing the possum and rat populations near the Topehaehae Stream which provides water supply to Morrinsville;
- Pest plant control along the Waitakeruru River along Morrinsville River Walk;
- Council is working with the Piako Catchment Forum which aims to connect various restoration projects along the Waihou, Waitoa and Piako Rivers;

#### What You Can Do To Help

- Protect your vegetation by fencing and controlling pests and weeds
- Become involved in initiatives such as tree planting and associated conservation programmes
- Become involved in landcare groups

You may be eligible for funding to protect biodiversity. Check out the [Ministry for the Environment website](#), or contact Council to discuss the Significant Natural Features annual funding round.

#### Useful Links

For more information on landscape types, plant and animal pests, soils see;

<http://www.mpdc.govt.nz/component/content/article/99-council-documents/soe-report-1999/416-state-of-the-environment-report-1999?Itemid=647>

[Waikato Regional Council's Land and Soil Indicators](#)

[Department of Conservation](#)

#### For More Information

Contact [info@mpdc.govt.nz](mailto:info@mpdc.govt.nz) or

Customer Services  
Matamata-Piako District Council  
PO Box 266, Te Aroha 3342  
Phone: 07 884 0060  
Fax: 07 884 8865



# Natural Hazards



## Natural Hazards Indicators

### Overview

The district is subject to a wide range of natural hazards. Several significant natural events have been recorded that have caused loss of life, and damage to property and the environment. Our district's hazards include:

- **Earthquakes and volcanic hazards** – the Matamata-Piako District contains several active fault lines. Geothermal activity occurs at the hot springs at the Te Aroha Domain, the Opal Hot Springs near Matamata and the Okauia and Taihoa geothermal fields in the south of the district.
- **Flooding** – extensive flood protection schemes have been implemented to minimise flood damage in the district.
- **Erosion and landslides** – these are important concerns in hill country in the district, particularly on the steep slopes of Mount Te Aroha, and along the Kaimai Ranges.
- **Fire** – forest fires are a rare event within the district, but still pose a significant risk.
- **Wind** – this can be a problem in areas adjacent to the Kaimai Ranges, and in known wind tunnelling areas.
- **Peat Soils** – these represent a hazard because of the subsidence, fire and flood risks that are associated with them.



Te Aroha Flood 1985

### Our Situation

#### Flooding

There are approximately 8,091 hectares of land that has been identified by Council as being at risk of flooding. A 'flood event' is a mean annual event or higher. In 2015/16, in a weather event on 31st July, flooding was recorded on Te Aroha-Gordon Road and the Old Te Aroha Road and a footbridge across the Waihou River was closed. In a weather event recorded from 31st December to 2nd January 2016, trees were blown over and there were four incidences of roofs lifting.

In April 2017, Cyclone Cook and Debbie caused widespread flooding. Matamata and Waharoa residents were asked to conserve water as the heavy rain caused flooding at a water treatment

station, causing damage to pumps. A number of roads throughout the district were closed for several days and flooding to a number of buildings was reported.

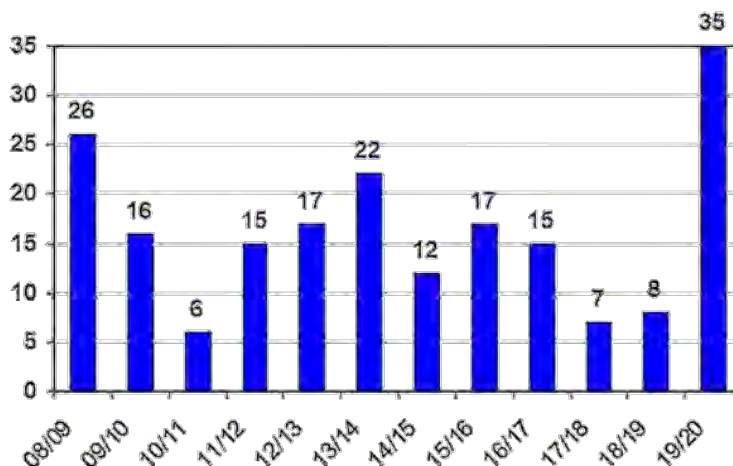
Between 2010/11 and 2012/13 and from 2014/15 onwards no damage was recorded to public property from natural hazards. However, in the 2013/14 year, the 17 April flooding caused approximately \$20,000 damage to Thompsons Track on the Kaimai Ranges. In the 2017/18 year, two weather events caused flooding and road closures, particularly in rural areas. On 29 April 2018, there was flooding on the Te Aroha-Gordon and Old Te Aroha Roads and both Mace Road and Armadale Road were closed due to the Waihou River overtopping. On 6 June, the Ohinewai-Tahuna Road and the Te Aroha-Gordon Road were flooded, and Mace Road was again closed due to the height of the Waihou River.

Again in 2018/19, a weather event caused flooding and consequently road closures; Armadale Road was closed for a day in July the 16, 2018 and flooding across Mace Road, closed the road for three days, from the 16 to 18 July, 2018. For 2019/2020 there were several minor localized flooding events that required temporary signage for short periods of time. However, no road closures were required during this period in regards to flooding events.

**Hazard Zones**

New developments in known hazard zones are potentially at high risk of being damaged by hazard events. Between 2008/09 and 2019/20, 196 resource consents have been applied for within the flood protection area in the district. All of the consents were granted, subject to conditions to mitigate potential adverse effects. These consents were for activities such as building new sheds to house livestock or poultry, relocating dwellings, upgrading buildings and to build a jetty.

**Number of resource consents applied for within flood protection area**



In 2018/19 and 2017/18, four resource consents were approved on land subject to fire and in 2019/20 three consents were granted. These consents were granted subject to conditions to mitigate potential adverse effects. No resource consents were approved for either year on land subject to instability.

Since 2008/09 there has been a decreasing trend in the number of building consent applications within the flood protection area. The most likely cause would originally have been the economic recession of the late 2000's, although resource consent figures on land subject to flooding have remained low since then, despite the overall increase in consents, especially in 2015/16.

Erosion can also be a potential problem on the steeper slopes of the district. According to data taken from the 1992 Regional Indigenous Vegetation Inventory, there is approximately 20,686 hectares of vegetated land classified as having severe erosion potential in the district.

**Rural Fire**

Local Authorities no longer have any financial or operational responsibility for rural firefighting, as of 1 July 2017. The New Zealand Fire Service Act and the Forest and Rural Fires Act have been repealed and replaced by the Fire and Emergency New Zealand Act.

Consequently, the data collection and reporting formerly completed for rural firefighting is no longer carried out.

**Earthquakes**

The table below shows the number of earthquakes recorded in the district each year, at a depth of 70 km or less. The 2010 District Plan Effectiveness Report notes that the District Plan includes an objective to minimise the risks of earthquakes affecting people and property in the district, but that research is not sufficiently advanced to permit detailed land use management and planning controls to be implemented to mitigate these risks. Data for 2012/13 was not available from GeoNet due to a changeover in their recording systems.

Number and magnitude of Earthquakes	08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
Number of Earthquakes	0	2	11	9		10*	3*	7*	14*	2*	5*	6*
Magnitude of Earthquakes		2.6 2.8	3.5 3.4 3.3 3.1 2.5 2.5 2.4 2.1 2.0 1.8 1.6	3.4 2.8 2.5 2.2 2.2 2.0 1.9		From 1-3*	From 2-4*	From 2-3*	From 2-4*	From 2-3*	From 2-3*	From 2-3*

Source: <http://www.geonet.org.nz/>

\*Geonet now depicts earthquake information in map form over specified time periods so the numbers and magnitude of earthquakes is an approximate figure



### What Council Is Doing

Council has identified 8,091 hectares of land as being subject to flooding in the district. New development on areas identified in this flood zone can be regulated by Council to prevent flood damage. Potentially unstable land has also been identified as a hazard within the Council's District Planning Maps. There are approximately 11.3 hectares of this land identified in the district.

Civil Defence plays a role in community protection. In 2011/12, 30 hours of Council time was spent delivering presentations to community groups and training of Council staff, and in 2012/13, 41 hours.

Additional presentations have been made by Civil Defence staff in each subsequent year. The financial value of these education sessions was not recorded as it is considered part of the core service of Civil Defence and covered by the levy paid to Civil Defence by Council. Council has concentrated on increasing emergency information on its website and increasing its presence on Facebook during natural hazard events.

The Waikato Regional Council completed a Natural Hazard risk assessment report for the Matamata-Piako District in 2014/15. The report provided an overview of natural hazards in our district as a basis for guiding and prioritising work activities for both the Matamata-Piako District and Waikato Regional Councils. This information will assist in the future review of the Natural Hazards provisions in the Matamata-Piako District Plan.

### What You Can Do To Help

- Keep your insurance cover up-to-date.
- Ensure that your family has an emergency plan.
- Know whether you live near potential hazard areas.
- Have an emergency kit and drinking water ready at all times.

### Useful Links

[Ministry of Civil Defence and Emergency Management](#)

[GeoNet](#)

### For More Information

Contact [info@mpdc.govt.nz](mailto:info@mpdc.govt.nz) or

Customer Services  
Matamata-Piako District Council  
PO Box 266, Te Aroha 3342  
Phone: 07 884 0060  
Fax: 07 884 8865

# Works and Network Utilities



## Works and Network Utilities Indicators

### Overview

Council aims to provide effective and environmentally efficient water, stormwater and sewage reticulation and treatment to meet the needs of our communities. Council provides network utilities to houses and businesses within the district.

Works and network utilities provide services essential to our social and economic well being, and to our health and safety. Other utilities in our district include electricity and telecommunications.

While there are positive effects to infrastructure, works and network utilities may potentially have some negative effects on the community and our environment. These are addressed through resource consent conditions that aim to remedy, mitigate and avoid any adverse effects of activities. There could also be negative social, economic and environmental effects if these works and infrastructure services were not provided.

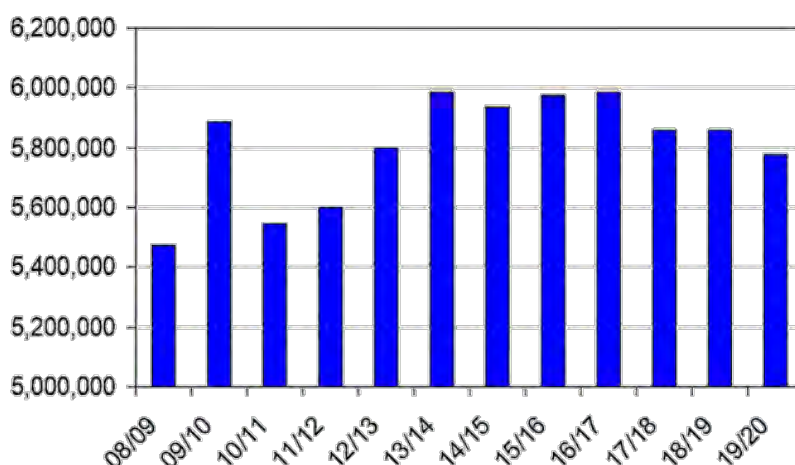


### A summary of our situation:

#### Water

The total quantity of water being consumed in Matamata-Piako District has remained largely unchanged since 2013/14, when it peaked, after having fluctuated in the six years prior.

Quantity of water consumed (m<sup>3</sup>)





In 2009/10 water restrictions were not required as a result of responsible water use during the dry summer months. In 2010/11 restrictions lasted for three weeks but there were no restrictions in 2011/12. In the three years 2012/13 to 2014/15 there were again water restrictions resulting from drought conditions. The restrictions related to either dwindling raw water sources or short term peak demands during the height of summer. Although a 'conserve' water reminder was issued in 2015/16, there were no water restrictions for 2016/17. Between the 31st of January and the 16th of April 2019, there were 75 days of water restriction. In 2020, between 29th of January and 1st of May the whole district was on Level 2 restrictions for 16 days and Level 3 for 78 days, except for Morrinsville which had 43 of these 78 days at Level 4.

For reference:

**Level 1: Conserve water**

Water supply is expected to come under pressure.

**Level 2: Water on alternate days**

The water supply is under considerable pressure and significant savings are required. Hoses, sprinklers and garden irrigation systems can only be used on alternate days (even street numbers on even days; odd street numbers on odd days).

**Level 3: Sprinkler ban**

At this level the water supply is under extreme pressure. Hand held hoses should only be used on alternate days. Sprinklers, garden irrigation systems, unattended hoses, unnecessary water blasting and other water use is banned.

**Level 4: Total watering ban**

At this level the water supply level is critical and Waikato Regional Council restrictions may have been applied. All use of water outside the house is banned

The Te Aroha water supply is adequate for residential growth, in 2019 Te Aroha West was connected to the Te Aroha's treated reticulation system. However, if water consumption by industrial users increases significantly, upgrading of treatment facilities will be required. Council budgeted \$2 million in 2016/17 for the Te Aroha Water Treatment Plant capacity expansion project. The progression of this project is dependent on demand from industrial consumers, which has not yet been established.

**Water Quality**

Council provides clean, safe drinking water as this core service is essential to the health of our communities. Our focus is on improving the water quality through water treatment plant upgrades to comply with New Zealand Drinking Water Standards (2008) and ensure we are complying with our resource consents.

The Ministry of Health sets 'New Zealand Drinking Water Standards' (NZDWS) to ensure that safe drinking water is available to everyone. The NZDWS define the minimum standards for drinking water in New Zealand, and the water the Council treats and supplies needs to meet those standards. We started upgrading water suppliers and water treatment facilities five years ago in order to meet these requirements.

Public Health Management Plans for the Matamata, Te Aroha and Morrinsville water supplies have been approved.

There are six water supply schemes in the district:

- Three larger supplies for Matamata (including Waharoa), Morrinsville and Te Aroha
- Three small schemes in Te Poi, Tahuna and Hinuera.

There are eight treatment plants and approximately 348 kilometres of water pipes. Water is supplied 24 hours a day, seven days a week, which means we operate and maintain equipment, machinery and backup facilities, and train staff to respond rapidly in the event of a problem.

In 2013/14, Council upgraded existing reticulation pumps at the Burwood Road Water Treatment Plant to improve the flow of water in to the reticulation network. The cost was \$35,000. A 148 metre deep replacement bore was drilled to supply the Tahuna community at a cost of \$49,000. A backup generator was installed at the Tawari Street Water Treatment Plant. The backup generator will ensure that Council can continue to supply water to the Waharoa community in the event of a prolonged power outage.

A new bore is currently being drilled at Waharoa to reduce the demand on the Matamata reticulation network.

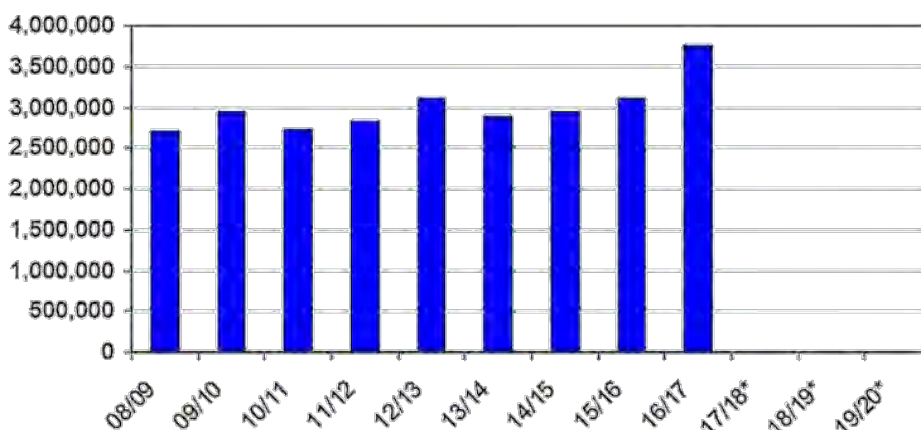
**Wastewater**

Despite improvements on the metering of discharges and efforts by large industry to reduce the volume they discharge to Council treatment plants, there is a general trend of an increase in the quantity of sewage treated by Council. This trend correlates to an increase in the consumption of water over the same period. This trend is likely to be the result of an increasing population. This includes the increase from 2009/10 to 2010/11, which is due to the sewerage connection to Tahuna and Waharoa. The figures for the quantity of sewage treated in 2017/18, 2018/19 and 2019/20 were not available at the time of writing.



In order to improve the efficiency of our district's wastewater network Council has instigated a programme to measure and reduce stormwater infiltration to our sewerage systems.

**Quantity of sewage treated by Council services (m<sup>3</sup>)**



\*Figure not available

At the end of 2020, Council received a \$5 fund from the Trench 1 program under the three waters review. Below are the proposed actions to be undertaken in regards to improvements of Waste Water discharges in the near future:

- Develop emergency response plans for all wastewater treatment plants;
- Develop a pond desludging plan;
- Undertake desludging at Matamata WWTP (possibly Te Aroha as well);
- Implement ingress and intrusion reduction and wastewater network improvements in Te Aroha; and
- Enhanced pipe renewals programme.

**Discharge Quality**

Improvements to waste water treatment plants (WWTP) has seen a steady increase in the level of discharge compliance throughout the district. Council commissioned a new \$4.5 million WWTP for Te Aroha in December 2006 and the effluent discharge from this plant is fully compliant with the current discharge consent.

The Matamata and Morrinsville WWTPs were upgraded in 2009/10 and 2012/13, respectively, in order to comply with resource consent requirements. The Waharoa/Raungaiti sewerage scheme, completed in 2012/13, is connected to the Matamata sewage system and allowed nearly 200 septic tanks to be decommissioned. The WWTPs for Tahuna and Waihou were also updated in 2010/11 and 2011/12 respectively.

**Compliance rates with resource consent conditions**

Year	Level of Compliance
2008/09	Council complied 100% with water resource consent conditions, 95% with stormwater resource consent conditions and 96% with wastewater discharge consent conditions.
2009/10	Council complied 100% with water and storm water resource consent conditions and 94% for waste water.
2010/11	High compliance with conditions.
2011/12	High compliance with conditions.
2012/13	High compliance with conditions.
2013/14	High compliance with conditions.
2014/15	High level of compliance except for two water and two wastewater sites
2015/16	Most Resource Consents have achieved a high level of compliance except two wastewater sites. Matamata and Te Aroha wastewater treatment plants are not compliant during specific times of the year. Council and the Waikato Regional Council (WRC) are working together to resolve this and Council may apply for a variation to the resource consents. Council is still awaiting the annual reports from the Regional Council for our water consents.
2016/17	All but two sites achieved compliance with resource consent conditions. The two non-compliances were both Matamata bores which exceeded their annual water take.
2017/18	Figures were unavailable at time of writing
2018/19	High compliance with conditions.
2019/20	High compliance with conditions.



### Stormwater

Information on the volume of stormwater discharged from Council reticulation is not monitored. Council does, however, monitor the quality of stormwater discharged as per conditions detailed in our discharge consents. Visual inspections of key stretches of open channel are carried out.

### Other Network Utilities

#### Number of new network utilities granted resource consent

Year	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
Number of new network utilities granted resource consent	1	4	0	3	0	0	1	0	0	0

Three new network utilities resource consents were granted in 2013/14, for a substation and two telecommunications facilities. No network utilities were granted resource consent in 2014/15 or 2015/16. In 2016/17, a resource consent was granted for the upgrade of aircraft navigational infrastructure on the Kaimai Ranges. In 2018/19 and 2019/20 there were no resource consents granted for new network utilities.

### Reserves

As of 2019/20 there were 681.70 hectares of reserves, this figure includes leased areas, areas not maintained by Council and areas under Council management.

### What Council Is Doing

Council has spent a considerable amount of money on the maintenance and upgrading of urban services such as wastewater, water and stormwater. The community receives education material regarding water conservation through the fortnightly publication 'Council in Focus'.

#### Amount of Council spending on upgrading & renewing urban services

Year	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
(\$000s)	5,994	7,258	8,014	8,124	8,463	13,248	11,281	15,816	12,002	11,200

To help Council provide for increased demand and growth, development and financial contributions are collected by Council on all new developments and subdivisions.

#### Number and value of development contributions collected per year\*

Year	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
Number	229	238	114	84	73	76	107	205	627	587	462
Value in (\$000)	336	373	168	133	132	147	432	304	1,149	1,955	1,851

When these contributions were originally collected, the majority of them were for Council recreation reserves but in recent years the contributions have related more to services. Significant Development contributions were collected between 2009/10 and 2010/11 from the first stage of a development for 89 lots in Banks Road, Matamata.

Between 2011/12 and 2014/15 the amount of money received from contributions reduced significantly. This is primarily because there was less demand for residential sections as a result of the economic downturn. Consequently, fewer 224 certificates (completion certificates) have been issued and fewer development and financial contributions have been received by Council. However, in the last three years both the number and value of contributions has climbed significantly when compared to the previous four years, in line with the growth in development in the district. The figures for 2018/19 are the highest recorded over the past 10 years.

#### What can consumers do to assist Council with our environmental obligations?

##### Water

- Try not to waste water unnecessarily. Every drop of water coming from Council reticulation systems has been treated and this is expensive.
- Fix leaking taps & valves as soon as possible.
- Conserving water helps the environment by leaving more water in streams & rivers.

##### Wastewater

- Do not connect down pipes or stormwater drains to the sewerage system (gully traps).
- Up to 75% of sewage pumped & treated during wet weather is directly related to stormwater infiltration. This costs Council (and ratepayers) thousands of dollars per year.

##### Stormwater

- Don't dispose of waste down stormwater drains.
- Water running out onto the road ends up in our rivers and waterways. Wash the car on the grass, not the driveway.

##### Useful Links

[Ministry for the Environment](#)

[Ministry of Health](#)

##### For More Information

Contact [info@mpdc.govt.nz](mailto:info@mpdc.govt.nz) or

Customer Services  
Matamata-Piako District Council  
PO Box 266, Te Aroha 3342  
Phone: 07 884 0060  
Fax: 07 884 8865



## Residential Growth



### Residential Growth Indicators

#### Overview

The data from 2013, shows a slight growth in population of the three main centres of Morrinsville, Matamata, and Te Aroha. Rural population shows a slight decrease between 1996 and 2006, but a slight increase between 2006 and 2013. However, for the 2018 census the Rural population numbers decreased again, compared with 2013.

Residential growth puts extra pressure on the use of good quality soils for agricultural purposes, and also can create adverse effects from the construction, location and dominance of new buildings.

New development can also impact on the open space character of residential and rural areas. Growth in the number of dwellings is likely to be an issue, as between 2013 and 2018 the district's population increased by 9.1 per cent, while the number of dwellings increased by 5.3 per cent.



#### Our Situation

##### Subdivision

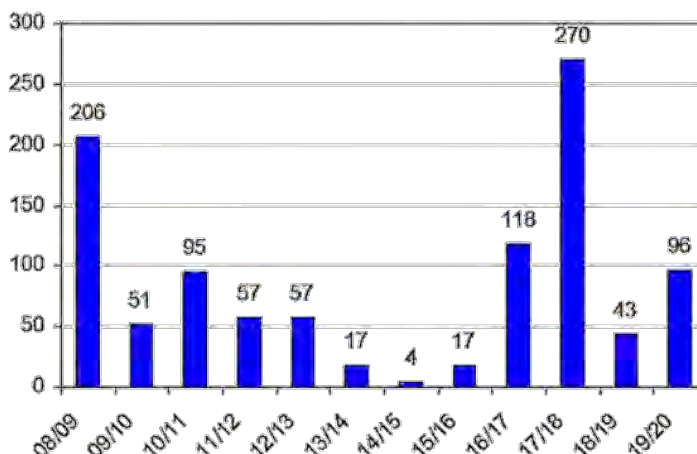
As of 2009/10 there are a total of 1896 hectares of land zoned for residential and rural-residential purposes in the district. In 2015/16 there were 460 lots between 2,500 and 10,000 m<sup>2</sup> in the areas zoned Residential and Rural-Residential. 14 residential or rural-residential lots between 2,500m<sup>2</sup> and 1 hectare in area were granted consent in 2016/17, and 16 additional lots were granted consent in 2017/18. In 2018/19, 50 additional lots were granted consent. For 2019/20 there were 155 new lots consented.

Between 2008/09 and 2019/20, 1031 new residential lots have been granted subdivision consents. This has included major developments such as:

- An 86 lot development in Banks Road, Matamata, in two stages from 2009/10 to 2010/11.
- A 44 lot development in Mangawhero Road, Matamata in 2016/17.
- A 32 lot development in Fairway Drive, Morrinsville in 2016/17.
- A 155 lot development in Jellicoe Road, Matamata, in 2017/18, to be created in five stages.
- A 64 lot development in Studholme Street, Morrinsville, in 2019/20.

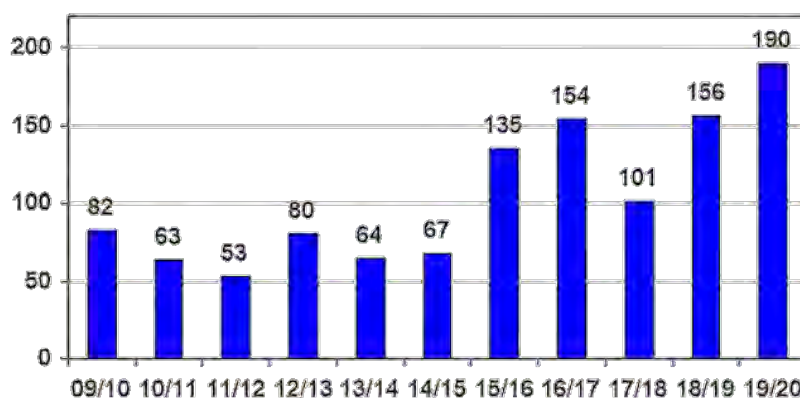
In 2017/18, the total of 270 new lots was the highest in the last 10 years. No significant residential subdivision consents were granted in 2018/19. Residential subdivision between 2013/14 and 2015/16 all stemmed from small-scale, two lot subdivisions.

Number of lots created in the Residential zone



Between 2009/10 and 2019/20, 1145 building consents have been granted for the creation of new dwellings within the Residential Zone. The increasing economic confidence of recent years has resulted in house price growth and a building boom which helps explain the sharp increase of building consents granted in 2015/16 to 2016/17. However, the 2017/18 figure of 101 building consents is very close to the annual average over the last ten years. For 2018/19 and 2019/20 we have experienced another increase in figures with 156 and 190 respectively new building consents for the district; only in the Residential Zone. That is an indicator of a strong economy, considering the growth is above the annual average.

Number of building consents granted for new dwellings in the Residential zone

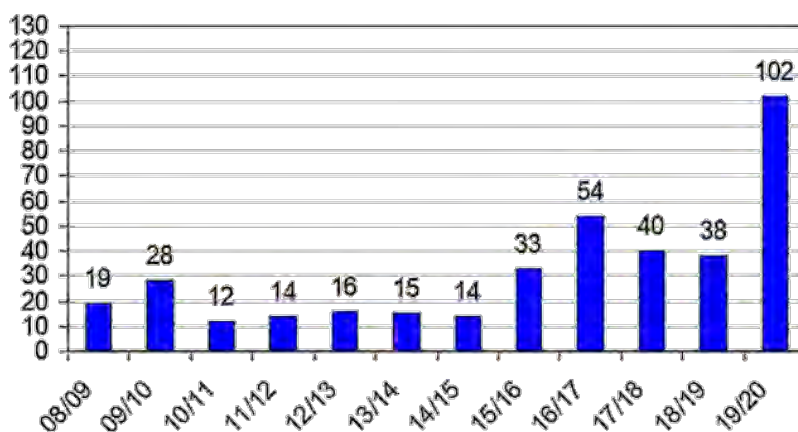


The Resource Management Amendment Act 2017 amended the RMA so that from 2017/18 subdivision will be permitted unless it is expressly restricted by a District Plan rule or a National Environmental Standard, which indicates that subdivision is potentially acceptable as a permitted activity in certain circumstances.

**Development Controls**

Development controls are in place for new developments to ensure any negative impacts are minimised. These include 'maximum heights for buildings', 'yard setbacks', 'site coverage' etc. The number of resource consents granted to breach development controls has generally followed the level of activity in residential subdivision and building construction over the last ten years. This suggests that at this stage the existing development controls are not creating increasing pressure on the efficient use of land.

**Resource consent applications granted for the dispensation of residential development controls**



Since 2008/09 no resource consent applications have been declined for non-compliance with Council development controls. The potential cost of making a resource consent application may discourage people from submitting designs which contravene the development control rules. It's possible that the costs involved with an unsuccessful resource consent application might offset the potential gain made from increased building intensity or height.

**Protected Trees and Amenity**

New development can also affect amenity values through the removal of trees protected by the District Plan. A total of five consents have been issued to remove trees in the last 10 years.

During 2008, Council completed a plan change to amend the tree protection provisions within the District Plan. Previously, a resource consent was required to remove, or do any major work to any tree in the urban area that was over 10 metres in height, which was deemed to be too restrictive. In addition, changes to the Resource Management Act meant that only trees listed in a schedule of the District Plan could be protected. A process was undertaken to identify those trees which added to the amenity of the district and these were added to the schedule of outstanding or significant natural features and trees and other protected items. This plan change aimed to give confidence to whether or not resource consent was needed to remove a tree, and to also remove unnecessary restrictions.

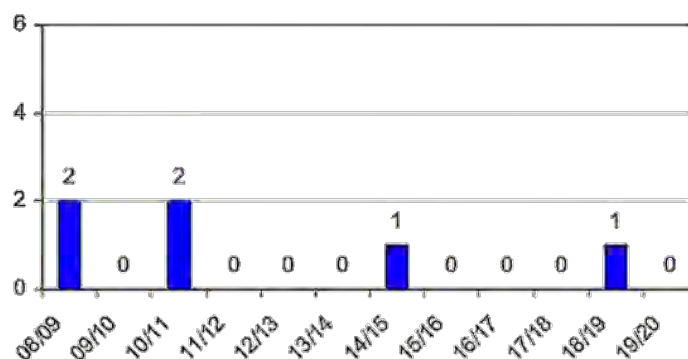


The plan change allows notable trees to be removed as a permitted activity if they are dead, dying or terminally damaged. This change has been reflected in the reduced number of consents granted for tree removal.

In 2014/15, Plan Change 48 – Protected Trees commenced, which reviewed the rules and provisions relating to protected trees, as well as Schedule 3 in the District Plan, which listed all 272 protected trees and outstanding or significant natural features in our District.

All currently protected trees were examined by an arborist, using the Standard Tree Evaluation Method to assess and score them. Council nominated a threshold score of 140 that all trees proposed for protection must meet and then held a public formal submission process in 2015/16. As a consequence of Plan Change 48, which became operative in 2016/17, 97 individual or groups of trees achieve the threshold of 140 and have been protected by Schedule 3A the District Plan. 129 trees or groups of trees were removed from the schedule and are longer protected by the District Plan. A further 46 items, including stands of trees and remnants of bush, were transferred to schedule 3B: "Outstanding or Significant natural features and other protected items".

Number of resource consents granted for removal of protected trees as a result of residential development



**Provision of Services**

By the 2015/16 year, 9,649 properties had access to water and 9,143 had access to wastewater. By 2016/17 this increased to 9,706 properties with access to water and 9,217 properties with access to waste water.

From 2017/18 Council has changed the method to count properties provided with services; there was an inaccuracy in the numbers once, commercial properties were being added to the figures. For 2017/18 the numbers of residential properties provided with services were 8,525 and for 2018/19, 8,634. The reason for the substantial drop in numbers from 2016/17 to 2017/18 is the exclusion of commercial properties from the count. However, when we consider 2017/18 and 2018/19 figures, there is an increase of 109 residential properties provided with services. For 2019/20 the number of residential properties with access to water was 8,645 and 8,353 homes were connected to the wastewater reticulation system.

The Morrinsville water supply will support the forecast population growth over the next five years, with a new bore completed in 2014/15 and the construction of a new reservoir, completed in October 2017. The upgraded Morrinsville wastewater plant will have sufficient capacity well into the future.

A new bore was drilled at Waharoa in 2014/15 to reduce the demand on the Matamata reticulation network, but there has been no increase in the volume of water that Council is permitted to extract. A larger reservoir has been established at the Matamata water treatment plant. The town's sewer plant was upgraded in 2011 and has adequate capacity for forecast growth, but an upgrading of reticulation will be required.

The Te Aroha water supply is adequate for residential growth, in 2019 Te Aroha West was connected to the Te Aroha's threatened reticulation system. However, if water consumption by industrial users increases significantly, upgrading of treatment facilities will be required. Council budgeted \$2 million in 2016/17 for the Te Aroha Water Treatment Plant capacity expansion project. The progression of this project is dependent on demand from industrial consumers, which has not yet been established.

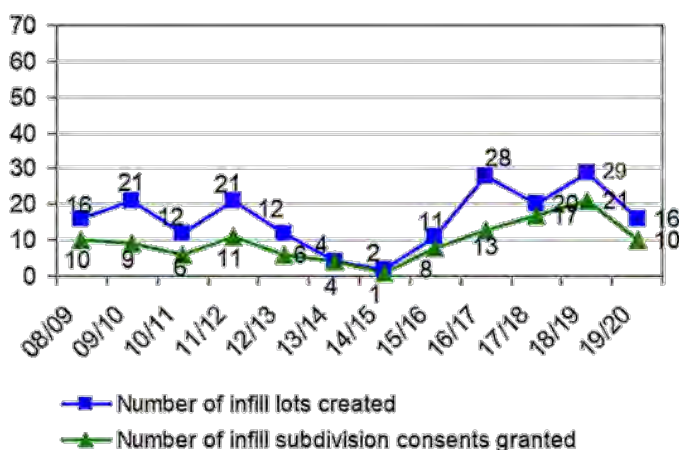
The Te Aroha waste water plant has adequate capacity to meet forecast population growth in the town.

**What Council Is Doing**

Council wishes to encourage new development within existing zone boundaries where possible, as infrastructure services are readily available. This should result in contiguous growth within urban areas. In 2016/17, Council notified for submission Plan Change 47 which, as part of reviewing the extent of existing zoning in our three main towns, proposed a reduction in the minimum lot size for residential zoned properties, and for infill subdivision properties close to the town centres.

Infill subdivisions are subdivisions in residential areas, on lots with existing dwellings. In 2015/16, 11 new infill lots were created and in 2016/17, 28 new residential infill lots were created. In 2017/18, there were 22 new infill lots. 2019/20 experienced a drop on numbers for either residential infill lots and subdivision consents, 16 and 10 respectively. We assume that is a consequence from Covid-19. Smaller developments are likely to subdivide existing residential properties, whereas larger developments are more likely to create residential development on previously undeveloped land.

**Infill subdivision in the district**





Development contributions are collected by Council from developers to assist in providing works and services to residential communities. They are paid when a development has been completed.

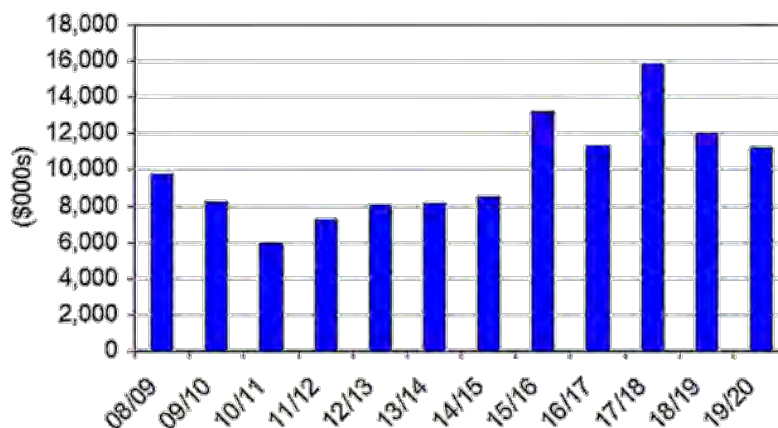
In 2015/16, the number of development and financial contributions increased by about a fifth over the previous year, but their value more than doubled. The amount collected from Residential development, roading, and works and network utility development contributions all rose considerably from the previous year. In 2016/17, the number of contributions climbed again. In 2017/18, the number and value of development contributions tripled, in line with a three-fold increase in Residential development. In 2018/19, the number of development and financial contributions increased by 14% with the amount collected increased by 68%. For 2019/20 there was a slightly decrease on both the numbers of contributions and the amount collected,

**Number and value of development and financial contributions collected per year**

Year	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
Number	118	238	219	160	196	181	220	347	1,078	1,228	1,205
\$ Value (in 000's)	297	373	394	421	366	315	895	524	1,795	3,022	2,823

Includes Network contributions and Parks and Reserves contributions

**Amount of Council spending on upgrading and renewing urban services**



Council spends considerable amounts of money on maintaining and upgrading urban services such as sewerage, water and stormwater. Council spent \$11,281,143 in 2016/17, \$15,816,111 in 2017/18 and \$12,002,111 in 2018/19

**What You Can Do To Help**

Support and encourage residential development in line with the Council's resource management policies.

**For More Information**

Contact [info@mpdc.govt.nz](mailto:info@mpdc.govt.nz) or

Customer Services  
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# Riparian Management



## Riparian Management Indicators

### What Are Riparian Margins?

A riparian margin is a strip of land alongside a waterway where the water and land meet. It contributes to the natural functioning, quality and character of the waterway.

### Overview

Riparian margins have the ability to prevent, correct or minimise the adverse effects of land based activities on the water quality and the aquatic environment. Improved riparian management can result in cleaner water, which can benefit stock and increase farm production. It also provides habitats for fish, birds and other animal life. Riparian management can enhance the visual attractiveness of a farm and provide more opportunities for recreational activities such as swimming.

Farming has a major influence on the quality of our rivers and streams. Stock effluent and stream bank erosion caused by grazing stock degrade our streams by adding pollutants and increasing sediment levels.

Farming is a dominant activity in our district and 2012 figures show that the Matamata-Piako district had an overall density of between 200 and 300 livestock per square kilometre, including the highest average density of dairy cattle in the country at 208 cattle per square kilometre.

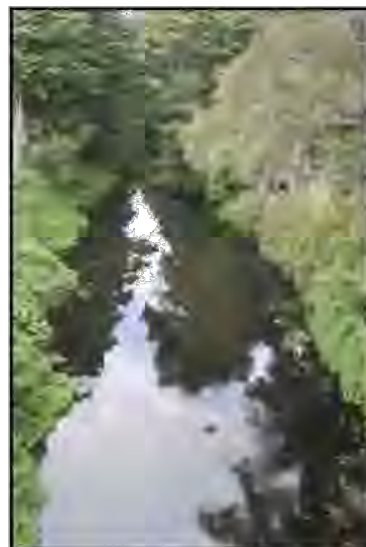
### Our Situation

On October 2020, the Waikato Regional Council provided MPDC with valuable data on trends and current status of Matamata-Piako District's significant rivers; Waihou, Piako and Waitoa. The figures revealed that the overall water quality of the rivers for the past 25 years are mostly stable or improving.

Over the past 25 years, the water quality of the Hauraki Rivers has:

- Generally been 'stable' (62% of records)
- Improved (27% of records)
- Deteriorated (11% of records)

The Piako River at Kiwitahi has many important improvements; turbidity, ammonia and total phosphorus are statistically declining, that means significant improvements in water quality. Also, no changes on the levels of nitrogen, water clarity and bacteria, which is also positive, considering it has not decline in the past 25 years. The stand-out is that phosphorus is improving at every site and there's been no change in E. coli bacteria; the 'swimmability' status has held constant.



Below is the table of trend results for four river sites, which gives more in-depth information:

**Table 1:** Slopes (% per year) of very likely trends (slope direction probability > 95%) at four river sites in the Matamata-Piako district during 1993–2017. Important improvements are shown in bold; important deteriorations are bold and underlined. See WRC technical report 2018/30 for further details. 'nvl', not very likely (trend slope probability < 95%); DO, dissolved oxygen; NTU, turbidity; 'NH4', ammoniacal-nitrogen; 'NNN', nitrate and nitrite nitrogen; 'TP', total phosphorus; 'TN', total nitrogen; 'Clar', horizontal water clarity; 'Ecol', *Escherichia coli*.

Site	DO	NTU	NH4	NNN	TP	TN	Clar	Ecol
Piako at Kiwitahi	-0.2	<b>-1.0</b>	<b>-5.1</b>	nvl	<b>-2.3</b>	nvl	nvl	nvl
Waihou at Te Aroha	-0.1	nvl	nvl	0.6	-0.4	0.5	0.6	nvl
Waihou at Okaua	nvl	<b><u>1.7</u></b>	<b><u>nvl</u></b>	0.9	-0.8	<b><u>1.0</u></b>	-0.7	nvl
Waitoa at Lansdowne Rd	nvl	-0.7	<b>-4.0</b>	nvl	<b>-2.1</b>	nvl	nvl	nvl
Important improvements	0	1	2	0	2	0	0	0
Important deteriorations	0	1	0	0	0	1	0	0

The Waikato Regional Council is responsible for taking samples and measuring the health and bathing quality of our rivers and streams. It is important that we live in a healthy environment. Clean waterways and margins are important to flora and fauna. Unsatisfactory water quality has various negative effects, including making it difficult for aquatic animals to breathe and restricting plant growth. Water pollution can also be bad for human health.

The Waikato Regional Council monitors the water quality for our rivers and streams, now in a partnership with Land Air Water Aotearoa (LAWA) in one location within the Matamata-Piako District, which is part of the larger Hauraki water catchment zone. This site is located at Te Aroha boat ramp reserve at the corner of Lawrence Avenue and Terminus Street. The latest measurement taken on 22 February 2021 is green, meaning it is suitable for swimming. For the latest update, please visit: <https://www.lawa.org.nz/explore-data/waikato-region/swimming/waihou-at-te-aroha/swimsite>



Source: <https://www.lawa.org.nz/explore-data/waikato-region/swimming/waihou-at-te-aroha/swimsite>



LAWA shows the best available water quality information to help you decide where to swim. For many sites there are two types of information available, the weekly sampling result and the long-term grade as displayed below:

The screenshot displays two main sections: 'Water quality test result' and 'Long-term grade'. The 'Water quality test result' section shows a green bar with a swimmer icon, indicating a 'Latest E. coli result' of 'Low (within 22 Feb 2021)'. Below this, a text box explains that the weekly sampling result is a snapshot in time. The 'Long-term grade' section shows an orange bar with a swimmer icon, indicating a 'Long-term E. coli grade' based on 5 years of sampling. Below this, a text box explains that the long-term grade is important to consider based on 5 years of data. A 'Reminder' section at the bottom provides advice on swimming after heavy rain and avoiding contact with potentially toxic algae.

Source: <https://www.lawa.org.nz/explore-data/waikato-region/swimming/waihou-at-te-aroha/swimsite>

The donut view below is another extract from the LAWA website and it shows a snapshot of this summer season monitoring history at the Te Aroha site:



Source: <https://www.lawa.org.nz/explore-data/waikato-region/swimming/waihou-at-te-aroha/swimsite>

At the LAWA website you can also view a snapshot for the past five years.





**What Council Is Doing**

Council owns approximately 70 hectares of esplanade reserve within the Waihou and Piako River catchments. This is the land that generally extends 20 metres out from a river, and contains riparian margins. These esplanade reserves make up approximately 13% of all Council owned reserves.

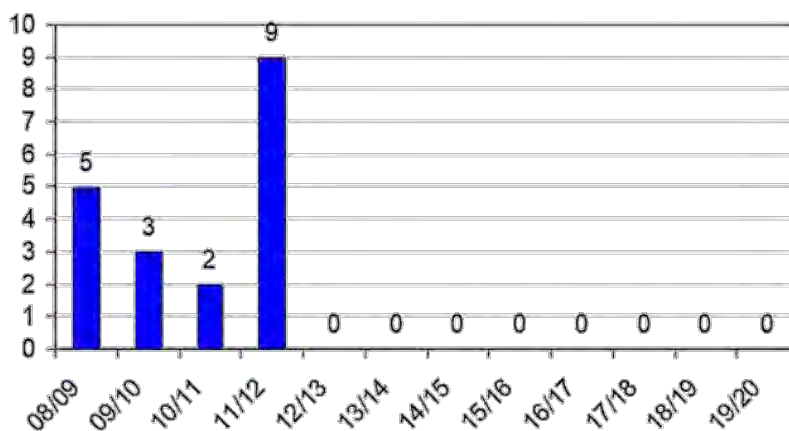
Data from the Waikato Regional Council Funded Riparian Retirements for MPDC, shows that from 2002 to June 2020, 165,651 plants were planted

within the Matamata- Piako Catchment's riparian margins. While 207,248 meters of fencing were erected, resulting in 163,966 meters of streambanks retired from farming. With a total retired area of 264 hectares.

Resource consent conditions are used by Council for the protection or creation of riparian margins and esplanade reserves.

From 2008/09 – 2011/12 there were 19 consents granted with conditions requiring the creation or protection of existing riparian margins. No consents have been granted in the last six years.

**Number of resource consents granted requiring the creation or protection of riparian margins**



Council offers the Significant Natural Features Grant to landowners who protect and preserve features such as wetlands or native bush areas, by providing funding of up to 50 per cent towards fencing or legally protecting the site. In 2015/16, \$5710.53 in funding was provided in Significant Natural Features Grants. \$2,000 and \$1,250 was provided for these grants in 2016/17 and 2017/18, respectively. In 2018/19 there were no applications for grants. For 2019/20 Council granted \$ 1,555.28 for the maintenance of protected trees under the district plan. The Waikato Regional Council also funds up to 35 per cent of the cost of fencing and planting natural waterways on private property.

Until early 2014, landowners protecting their sites in perpetuity had applications for rates remission assessed by Council. Following a 2014 review of the Significant Natural Features Policy, the policy no longer allows for any new applications for a rate remission. However, Council has committed to an annual rate remission totalling \$4,213.63 (excluding GST) to land owners who have made an application to the Significant Natural Features Grant and have protected their site in perpetuity. As a result, for 2019/20 Council granted \$ 4,845.68 under our rates remission policy.

In 2013/14 there was some work done in fencing off watercourses on Council-owned land on Rewi Street and Gilchrist Street in Te Aroha that is subject to grazing licences, in response to submissions that stock were entering waterways on this land. In 2016/17, a plan was being developed with local community groups to permanently fence off additional native trees and bush on Council reserve land along the eastern bank of the Waihou River in Te Aroha and to supplement this with native planting.

Landcare groups also take an active role in improving the environment. They take practical steps that benefit the whole community. Council wants to ensure we have sustainable farm production, protection and rehabilitation of sensitive environmental areas, pest and weed control, native bush monitoring, river monitoring and rehabilitation, as well as biodiversity enhancement (protection of native flora and fauna). Landcare groups help the community to achieve these aims.

Council is aware of three Landcare groups operating in Matamata-Piako that are taking measures to benefit waterways and their margins:

1. Whitehall Landcare Group

This group was formed by members of the community who became concerned with the water quality of the Upper Karapiro Stream. The group undertook fencing for over 17 properties that border the banks of the Upper Karapiro Stream. Since completing the fencing, members still carry out restoration and pest control work on their own properties with a focus on possum control with the Waikato Regional Council.

2. Mangawara Landcare Group

This group was formed in 1994. Their aim was to improve catchment management and flood control in the Mangawara River. They have fenced and planted natives along the river, as well as willows to stabilise eroding banks. This project has resulted in a reduced nitrate runoff and reduced erosion, benefiting the downstream river ecology.

3. Manaaki Kaimai Mamaku Trust Catchments Forum

The Kaimai Mamaku Catchments Forum has representation from iwi, recreational groups, primary industry and conservation groups and aims to restore forest biodiversity, enhance recreational activities and provide for sustainable land use. A priority is to develop a multi pest management control programme plan. In addition, the Forum intends to ensure genuine community involvement. This community theme will continue with the establishment of new Landcare groups in addition to further support for existing groups.

In addition to the three groups above, there are several other initiatives in the district with a focus on waterway rehabilitation:

The Piako Catchment Forum is a community group formed in Morrinsville in 2016 with the goal of helping clean up the Piako River and to get involved in riparian plantings along the Morrinsville River Walk.

Keep Te Aroha Beautiful has a focus on riparian planting along a stream feeding into the Waihou River.

The Upper Waihou Project is a project supported by the Waikato Regional Council to clear willow and poplar from the upper Waihou River and to help restore its margins.

The Regional Council is also coordinating a collaborative project between mana whenua, landowners and local government to help restore wetlands in the Waihou catchment. "Te Puna o Waihou ki Tikapa te Moana" or "Source to Sea" aims to work co-operatively to protect, enhance and restore biodiversity.

The dairy industry has introduced the Sustainable Dairying Water Accord, an initiative to improve environmental performance on dairy farms which required, by May 2017, all dairy cattle to be excluded from any lakes; significant wetlands and all permanently flowing rivers, streams, drains and springs, that are more than a metre wide and 30cm deep. 97.2% of the waterways on New Zealand dairy farms were excluded from dairy cattle by the targeted date of May 2017.

The Resource Legislation Amendment Act 2017 introduced a new subsection, s360 1(hn), which allows the creation of regulations for the purpose of excluding stock from water bodies.

#### What You Can Do To Help

- Get involved in a Landcare group
- Fence river margins to prevent stock grazing and erosion
- Plant natives to encourage animal life and increase the ecological health of a stream or river
- Obtain technical assistance from the Waikato Regional Council's land management officers; please call 0800 800 401

#### Useful Links

[LAWA](#)

[Landcare Research](#)

[Waikato Regional Council](#)

[AgResearch](#)

[Dairy NZ](#)

[Environmental Health Indicators New Zealand](#)

[Local Indigenous Biodiversity Strategy \(Waikato Regional Council\)](#)

#### For More Information

Contact [info@mpdc.govt.nz](mailto:info@mpdc.govt.nz) or

Customer Services  
Matamata-Piako District Council  
PO Box 266, Te Aroha 3342  
Phone: 07 884 0060  
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# Rural Area Development



## Rural Area Development Indicators

### Overview

Demand for residential properties and lifestyle blocks in rural settings can create considerable pressure on rural land. Particularly close to townships, areas of rural land on high quality soils are purchased and subdivided into smaller lots for residential and lifestyle purposes.



### What is High Quality Soil?

Soil class makes up one of the three components of the Land Use Capability Classification (LUC). The LUC categorises different kinds of land according to those properties that determine its capacity for long-term sustained production. The LUC has three basic components: class, subclass and unit (Landcare Research 2009).

LUC class is most commonly used and classifies land from I (the most versatile and productive class) to VIII (the class with most limitations). Classes I, II, and III are considered high quality soils within Matamata-Piako District Council's District Plan.

The land in each class is further subdivided into sub-classes according to the major kind of limitation to its use. The subclasses are erodibility, wetness, soil or climate.

The LUC unit is the most detailed level of classification and allows for subclasses to be further classified based on the kind of intensity of management or conservation treatment required. Areas of land that have the same unit are capable of growing the same kind of crops, pasture or forest species.

### Subdivision on High Quality Soils

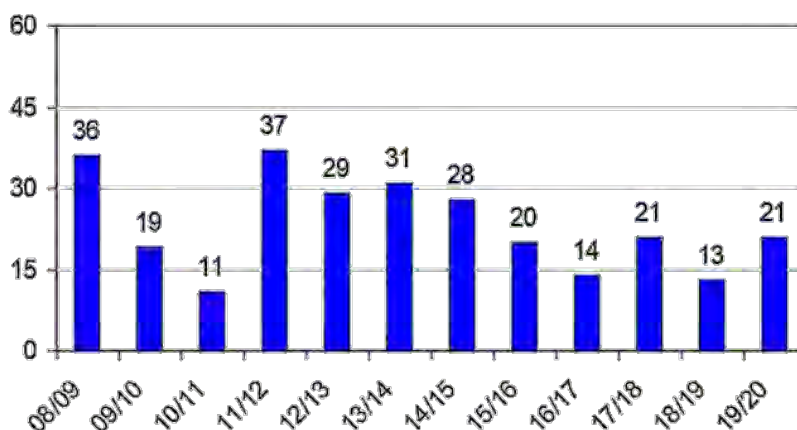
Council monitors the subdivision of rural land on high class soils. This type of land fragmentation could result in future shortages of properties of suitable size for viable farming and horticultural units.

The number of applications received to subdivide Class I, II and III soils into lots less than 8 hectares has varied between 11 and 37 per year between 2008/09 and 2019/20. The large increase from 11 applications in 2010/11 to 37 applications in 2011/12 may be due to the proposed Rural Subdivision district plan change (Plan Change 42), which was consulted on in 2011/12, and proposed to increase the minimum lot size in rural areas to 40 hectares.

Plan Change 42 provided for boundary relocation applications, where two adjoining lots could be reconfigured to allow for one lot of up to one hectare, with the second lot making up the balance area. Although a small lot of less than eight hectares is created it means that, overall, no additional

lots are created and the second lot has a larger area, which fulfills one of the intentions of Plan Change 42, which was to reduce the fragmentation of rural zoned land.

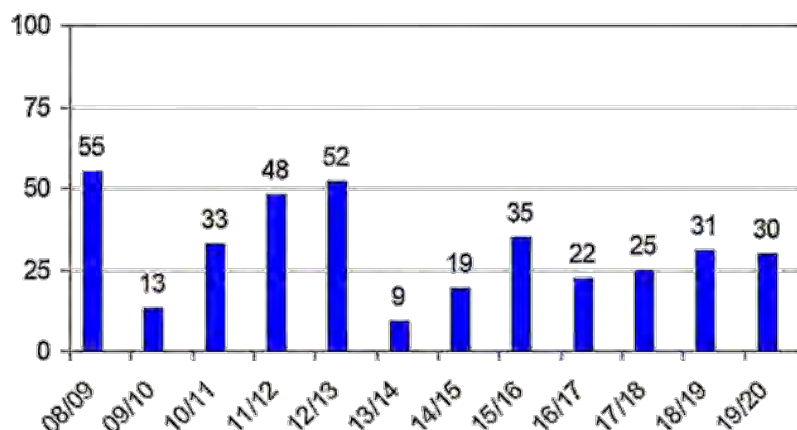
**Number of applications to subdivide class I, II and III soils into lots less than 8 ha**



Some of the above applications were to subdivide land to create more than one new lot. In 2016/17, there was just one boundary relocation application on high quality soil and only two in 2017/18. In 2018/19, 10 applications were processed in relation to boundary relocation, while 8 applications were processed in 2019/20.

The number of new lots less than 8 ha created as a result of subdivisions on high class soils is shown below.

**Number of new lots created smaller than 8 ha on class I, II and III soils**

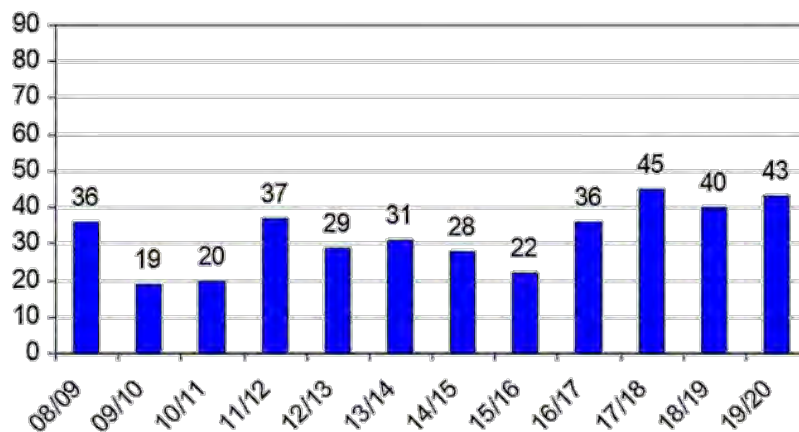




### New Dwellings in the Rural Zone

The number of building consents applied for on Class I, II and III soils for new dwellings in the Rural Zone steadily decreased from a high of 54 in 2007/08 to the lowest level since state of the environment reporting began, 19 in 2009/10. The trend in the number of building consents has been consistent with the trend in the number of lots created in the Rural Zone.

Number of building consents applied for on class I, II and III soils



### Designations in the Rural Zone



A designation is a selected piece of land that is required by an authority for a specific purpose. Designations are listed in Schedule 4 of Council's District Plan and may be required for uses such as roads, water, sewerage, electricity and communication purposes.

In the Matamata-Piako District the area of class I, II and III soils in the Rural Zone designated for non-productive uses decreased, overall, from 1160 hectares in 2010/11 to 634 hectares in 2013/14.

In 2011/12, 23 designations were removed from the District Plan because they had not been given effect to before the date of their

expiry. Designations in the district include Council-owned facilities such as cemeteries, recreational reserves, water and sewerage works, roads and other government-owned purposes such as electricity supply, schools, roading and telecommunications and radio. No designations were added or removed in the rural area in 2013/14 or 2014/15. In 2015/16, a designation was added for the Mount Misery water reservoir south of Morrinsville.

### Non-productive Activities in the Rural zone

There are non-productive activities other than designations on Class I, II and III soils. Non-productive activities include educational facilities, places of assembly, accommodation facilities, industrial and depot activities, mining/quarrying, offices, marae developments, commercial services and boarding/breeding of domestic pets.

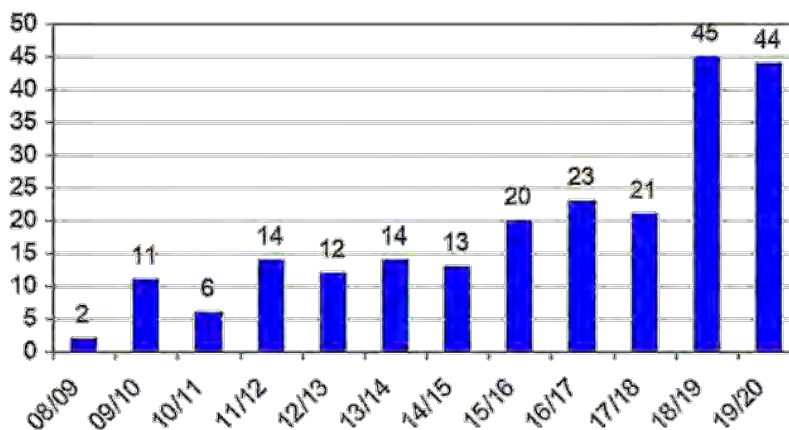
These are activities that do not depend on soil quality; some have located in the rural environment because of the adverse effects that they create while others serve a rural purpose, or have historically been located in a rural area.

In 2017/18, there were also 23 applications granted for non-productive activities on the highest class soils: two related to the expansion of chicken farms, four related to bridge construction, and 10 were for yard encroachments.

In 2018/19, there were 45 applications granted for non-productive activities in the Rural zone. These included 12 yard encroachments, nine applications to relocate second hand buildings, four applications related to poultry farming and three applications for accessory farm buildings in the peat hazard zone.

In 2019/20, there were 44 applications granted. Six related to the relocation of dwellings, while thirteen were to construct new dwellings associated with farming and only two creating new lifestyle blocks. There were also applications for the expansion of a chicken farming operation and to operate a childcare centre.

Number of applications for non-productive activities on class I, II and III soils



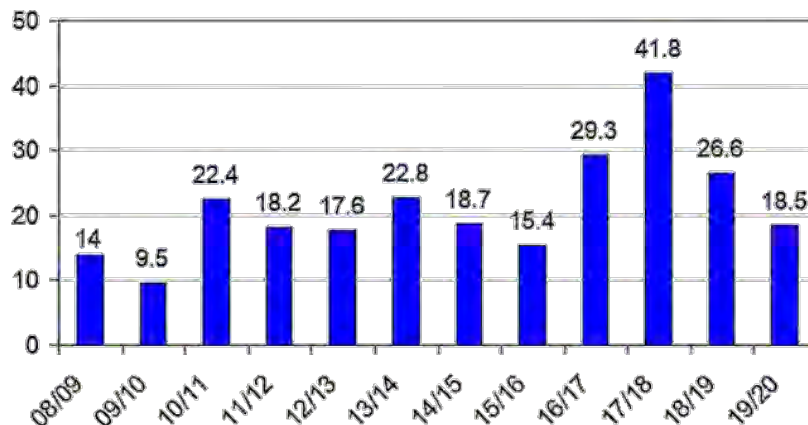
### New Lots resulting from Subdivision

The average lot size of rural subdivisions on Class I, II, and III soils has increased in recent years. Before 2010/11, the average newly created lot size of created lots on high quality soils was less than 12 ha. However, since 2010/11 the average lot size is about 22ha.

The relatively low number of properties that are subdivided in an average year, and the variability of their size can create distortions in the figures. The recent larger average lot size may have been

in response to Plan Change 42 – Rural Subdivision, Council’s review of the subdivision rules, which specified a new minimum lot size of 40 hectares in the Rural Zone but did also, however, introduce the boundary relocation rule. In the years 2017/18 to 2019/20 the average subdivision lot size on high quality soils was 41.8, 30.7 and 18.2 hectares, respectively.

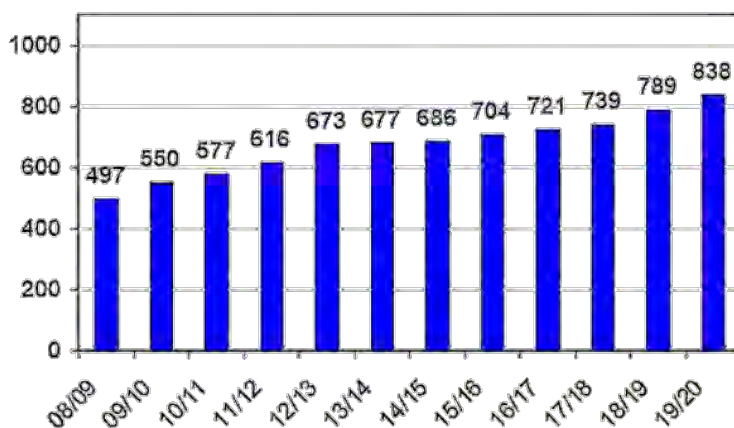
**Average lot sizes for rural subdivisions on class I, II and III soils (ha)**



**Rural-Residential Subdivision**

The number of lots between 2,500m<sup>2</sup> and 1 hectare in the Rural and Rural-Residential zones has steadily increased between 2008/09 and 2017/18.

**Number of lots between 2,500m<sup>2</sup> and 10,000m<sup>2</sup> in the Rural and Rural-Residential zones**



Approximately 2,727 dwellings exist on Class I, II and III soils in the Rural and Rural-Residential zones within the district. A number of these are small lifestyle and house blocks, and are not used for productive purposes. However, lifestyle blocks are only using a small percentage of our productive land.

- Approximately 98% of the high class soils are likely to be for productive uses on larger blocks of land in the Rural zone
- Approximately 1% of the high class soils is made up of small sized land parcels (up to 4.5 hectares)
- Approximately 1% of the high class soils is made up of designations

#### What Council Is Doing

Plan Change 53 – Settlements (PC53). This plan change is proposing to review the development rules for our small villages using a new zoning mechanism called Settlement Zone provided by the National Planning Standards. Currently, most of our settlements are zoned as Rural and our rules for the Rural Zone does not reflect the residential land use character of the settlements. Therefore, with a new zoning mechanism MPDC expects to facilitate the process for development and breaches of development standards, such as yard setbacks. The following settlements are under the scope of PC53: Waihou, Waitoa, Tahuna, Mangateparu, Motumaoho, Walton, Hinuera, Te Poi, Manawaru and Te Aroha West. The plan change is also proposing reduced yard setbacks for small rural sites, which are sites with an area smaller than 2500m<sup>2</sup>.

Council continues to monitor development on high class soils in the Rural zone. Only one subdivision consent has been declined in the past 10 years.

In 2009/10 Council received an application which proposed to subdivide creating four lots between 5,507 m<sup>2</sup> and 8,050 m<sup>2</sup> and a balance larger lot on rural land near Morrinsville. The Hearings Commission declined the application which was then appealed to the Environment Court where the Hearings Commission decision was upheld (*Sanson v Matamata-Piako District Council* [2011] NZEnvC 165). The judge in making a decision concluded that:

*"In terms of taking land out of productive use, we would have to agree that losing 10, or even 13 ha, taken as a single instance, is unlikely to have a significant direct adverse effect, locally, regionally or nationally. But the cumulative effect of the loss of even that much cannot be ignored, especially when such an outcome conflicts with the relevant Plan provisions."*

*And also that the proposal would directly be responsible for fragmenting titles and establishing houses on good quality soils: "The outcome would be exactly the opposite of what the Plan says is sought."*

Designations for non-productive activities on Class I, II and III soils can be removed to provide access to these high quality soils. From 2009/10 to 2010/11, no designations for non-productive activities were removed from high class soils, with 23 removed in 2011/12. There have been no designations removed from high class soils in the years since.

The removal of buildings can also make high class soils more available for productive uses. In the 10 years to 2017/18 a total of 70 building consents have been granted for demolition in the Rural Zone.



Removal of non-productive activities on high class soils	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
Number of designations removed	0	0	23	0	0	0	0	0	0	3	0
Number of building consents granted for demolition	13	7	6	3	8	5	1	4	4	6	1

**For More Information**

[Land Use Capability Survey Handbook](#)

Contact [info@mpdc.govt.nz](mailto:info@mpdc.govt.nz) or

Customer Services  
Matamata-Piako District Council  
PO Box 266, Te Aroha 3342  
Phone: 07 884 0060  
Fax: 07 884 8865

# Waste



## Waste Indicators

### Overview

Waste is generated as part of everyday living when people dispose of things they no longer require. Matamata-Piako is responsible for promoting effective and efficient waste management and waste reduction practices within the district. Refuse collection services are provided to approximately 8,600 households and 700 commercial properties throughout the district.

### Our Situation

#### Landfills

Within Matamata-Piako, Council has three refuse transfer stations, located at Waihou, Morrinsville and Matamata. Each is adjacent to closed, former landfills, which are managed to reduce unfavourable effects on the environment. Waste from the transfer stations is transported out of the district to a privately owned landfill at Tirohia, south of Paeroa.



Compliance of the district's landfills with their respective resource consent conditions is monitored regularly. Council monitors the amount and quality of leachate from the landfills to nearby surface water bodies, both up and downstream of the landfill location. Council also monitors several sampling bores near the landfills. The groundwater quality at the sampling sites has been good-satisfactory since 2000. Council's sampling sites achieved a compliance rate of 100 percent with Environment Waikato's Standards during 2009/10. In 2010/11 the Waihou Refuse Dump and Matamata Landfill had high levels of compliance with their resource consent conditions. The Morrinsville Landfill had partial non compliance, due to monitoring not being undertaken at the agreed intervals, and some monitoring results not being provided. However, there were no environmental concerns: there was no damage in need of urgent attention, and the quality and quantity of leachate pumped from the landfill had remained consistent. From 2012/13 to 2017/18 there was 100% compliance.

#### Hazardous Waste

There were no reported incidents or spills involving hazardous waste in the district during the 2007/08 - 2009/10 period or in 2011/12. In both the 2010/11 and 2012/13 years there was one spillage of septage on to a roadway. There were no reported incidents in the three years until 2017/18 when it was reported a chemical waste spill from a dairy factory at Waharoa. For 2018/19 and for 2019/20 there weren't any significant hazardous incidents in regards to waste.

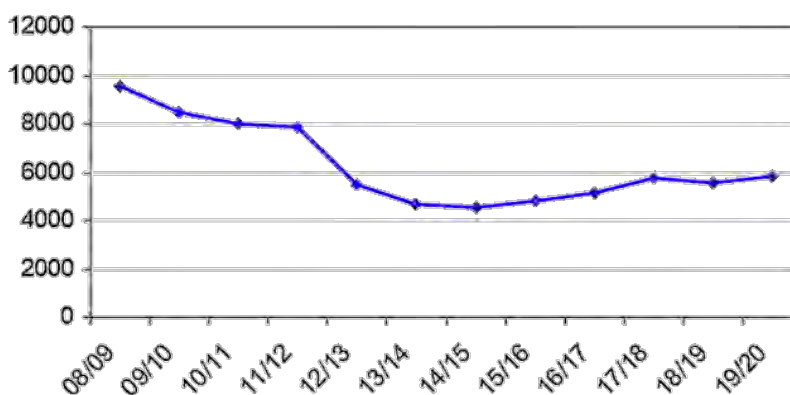
The Fire and Emergency New Zealand Act 2017, which resulted in the merger of the New Zealand Fire Service with rural fire authorities to form Fire and Emergency New Zealand (FENZ) on 1<sup>st</sup> July 2017 also added the authority for expanded functions, including hazardous substance and incident response. FENZ reported eight incidents during 2017/18 including leaking gas cylinders at

business and industrial sites, and hazardous chemical spills at a milk processing plant and from a truck crossing the Kaimai Range.

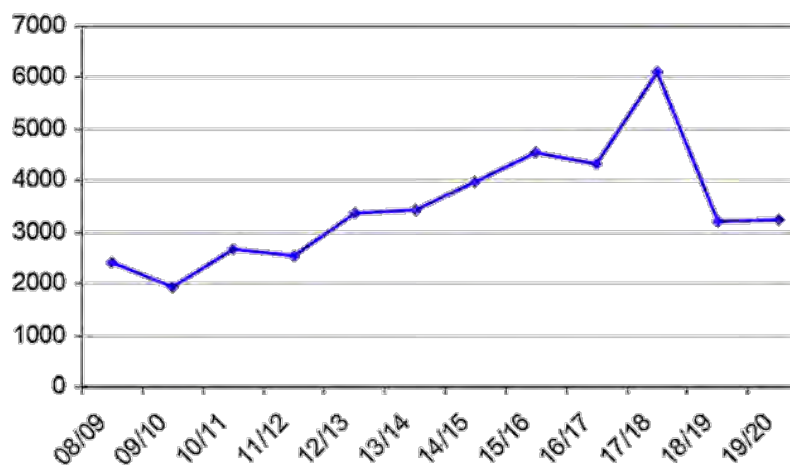
**Quantity of Waste Generated and Recycled**

The following graphs show how much waste is being disposed of at Council-operated transfer stations in our district and how much of this waste is being recycled/composted. This excludes waste disposed of in commercially operated landfills

**Quantity of waste disposed to transfer stations at Waihou, Morrinsville, and Matamata and then sent to landfill (tonnes)**



**Quantity waste recycled / composted (tonnes)**



Overall the amount of waste being disposed of at the waste transfer stations has steadily increased in the last four years. The reduction between 2011/12 and 2012/13 is due to the loss of the Council's largest private customer that used the Council's transfer stations to dispose of waste; however, this waste was still sent to landfill. The percentage of our district's waste being recycled or composted has increased since 2009/10. However, the graph above detailing the quantity of waste recycled varies from year to year. This is due to variation in the quantity of green waste being composted.

Matamata-Piako Waste Stream	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
Quantity of hazardous waste collected at transfer stations (tonnes)	1.2	0.71	1.5	0	0*	1.03	0*	0.87	0.57	1.1	2.17

\*There is some variation in the yearly totals as hazardous waste is not collected at regular intervals. As it is not cost-effective to collect small quantities of hazardous waste, it is stored until collection is economically viable.

Other waste is collected in addition to the waste stream collected at Council's transfer stations. Solid waste is also collected from screens at the district's wastewater treatment plants, and sent directly to the Tirohia Landfill. From 2010/11, this amount is included as an estimate in the "Total Waste to Landfill" figures below.

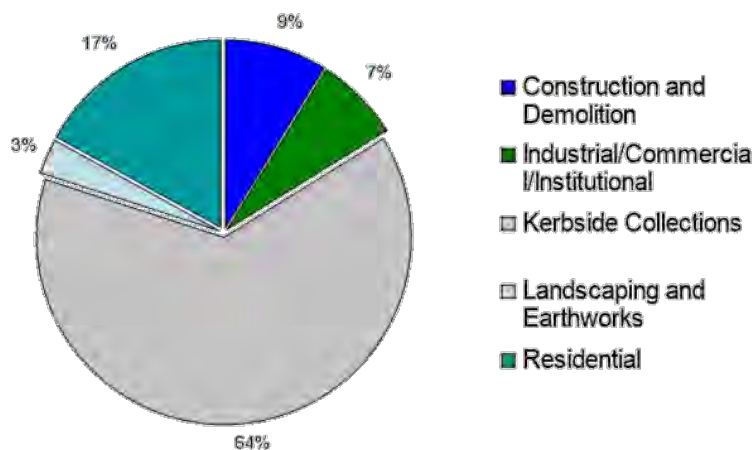
Total Waste Matamata-Piako (tonnes)	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
Landfill at Tirohia (Waste water treatment plant)	23										
Total Waste to Landfill	8,456	8,000	7,833	5,471	4,680	4,566	4,801	5,144	5,743	5,514	5,851

### What's in Our Waste

The following graph shows the sources of waste deposited at transfer stations in the district, from a July 2010 survey. The largest proportion of waste entering our transfer stations comes from kerbside collections, from commercial and residential premises.

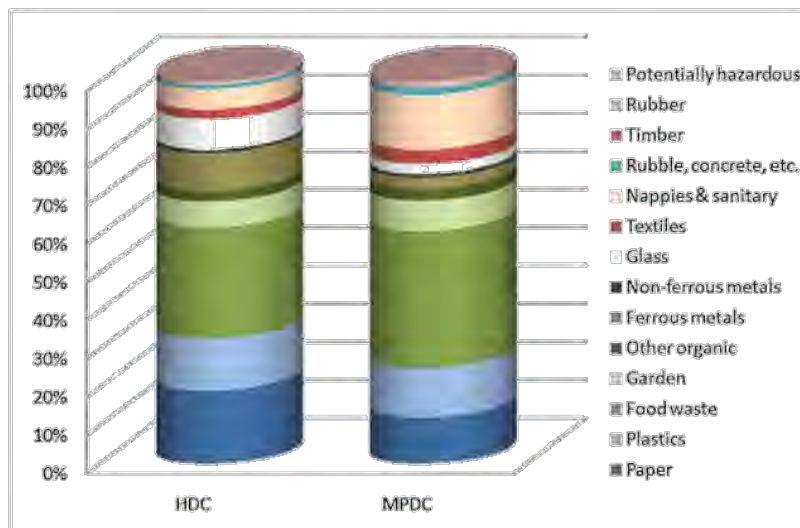


Waste Streams Entering Transfer Stations



Organic material, which includes primarily food waste and greenwaste, comprised the largest proportion of the overall waste stream to landfill.

Kerbside Waste Composition



The above chart is from the Eastern Waikato Waste Management and Minimisation Plan, developed in 2012, and jointly used by Matamata-Piako, Hauraki and Thames-Coromandel District Councils. Similar to earlier surveys, the highest proportion of waste that households put out for collection in is organic, garden or food waste which, instead of being sent to landfill, could be

composted or processed to generate energy. Paper and plastic are two other main sources of general waste which could be recycled, rather than sent to landfill.

**What Council Is Doing**

Currently Council is consulting through the Long Term Plan 2021-31 on a new Waste Management and Minimization Plan. A highlight from the proposed plan is to make improvements to two of our transfer stations (resource recovery centres) and to build a new fit for purpose hub. For more information, please visit: <https://www.mpdc.govt.nz/have-your-say/solid-waste>

Council aims to lessen the negative impacts of landfills by preventing leachate entering receiving waters.

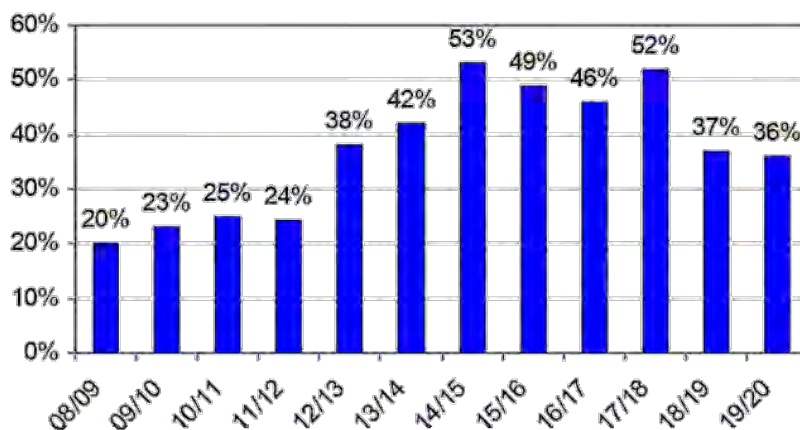
The Matamata landfill does not have a leachate collection system, however, Council treats any leachate produced from the now closed Morrinsville and Waihou landfills through the associated wastewater treatment plants. Leachate volumes and treatment cost is no longer recorded as it is not required under Council's resource consents.

Council spending on leachate & receiving waters	08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
Amount spent (\$)*	30,000	25,000	30,000	40,000	*	*	*	*	*	*	*	*

\*not recorded

Council also contributes to reducing waste by operating recycling centres at the transfer stations. The collection of recyclable material is also undertaken as part of its kerbside refuse collection.

**Proportion of total waste recycled/composted from Council transfer stations**



Participation rates for recycling ranged between 30% and 33% between 2000/01 and 2004/05. The 2006 Environmental Awareness, Attitudes and Actions Survey conducted in conjunction with Environment Waikato showed that in 2006:

- 50% of Matamata-Piako residents recycle glass
- 49% of Matamata-Piako residents recycle plastic
- 49% of Matamata-Piako residents recycle tins/cans and
- 49% of Matamata-Piako residents recycle paper



Participation rates for municipal recycling have increased steadily to 64% in 2011/12, 83% in 2012/13 and 85% in 2013/14.

In 2017, 66% of properties within Matamata-Piako had access to Council kerbside recycling according to the Eastern Waikato Waste Management and Minimisation Plan.

#### What You Can Do To Help

- Compost green waste at home for use in the garden or establish a worm composting house
- Recycle glass, paper and card, plastic, metals.
- Reduce packaging. Buy products with less packaging.
- Instead of throwing out goods or items that may be used by someone else list them on your community's [Neighbourly](#) website.
- Ensure you dispose of your waste in an appropriate manner. Don't dump in an uncontrolled environment.

#### Useful Links

[Matamata-Piako State of the Environment Report 1999](#)

[The Waikato Regional Council's](#) Waikato waste and resource efficiency strategy 2015-18

[Zero Waste New Zealand Trust](#)

[Eastern Waikato Waste Management and Minimisation Plan](#)

<https://www.neighbourly.co.nz/>

#### For More Information

Contact [info@mpdc.govt.nz](mailto:info@mpdc.govt.nz) or

Customer Services  
Matamata-Piako District Council  
PO Box 266, Te Aroha 3342  
Phone: 07 884 0060  
Fax: 07 884 8865

# Tangata Whenua



## Tangata Whenua Indicators

### Overview

The Matamata-Piako District Council aims to maintain and encourage kaitiaki responsibility (guardianship) of Maori by implementing a partnership approach to the sustainable management of the district's natural and physical resources.

The Resource Management Act (RMA) 1991 requires that in achieving the purpose of the Act all persons under it shall:

- Recognise and provide for the relationship of Maori and their culture and traditions with ancestral lands, water, sites, waahi tapu (spiritual and culturally important places for Maori), and other taonga (items, objects or things that represents the ancestral identity of a Maori kin group (whanau, hapu or iwi) with their particular land and resources) as a matter of national importance;
- Have particular regard to kaitiakitanga (the exercise of guardianship);
- Take into account the principles of the Treaty of Waitangi.

The Resource Legislation Amendment Act 2017 has amended specific sections of the RMA. Of particular interest to Maori may be the insertion of section 58O "Mana Whakahono ā Rohe" which are Iwi Participation Agreements (IPA). Mana Whakahono ā Rohe are written agreements between councils and iwi authorities to agree and record how tāngata whenua will participate in the preparation, change or review of a policy statement or plan. IPA are not limited to one iwi authority and one council, and there can be more than one party to each side of the agreement. An IPA can be initiated by either an iwi authority or a council.

Land use activities and subdivision development may adversely affect sites of cultural significance to iwi. Sites might be modified, damaged or destroyed by construction activity, roads or housing development. To avoid, mitigate or minimise any adverse effects there needs to be:

- An understanding with the local iwi or hapu to identify sites of cultural significance potentially affected by development;
- A partnership between iwi and Council;
- Increased involvement of iwi in the decision making process such as plan development and monitoring.





### Our Situation

Of the 175,500ha of land in the district, 3,579ha is held in rateable Maori Title.

### What Council Is Doing

Council endeavours to create effective partnerships with local iwi. The District Plan provides for the creation of Iwi Housing and Marae Development Plans. Once established these mean that development in accordance with the plan is a permitted activity, and does not require resource consent. In 2013/14, The Waikato-Tainui Environmental Plan was lodged with Council, and the Raukawa Environmental Management Plan 2015 was lodged in 2014/15. When Council is reviewing or changing a planning document under the RMA, both these plans must be considered the same as any other planning document recognized by an iwi authority. Regard must also be given to them when Council considers resource consent applications.

On 27 May 2019, Plan Change 54 – “Papakāinga” was launched at a hui at the Kai a te Mata Marae. The Plan Change will evaluate the District Plan’s provisions for “Papakāinga” in conjunction with the new Tangata Whenua section in the District Plan, which is to be introduced with the National Planning Standards. On 15 July 2020 staff invited the 12 iwi authorities within Matamata-Piako and key stakeholders to attend a first working group hui, with the intent to collaborate on the development of the provisions and to identify potential land for Papakāinga development. So far, the iwi working group have had four hui. MPDC is aiming to notify the plan change by 2021.

As of 2019/20, three Treaty of Waitangi Settlement Acts have become operative in our district. The three Acts Raukawa, Ngāti Hauā and Ngāti Koroki Kahukura Claims Settlement Acts of 2014 form an agreement between the Crown and the iwi to give effect to a Deed of Settlement for all the historical claims by an iwi against the Crown over land or other resources taken in breach of the Treaty.

Ngāti Hinerangi is in the closing stages of reaching a Treaty of Waitangi Settlement with the Crown; the Deed of Settlement has been confirmed and at this stage the process is being finalized so the Settlement Legislation can give legal effect to the settlement. The Act is expected to become operative by the end of 2020.

Another Treaty Settlement that will have an impact in our district is the Hauraki Treaty Settlement. On 22 December 2016 the Crown and the Iwi of Hauraki initialed a Collective Redress Deed. The Deed provides shared redress for the collective interests of the 12 Iwi of Hauraki in the Hauraki region. It also provides certain redress which will then on-transfer to specific iwi to form part of their iwi-specific Treaty settlements. At this stage it is uncertain when the treaty will become operative.

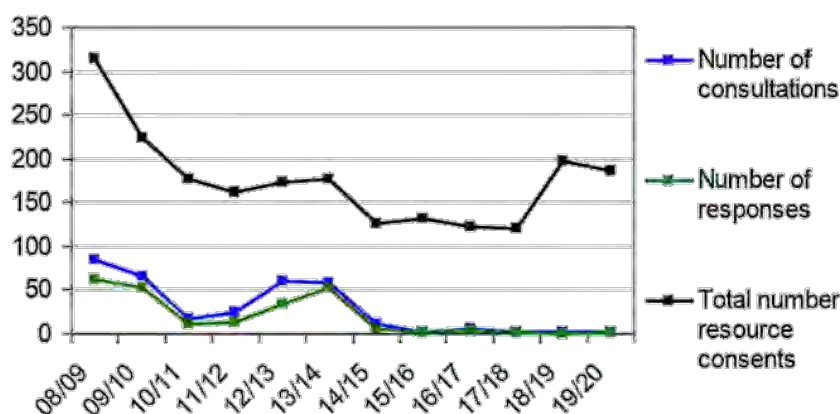
There are 78 waahi tapu sites listed in the District Plan and these include urupa (burial sites), pa and midden sites, and marae.

### Consultation

Consultation with iwi is important in creating an effective partnership in the management of the district’s natural and physical resources. Council consults iwi when it receives resource and subdivision consent applications that may be of iwi interest. The graph below shows the trends in the number of consultations and responses. The total number of resource consents in each year is also shown for reference. The number of consultations experienced a steady decrease in the three years from 2008/09, followed by a subsequent fluctuation in numbers and it has remained largely unchanged since 2014/15, which is consistent with a reduction in the total number of resource consents, as is the relative number of consultations compared to total number of resource consents between 2009/10 and 2013/14.

As part of the memoranda of understanding that Council has with a number of iwi, no consultation is made on some types of resource consents, such as breaches of development controls and yard requirements in urban areas. Additionally, a number of iwi, including Ngāti Hauā are currently receiving a weekly spreadsheet of all consents received by Council rather than just information on resource consents in their rohe. Also, the applications with a direct effect on iwi, usually already contains the details of the consultation undertaken by the applicant, if not MPDC will request the consultation under Section 92 of the RMA.

**Number of consultations and responses to consultation with iwi**



**Resource Consent Conditions**

Developments arising from subdivisions and land-use activities can place significant pressures on iwi interests. Council responds to pressures on culturally significant sites by imposing conditions on resource consents when necessary to protect iwi interests such as pa and waahi tapu sites.

In 2015/16, three resource consents had conditions imposed. These included an undertaking to revisit the consent's conditions should a co-management settlement act be signed for the Waihou catchment within 12 months. To ensure consistency between the requirements of the act and the resource consent. Also, two consents required archaeological discoveries to be reported to Tangata Whenua and Council; that work must cease immediately and not recommence until after Tangata Whenua values and interests had been considered and written permission had been provided by Council.

In 2016/17, there were two conditions imposed on resource consents; these were in relation to erosion protection earthworks and earthworks to re-contour land and develop a walkway for a tourist accommodation venture by Lake Karapiro. In 2018/19 and 2019/20 no conditions were imposed on resource consents for the purposes of the protection of culturally significant sites.

**Tangata Whenua and Council decision-making**

Council has a standing committee of Council called 'Te Manawhenua Forum Mo Matamata-Piako'. This Forum has two representatives from Council, and each of the iwi in the district. These include

Ngāti Hauā, Ngāti Paoa, Raukawa, Ngāti Maru, Ngāti Rahiri-Tumutumu, Ngāti Whanaunga and Ngāti Hinerangi. The Heads of Agreement also provides for representation by Ngāti Tamaterā.

The purpose of the Forum is to facilitate tangata whenua contribution to Council's decision-making. The members meet four times a year and consider any matter that has the potential to promote the social, economic, environmental and cultural well-being of Maori communities today and in the future.

**For more information**

For more information on the various iwi in our district visit the [Te Puni Kokiri](#) website.

Contact [info@mpdc.govt.nz](mailto:info@mpdc.govt.nz) or

Customer Services  
Matamata-Piako District Council  
PO Box 266, Te Aroha 3342  
Phone: 07 884 0060  
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# Transport



## Transport Indicators

### Overview

A good transport system is vital to the prosperity of the district. It provides the link between different areas, and gives people access to attend to their needs and activities. Transport enables businesses to access resources and markets, and provides people with social, cultural, recreational and employment opportunities. Transportation and traffic growth can result in economic, environmental, social and safety impacts that need to be managed through careful land use decisions.

While Matamata-Piako maintains an efficient transport system providing many benefits to the community, there are also several social and environmental impacts of the system.

### Our Situation

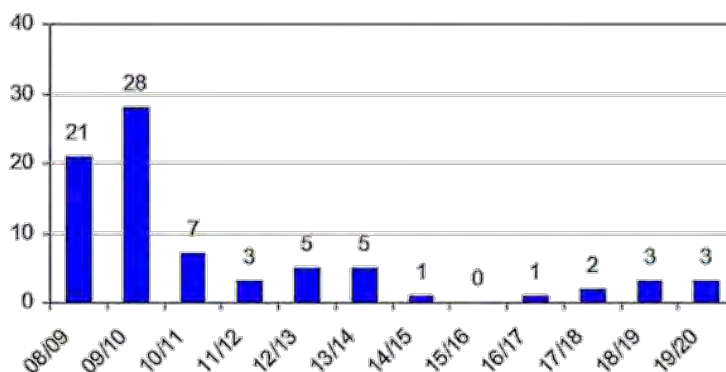
Our urban areas are relatively free of significant loading and vehicle access problems. However, car parking availability in Matamata has caused increasing dissatisfaction and traffic safety along state highways and arterial routes (major roads) is of concern as traffic speeds are often high due to the flat and open nature of the environment.

Traffic can generate adverse effects; particularly by creating noise. In some locations, roads with high vehicle counts affect the use, values and function of the neighbouring environment.

The District Plan requires a resource consent for any new entranceway, or where there is any increase in the character, scale or intensity of use of an existing entranceway, onto a significant road or arterial road. Since 2009/10 the trend has been for a steady decrease in the number of resource consents that include entranceways onto major roads.



Number of resource consents permitting an entranceway onto a state highway or arterial road





**Parking**

New developments can create traffic problems if there is not enough parking available. In the industrial and business zones, there have been 46 resource consents granted between 2008/09 and 2018/19 for activities that did not require additional on-site parking or loading. From 2011/12 to 2013/14 all the consents granted could provide parking from existing on or off-street car parks.

Plan Change 43 – Transport, which was made operative in 2015/16, introduced an exemption for businesses in the Shopping Frontage Areas of the three main towns with a Floor Area Ratio (FAR) of 1 or less. Businesses with a FAR of 1 whose total floor area does not exceed the area of the lot upon which it is built are exempt from having to supply parking if they instead supplied a verandah for pedestrian shelter as it promotes a pedestrian-friendly environment. The plan change also introduced as an alternative means of compliance; the ability for business owners in lieu of providing onsite parking spaces to make a financial contribution.

However, the National Policy Statement for Urban Development 2020 (NPS-UD) prescribes that all territorial authorities with an urban environment with more 10,000 people must not require car parking for new developments. Matamata-Piako has not reached that threshold yet. However, Matamata and Waharoa’s population numbers combined are near the 10,000 people, which gives Council the option to adopt the policy statement. Considering the growth expected for the area within the next three years, Council has decided to start implementing the NPS-UD throughout the district; Proposed Plan Change 53 – Settlements is already in alignment with the NPS-UD.

Resource consents in Industrial and Business zones given parking exemption	08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
Number of consents	2	2	7	5	9	1	0	4	5	8	3	3

Council’s most recent annual customer survey of July 2018 showed that 25% of respondents are dissatisfied with the availability of car parks within Matamata. Further work will be done to consider future vehicle use patterns as well as the possibility of future new car parks in the town.

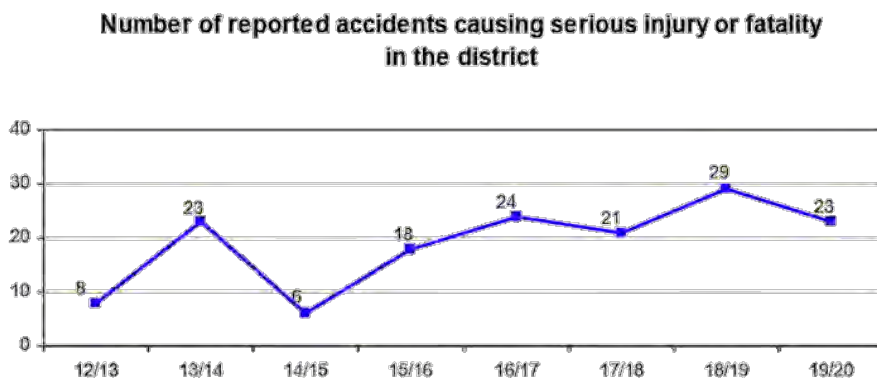
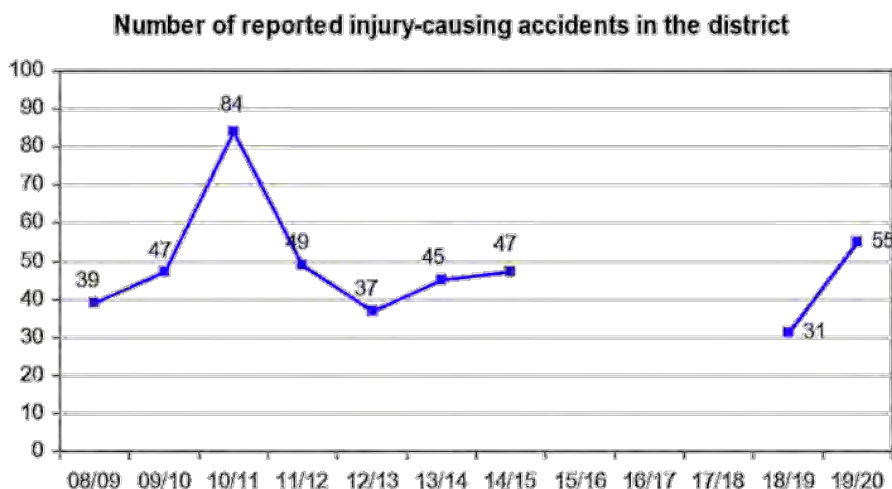
**Signs**

Signs that are poorly located can distract driver attention and restrict visibility. The number of resource consents granted that permit signage on or visible from a state highway has remained consistently low since 2007/08. The consent in 2013/14 was for a sign to be erected for a recreational club located beside the state highway in urban Morrinsville. The three consents in 15/16 related to signage at the Tatua Dairy factory, and the erection of a 6.5m cow statue and a billboard in central Morrinsville. The consent in 2017/18 was for a petrol station sign adjoining State Highway 24, near Matamata.

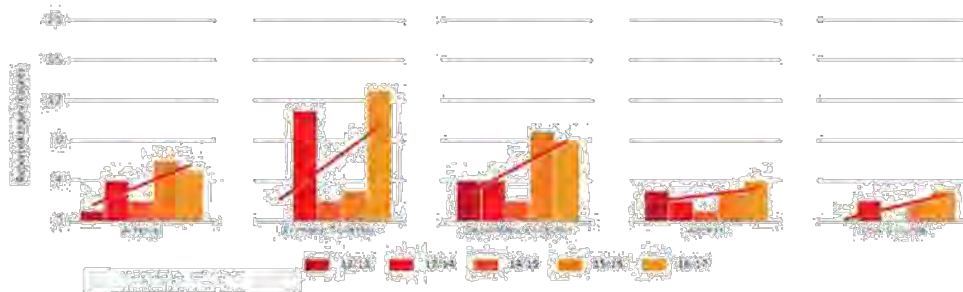
Number of resource consents granted which permit signage on or visible from a State Highway	08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
Number of consents	1	1	1	1	0	1	0	3	0	1	0	0

**Traffic Accidents**

The number of reported crashes causing injury on Council roads has fluctuated over the past ten years, reaching a peak of 84 in 2010/11. The overall annual trend in the years since then is for a relatively constant number of injury-causing accidents. The data from the last three years is not available due to a change in the way that accident data is now recorded. Formerly, it was the number of all injury-causing accidents in the district that was calculated. In recent years, however, it is only accidents that cause serious injury or death that have been calculated. For 2016/17 and 2017/18 years, the data is not available. For 2018/19 the number of injury-causing accidents dropped to 31 and for 2019/20 the number arose to 55.



**The total number of reported serious injuries and fatalities each year on the network**



**The Roding Network**

In 2008/09 there were 993.6km of roads in the Matamata-Piako District. This was made up of 994.5km of sealed road and 59.1km of unsealed road; approximately 860 km of the roads were within the rural area and 120km in the urban areas. The length of the roading network has increased very gradually since due to new roads being created through subdivision, mostly in urban areas.

Length of Roding Network (km)	08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
Sealed	934.5	935.7	938.9	938.9	938.9	938.9	938.9	938.9	938.9	948.9	951	962
Unsealed	59.1	59.1	59.1	59.1	59.1	59.1	59.1	59.1	59.1	59.1	51	51
Total	993.6	994.8	998.0	998.0	998.0	998.0	998.0	998.0	998.0	1008.0	1002.0	1013

**Roding Network Complaints**

The number of calls received by Council regarding the roading network has decreased from the years between 2010/11 and 2014/15. However, since 2015/16, the number of calls has fluctuated, but has been much lower on average than in the years previous.

A notable percentage of all the roading calls received have been regarding damage to the road surface or potholes. Other complaints included abandoned vehicles, culvert maintenance, rubbish on roads, parking, and road signs. In 2014/15, a change in the way that data was captured for streetlight complaints meant that data was available only from late January until June 2015. Over this five month period, 99 complaints were received about streetlighting of which 93 of the calls related to maintenance. Calls regarding the roading network included requests for maintenance of footpaths, reports of damage to roads, and queries about the trial closure of a turning lane on Broadway in Matamata.

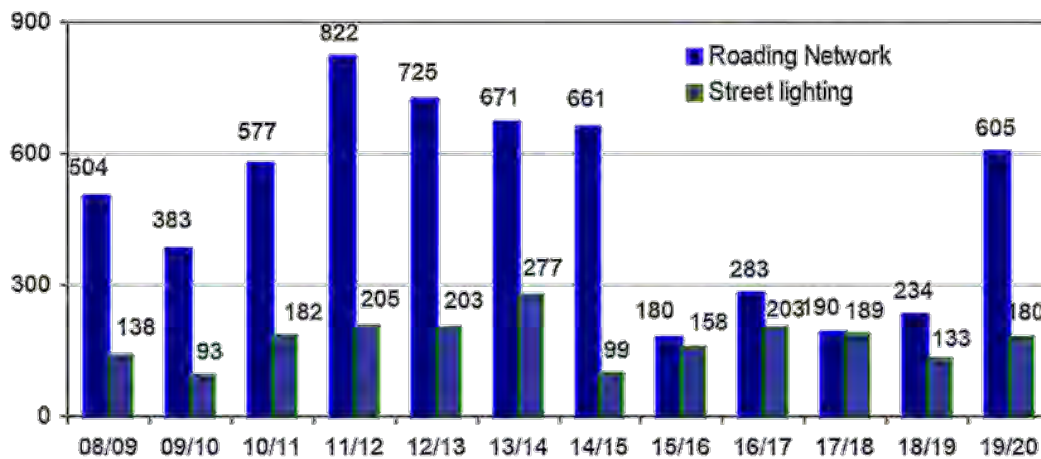
In, 2016/17, 203 complaints were received about streetlighting, and in 2017/18, 189 complaints, were recorded. The few complaints that were not about maintenance related to nuisance caused by glare, damage caused by vehicle accidents and the time the streetlights were turned on or off. In 2016/17, 283 complaints were received about the roading network; the most common complaints were regarding damage to the road, hazardous or slippery material on the road surface. In 2017/18, the number of complaints dropped to 190. In 2018/19 only 133 complaints were received about streetlighting. On 2019/20 605 complaints were received in regards to the roading network, out that number 180 were related to streetlighting.

Due to changes introduced by the Local Government Act, information has been categorised



differently from previous years. This has resulted in both a change to the roading network information that has been sourced, and also to the final figures. 2016/17 is the first full year of the new information requirements.

Number of calls regarding the roading network



The New Zealand Transport Agency (NZTA) is responsible for the development and maintenance of the country's state highways. Council received no complaints between 2008/09 and 2017/18 from the NZTA.

#### What Council Is Doing

The number of vehicles on New Zealand roads has increased by 45% since 1990. This has been at the expense of public transport and other modes such as walking and cycling. The Matamata-Piako district is predominantly a rural district and in 2002 had only half a kilometre of dedicated cycle or walkways.

As of 2019/20 the total length of footpaths in the district is 208.2 kilometers, and there is 500 metres of cycleway. In addition, 22 kilometres of the Hauraki Rail Trail, which provides a cycleway between Thames, Te Aroha and Waihi, is in the Matamata-Piako District. In 2015/16, Council decided to extend the rail trail from Te Aroha to Matamata, and this 38 kilometers extension is almost finished, currently finalizing landscaping and signage and it is expected to be concluded by early 2021.

There has been no Council spending on noise mitigation measures as a result of transport effects between 2008/09 and 2019/20.

#### Parking

Work carried out during Plan Change 43, the review of the Transportation section of the District Plan, in 2012/13 included a review of the town centre parking in Morrinsville, Matamata and Te Aroha. The report concluded that there is sufficient supply of on-street car parking within a short walking distance of the three town centres so as not to require on-site car parking within the "Shopping Frontage" areas of the town centres, over the next ten years. The matter of not requiring sites within the Shopping Frontage areas to supply on-site parking was included in a new "Transportation" section of the District Plan.



Council is also analyzing alternative options and modes of transport to cope with the restriction of car parking requirement brought by the NPS-UD, before giving effect to the policy statement throughout the whole district. Matamata-Piako has a rural character and therefore at this stage is car dependent and the current public transport services do not suffice the needs of our communities.

Other matters included in this section relate to higher thresholds for access to significant and arterial roads, and direction for Integrated Transport Assessments, which assess the wider effects of traffic predicted to result from a proposed activity.

The existing number of car parks in the District (both public and private) is not currently monitored. Only the number of car parks created as a result of development and recorded on resource consent decision reports is calculated; the number of car parks created by activities that comply with all the rules in the District Plan, and therefore do not require resource consent, is not included.

Number of parking spaces created as a result of development	08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20
Number of spaces	6	35	200	111	153	87	34	129	136	136	173	276

#### Roading Development Contributions

Through the 2009–2012 LTCCP Council implemented a district-wide development contribution requirement for roading where development contributions would be paid on completion of a subdivision or development.

In 2009/10 the total of roading development contributions collected, \$6,731, was low, as very few subdivisions or developments had been completed since the policy came into effect. This figure has increased since the introduction of the policy. In the three years 2017/18 through 2019/20 a total of \$439,554, \$718,455 and \$639,226 respectively, were collected on roading contributions. There were no parking contributions collected over this period.

#### Useful Links

[Regional Land Transport Strategy](#)

[Ministry of Transport](#)

[Ministry of Transport - Annual Fleet Statistics 2014](#)

#### For More Information

Contact [info@mpdc.govt.nz](mailto:info@mpdc.govt.nz) or

Customer Services  
Matamata-Piako District Council  
PO Box 266, Te Aroha 3342  
Phone: 07 884 0060  
Fax: 07 884 8865

## Te Wiki o te Reo Māori

CM No.: 2433903

### Rāpopotonga Matua | Executive Summary

Te Wiki o Te Reo Māori is a week dedicated to teaching all New Zealanders the basics of Te Reo in communication. Its goal is to get one million people using Māori on a daily basis in their interactions by 2040.

This report is to seek feedback and suggestions from Te Manawhenua Forum mo Matamata-Piako for Te Wiki o Te Reo Māori in Matamata-Piako.

### Tūtohunga | Recommendation

That:

1. **The Committee provides feedback and suggestions for how Council can celebrate Te Wiki o Te Reo Māori - and Te Wā Tuku Reo Māori during 13-19 September 2021.**
2. **The Committee nominates a member or members to work with Council's communications team on this project.**

### Horopaki | Background

Te Wiki o Te Reo Māori is a week dedicated to teaching all New Zealanders the basics of Te Reo in communication. Its goal is to get one million people using Māori on a daily basis in their interactions by 2040.

Te Wiki o Te Reo Māori/Māori Language week has been celebrated every year since 1975. Last year over one million people took part in the 'Māori Language Moment', sharing their Mihi on <https://tuku.reoMāori.co.nz/>. You can view details of Te Wiki o Te Reo Māori at <https://tuku.reoMāori.co.nz/>

### Ngā Take | Issues / Kōrerorero | Discussion

- To discuss ideas around promoting Te Reo in Matamata-Piako
- To discuss how to increase usage within Council and also from Councillors.
- To discuss how Te Manawhenua Forum would like to promote Te Wiki o Te Reo Māori in our district.

### Ngā Whiringa | Options

- Videos through social media
- Webpage on Iwi history in our district – this is an ongoing project that can be updated over time.
- Translations in Council in Focus
- Translations on website
- Councillor pronunciation session
- Councillor Mihi session
- Toddler time and wriggle and rhyme in Te Reo.

- Social media posts discussing the new/updated everyday words in Te Reo that are being used today.

### **Ngā take ā-ture, ā-Kaupapahere hoki | Legal and policy considerations**

No legal or policy considerations as this lines up with Council's Ko te Kaupapahere Reo Māori / Māori Language policy and community engagement policy.

### **Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes**

Work to outwork the Communications Plan for 13-19 September and have all resources ready to present the week before.

### **Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes and consistency with Council Vision**

**Theme:** This is in line with our community outcome of promoting arts, culture, historic and natural resources.

**Community Outcome:** We include Tangata Whenua with Manawhenua status, those with authority over the land under Māori lore to have meaningful involvement in decision making.

### **Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source**

\$150 for newspaper advertisement.

### **Ngā Tāpiritanga | Attachments**

There are no attachments for this report.

### **Ngā waitohu | Signatories**

Author(s)	Anna McLoughlin <b>Communications Coordinator</b>	
	Tuatahi Nightingale-Pene <b>Kaitakawaenga Māori</b>	

Approved by	Jenni Cochrane <b>Communications Manager</b>	
	Don McLeod <b>Chief Executive Officer</b>	

# Rautaki mō ngā Papa Rēhia me ngā Wāhi Wātea | Parks and Open Spaces Strategy - Update

CM No.: 2433922

## Rāpopotonga Matua | Executive Summary

A Draft Parks and Open Spaces Strategy was developed in 2020-21.

There were various opportunities for people to be involved in the strategy. Two surveys were run in 2020 and workshops were held in each of the three main towns.

A tangata whenua working party provided input into the strategy from a Māori perspective.

The draft strategy document was consulted on at the same time as the Long Term Plan. A hearing was held on 12 May 2021.

The majority of submitters supported the principles and strategic goals of the draft strategy.

The strategy is to be adopted by Council in June following minor editorial changes and will become operative on 1 July 2021.

## Tūtohunga | Recommendation

That:

1. The report be received.
2. The working party be thanked for their input into the development of the strategy.

## Horopaki | Background

A Draft Parks and Open Spaces Strategy was developed in 2020-21.

There were various opportunities for people to be involved in the strategy. Two surveys were run in 2020 and workshops were held in each of the three main towns.

A tangata whenua working party provided input into the strategy from a Māori perspective.

The draft strategy document was consulted on at the same time as the Long Term Plan. Consultation was promoted online, at market days, in print, and by letters to community groups. Two online webinar-style workshops were also held. The timeframe for submissions was 16 March to 19 April 2021.

Twenty submissions were received. Of these, fifteen supported the principles of the strategy and fifteen supported the strategic goals of the strategy. A hearing was held on 12 May 2021.

The strategy is to be adopted by Council in June following minor editorial changes and will become operative on 1 July 2021.



Proposed editorial changes do not affect the intent or meaning of the strategy. They include adding Te Reo chapter headings, additional words or sentences to clarify meanings, and correcting typographical errors. A marked-up version of the document, identifying any changes, will be presented to Council in June for approval.

Staff intend to have the executive summary chapter fully translated into Te Reo Māori and for this to be made available on Council’s website.

**Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes and consistency with Council Vision**

Matamata-Piako – The Place of Choice				
Lifestyle. Opportunities. Home.				
Enabling...				
Connected Infrastructure	Economic Opportunities	Healthy Communities	Environmental Sustainability	Vibrant Cultural Values
Infrastructure and services are fit for purpose and affordable, now and in the future.	We are a business friendly Council.	Our community is safe, healthy and connected.	We support environmentally friendly practices and technologies.	We promote and protect our arts, culture, historic, and natural resources.
Quality infrastructure is provided to support community wellbeing.	Our future planning enables sustainable growth in our district	We encourage the use and development of our facilities.	Development occurs in a sustainable and respectful manner considering kawa/protocol and tikanga/customs.	We value and encourage strong relationships with iwi and other cultures, recognising waahi tapu and taonga/significant and treasured sites and whakapapa/ancestral heritage.
We have positive partnerships with external providers of infrastructure to our communities.	We provide leadership and advocacy is provided to enable our communities to grow.	We encourage community engagement and provide sound and visionary decision making.	We engage with our regional and national partners to ensure positive environmental outcomes for our community.	Tangata Whenua with Manawhenua status (those with authority over the land under Maaori lore) have meaningful involvement in decision making.

**Ngā Tāpiritanga | Attachments**

There are no attachments for this report.

**Ngā waitohu | Signatories**

Author(s)	Mark Naudé <b>Parks and Facilities Planner</b>	
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Approved by	Susanne Kampshof <b>Asset Manager Strategy and Policy</b>	
	Manaia Te Wiata <b>Group Manager Business Support</b>	

## Library Update

CM No.: 2434603

### Rāpopotonga Matua | Executive Summary

The purpose of this report is to update the Forum on current programmes. Library staff in attendance to inform on the recent Matariki Kaupapa.

### Tūtohunga | Recommendation

That:

1. The information be received.
2. Council staff ensure that any upcoming kaupapa uphold the mana of the iwi in the district, by openly seeking recommendations or engagement prompts.

### Horopaki | Background

Since employing a Library Intern with a core focus on Māori Services the libraries have begun various different programs and outreach into Māori communities with a core focus on increasing Māori library users and the use of Māori resources. We wish to ensure that our current kaupapa align with the mana of all iwi within this district, and seek consultation on further Māori engagement where possible.

### Kōrerorero | Discussion

- Te Matatahi o Te Tau
- Mahuru Māori

### Mōrearea | Risk

- Te Matahi o Te Tau - due to selecting a specific town in a district where all this will take place, we wish to ensure communication reflects that all iwi have open access to involvement, and that the risk of assumption that one town and iwi has been favoured is avoided through correct communication.
- Mahuru Māori - we wish to ensure that all iwi are consulted on this time of year correctly and that we avoid the risk of putting out content not pertaining to the mana of local hapū and iwi.

### Ngā Whiringa | Options

- Does iwi liaising need to take place in each town in terms of Mahuru Māori? Yes/No
- If yes, who is the most appropriate contact for this?
- Consider that all iwi are welcome to join us at Pukemako for the Matariki Ceremony, and any specifics can be communicated directly to me in the coming month.

### Ngā take ā-ture, ā-Kaupapahere hoki | Legal and policy considerations

- All content used in Matariki Wānanga will be credited to its authors, creator etc.
- Waipa District Council has advised that there is no current gate to the Pukemako reserve and we have a Ngāti Hauā spoke person to discuss the waahi tapu (Maungakaawa and Maungatautari).

### Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

- Matariki Ceremony will take place anywhere between 2-5th of July weather pertaining
- Mahuru Māori Content will need to be determined by the 10th of August
- Matariki Exhibition will open in Morrinsville on the 4th of September.

### Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes and consistency with Council Vision

#### Community Outcome:

- Running a Matariki Kaupapa that aims to harness some ancestral tikanga surrounding Matariki and bring it forward for community access supports the notion that Matariki is becoming a Public Holiday next year. It fits the purpose of strengthening the Matamata-Piako Community, their knowledge, understanding and relationship with the spiritual science of Matariki. It creates an opportunity for iwi to lead the way and for local māori communities to showcase their cultural connection to their environment and the practices of their ancestors.
- Mahuru Māori is a great opportunity to showcase Te Reo Māori and a bilingually supportive council, it contributes to community diversity.

### Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source

While most things being run are free, the art phase of our Matariki Kaupapa, as well as the post-participation gifts have potential to grow and be supported, therefore funding has been applied for under Te Toi-Tūāhu Collective which inclusive of myself and Tonia Geddes. If funding comes in it will not be until mid July which therefore means that most funding will support the art phase of this kaupapa.

### Ngā Tāpiritanga | Attachments

There are no attachments for this report.

### Ngā waitohu | Signatories

Author(s)	Arihia Moore-Collier <b>Taura Wharepukapuka (Ratonga Māori Motuhake)</b>	
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Item 6.7

Approved by	Helen O'Carroll <b>District Library Manager</b>	
	Dennis Bellamy <b>Group Manager Community Development</b>	

## Members' Declaration of Interests

CM No.: 2440372

### Rāpopotonga Matua | Executive Summary

In accordance with the Local Authorities (Members' Interests) Act 1968, an elected / appointed member of any committee of a local authority is responsible for ensuring:

- It is not affected by personal motives when participating in decision of the local authority;
- It does not obtain preferential treatment from the local authority in contracting situations;
- It does not enter into contracts with local authority where the total of payments made to it (on behalf of the local authority) exceeds \$25,000 including GST, in any financial year; and
- It does not participate in matters of local authority where it may have a financial interest, other than an interest in common with the public.

### Tūtohunga | Recommendation

That:

1. **The information be received.**
2. **Forum members complete a declaration of interest form to the best of their knowledge for the period 1 July 2021 – 30 June 2022, and provide same to the committee secretary by 1 July 2021.**

### Horopaki | Background Contracts

Where an elected/appointed member may exceed the limit of \$25,000, The Office of the Auditor General (OAG) may grant an approval or exemption. Prior approval may be given, only if the Auditor General is satisfied that conditions, as detailed in the Act, have been met. The conditions of exemption are complex, and members should take care to ensure that they understand how the Act may apply to them, as well as the consequences of not complying. Where non compliance has occurred and a contract exceeds the prescribed financial limit, the elected/appointed member will be disqualified from performing duties for the local authority.

### Conflict of Interest

Elected/appointed members must make a general declaration of interest as soon as practicable after becoming aware of any such interests. These declarations are recorded in a register of interests maintained by Council. Members may also contact OAG for guidance on whether there is a financial interest. If an interest exists, an exemption may be sought for the member to participate or vote on a particular issue.

Failure to observe requirements of the Local Authorities (Members' Interests) Act 1968, could lead to a decision or action taken by the local authority invalidated. Furthermore, it could lead to an elected/appointed member being prosecuted under the Act. In the event of a conviction, an elected/appointed member may be disqualified from office.

Elected/appointed members should also be familiar with the common law concerning non-financial conflicts of interest. This includes issues of predetermination and bias (whether real or perceived)

when making decisions as an elected/appointed member of Council. If an elected/appointed member decides that they have a non-financial interest they must:

- Declare an interest when the matter arises at a meeting;
- Ensure their declaration is recorded in the minutes; and
- Abstain from discussion or voting on the matter.

Neglecting to observe the common law may result in judicial review of a decision.

OAG's guide to managing conflicts of interest can be found <https://oag.parliament.nz/good-practice/conflicts-of-interest>.

### Ngā Take | Issues / Kōrerorero | Discussion

An Annual Declaration of Interest Form is attached to the agenda for completion and return.

### Ngā Tāpiritanga | Attachments

[A↓](#). Annual Declaration of Interests form - TMF

### Ngā waitohu | Signatories

Author(s)	Tamara Kingi <b>Committee Secretary and Corporate Administration Officer</b>	
	Niall Baker <b>Corporate Strategy Team Leader</b>	
Approved by	Don McLeod <b>Chief Executive Officer</b>	

### Elected/Appointed Members – Annual Declaration of Interests

In accordance with the Local Authorities (Members' Interest) Act 1968, you are responsible for ensuring:

- That you are not affected by personal motives when participating in decisions of Council;
- You do not obtain preferential treatment from Council in contracting situations;
- You do not enter into contracts with Council where the total of payments made to you by (or on behalf of) Council, exceeds \$25,000 (including GST), in any financial year; and
- You do not participate in matters of Council where you have a financial interest, other than an interest in common with the public.

Where an elected/appointed member may exceed the limit of \$25,000, The Office of the Auditor General (OAG) may grant an approval or exemption. Prior approval may be given, only if the Auditor General is satisfied that conditions, as detailed in the Act, have been met. The conditions of exemption are complex, and members should take care to ensure that they understand how the Act may apply to them, as well as the consequences of not complying. OAG's guide to managing financial conflicts of interest can be found here <https://oag.parliament.nz/good-practice/conflicts-of-interest>

#### **Accounting standard PBE IPSAS 20 – Related Party Disclosures**

In addition to the Act, Council must comply with current accounting standards for the disclosure of related parties. All relationships between Council and entities/parties related in some way to the Key Management Personnel (KMP) of Council must be identified, and those considered not be at arms' length, must be disclosed in the annual financial statements of Council. The KMP includes elected members and the four members of the Executive Management Team, as well as the Chair of the Audit and Risk Committee. The definition of a related party is fairly wide, in that it encompasses not only the interests of the KMP themselves, but also the interests of their spouses, children and close family members. Importantly too, is that there need not be any pecuniary (financial) effect of the transaction to the KMP. Also required to be identified are relationships between Council and committees/boards/trusts/not-for-profit organisations etc. in which KMP or their close family members have some degree of influence (i.e. they are part of the governance or management of that entity).

*PBE IPSAS 20 Related Party Disclosures* gives the following definitions:

Related Party means parties are considered to be related if one party has the ability a (a) control the other party, or (b) exercise significant influence over the other party in making financial and operating decisions, or if the related party entity and another entity are subject to common control. Related parties include:

- a) Entities that directly, or indirectly through one or more intermediaries, control, or are controlled by, the reporting entity;
- b) Associates (see PBE IPSAS 7 *Investments in Associates*);
- c) Individuals owning, directly or indirectly, an interest in the reporting entity that gives them significant influence over the entity, and close members of the family of any such individual;
- d) Key management personnel, and close members of the family of key management personnel; and
- e) Entities in which a substantial ownership interest is held, directly or indirectly, by any person described in (c) or (d), or over which such a person is able to exercise significant influence.



You are a 'related party' to MPDC as you form part of the key management personnel. The most likely other relationships of interest are where you form part of the key management personnel of another entity (including as a sole trader) of another entity which transacts with the Council. These include not-for-profit entities. The wider definition should also be considered, including any relationship you have with the associates or joint ventures of MPDC (e.g. Local Authority Shared Services, and the Hauraki Rail Trail Charitable Trust).

A related party transaction is a transfer of resources or obligations between related parties, regardless of whether a price is charged. Related party transactions exclude transactions with any other entity that is a related party solely because of its economic dependence on the reporting entity of the government of which it forms part.

Close members of the family of an individual are those family members who may be expected to influence, or be influenced by, that person in their dealings with the entity and include:

- a) That person's children and spouse or domestic partner;
- b) Children of that person's spouse or domestic partner, and
- c) Dependents of that person or that person's spouse or domestic partner.

The following are examples of transactions that are considered for disclosure if they are with a related party:

- Purchases or sales of goods;
- Purchases or sales of property and other assets;
- Rendering or receiving of services;
- Leases;
- Transfers under licence agreements;
- Transfers under finance agreements (including loans in cash or in kind);
- Provision of guarantees or collateral; and
- Settlement of liabilities.

#### **Annual declaration of interest form**

Each year we require elected/appointed members and other key management personnel to complete the attached annual declaration of their interests and those of their close family members. This is in order to assist members in complying with the Act, and to assist Council staff to compile the Annual Report disclosure on related party transactions. In the interests of completeness, we would recommend that you declare all interests where you or your close family member have a degree of influence (ie are part of the governance or management of that entity, rather than merely a member of that entity). Council staff will work through these according to the criteria set out in the accounting standard to determine if disclosure is required in respect of those interests. If you have any queries on the declaration form, the accounting standards or the Act, please do not hesitate to discuss these with the Finance Manager.

**ANNUAL DECLARATION OF INTERESTS FORM**

I, \_\_\_\_\_, as an appointed member of Matamata-Piako District Council's (MPDC) Te Manawhenua Forum, set out below my interests, including any financial or other interests held or accruing to me, or a close family member, which might give rise to an actual or perceived conflict of interest.

CATEGORY	Please give details of the interest and whether it applies to yourself, or where appropriate, a close family member:
Current employment and any previous employment in which you continue to have a financial interest	
Appointment (voluntary or otherwise) for example, trusteeships, directorships, committees, boards, tribunals etc, including not for profit and charitable organisations	
Membership of any professional bodies, special interest groups or mutual support organisations which have or could potentially have a financial transaction with MPDC	
Financial interests in any business or organisation	
Current or past close personal relationship with an employee of MPDC	
Any other interests which might give rise to an actual or perceived conflict of interest	

**DECLARATIONS**

I certify that the information outlined above is true and correct and declare, to the best of my knowledge, that I have complied with the requirements of the Local Authorities (Members' Interest) Act 1968 (where applicable), and have made full disclosure of interests so as to ensure compliance with PBE IPSAS 20 Related Party Disclosures is complete. I also undertake to immediately notify the Chief Executive or Mayor in writing if a conflict or potential conflict of interest arises in the future and to not be involved in any decision making process in which I may be compromised.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Te Manawhenua Forum - Ngā Hui

CM No.: 2419411

### Rāpopotonga Matua | Executive Summary

A request was received to consider whether there should be additional hui scheduled for Te Manawhenua Forum mo Matamata-Piako. The Forum currently meet four times per year.

The current Heads of Agreement states that:

*The Forum shall meet regularly for either formal meetings or workshops as required, provided that meeting costs do not exceed the budget allocated to the performance of the Forum's functions each financial year. The Forum meeting schedule will be confirmed at the December meeting of the Forum each year.*

### Tūtohunga | Recommendation

That:

1. **The information be received**
2. **The Forum continue with four hui per year and revisit in December 2021 when setting the schedule for 2022. OR**
3. **The Forum increase to five/six hui per year, setting the schedule as below and revisit in December 2021 when setting the schedule for 2022. OR**
4. **Provide direction on the number of hui desired per year.**

### Horopaki | Background

A request was received to consider whether there should be additional hui scheduled for Te Manawhenua Forum mo Matamata-Piako. The Forum currently meet four times per year. On 1 December 2020, the forum approved a draft work program for 2021, which allowed for four meetings to be scheduled quarterly.

The current Heads of Agreement states that:

*The Forum shall meet regularly for either formal meetings or workshops as required, provided that meeting costs do not exceed the budget allocated to the performance of the Forum's functions each financial year. The Forum meeting schedule will be confirmed at the December meeting of the Forum each year.*

Te Manawhenua Forum has a budget of \$20,000 per year, this budget covers meeting attendance, mileage, printing and catering etc. for the past three years this has generally been underspent by approximately \$5,000. The budget is set to cover four meetings with all members attending all meetings, however previously not all members have attended all meetings for various reasons. The number of hui can be increased if desired provided costs do not exceed the budget which could potentially provide for 5 or 6 hui per year depending on attendance rates etc.

Additional hui would also incur additional costs not covered by this budget such as staff time.

Current Schedule for the remainder of 2021 as follows

- 7 September 2021
- 30 November 2021

Five/six hui for the remainder of 2021 could be scheduled as follows:

- 3 August 2021
- 5 October 2021
- 30 November 2021

Going forward from 2022 five hui could be scheduled as follows

- February
- April
- July
- September
- December (or late November)

Going forward from 2022 six hui could be scheduled as follows

- February
- April
- June
- August
- October
- December (or late November)

Alternatively the Forum can provide direction on the number of hui desired per year.

### **Ngā Whiringa | Options**

- A) The Forum continue with four hui per year and revisit in December 2021 when setting the schedule for 2022. OR
- B) The Forum increase to five/six hui per year, setting the schedule as below and revisit in December 2021 when setting the schedule for 2022. OR
- C) Provide direction on the number of hui desired per year.



### Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source

Te Manawhenua Forum has a budget of \$20,000 per year, this budget covers meeting attendance, mileage, printing and catering etc. for the past three years this has generally been underspent by approximately \$5,000. The budget is set to cover four meetings with all members attending all meetings, however previously not all members have attended all meetings for various reasons. The number of hui can be increased if desired provided costs do not exceed the budget which could potentially provide for 5 or 6 hui per year depending on attendance rates etc.

Additional hui would also incur additional costs not covered by this budget such as staff time.

### Ngā Tāpiritanga | Attachments

There are no attachments for this report.

### Ngā waitohu | Signatories

Author(s)	Tamara Kingi <b>Committee Secretary and Corporate Administration Officer</b>	
Approved by	Sandra Harris <b>Corporate Strategy Team Leader</b>	
	Don McLeod <b>Chief Executive Officer</b>	

## Māori Ward and Representation Review

CM No.: 2430278

### Rāpopotonga Matua | Executive Summary

Council has made a decision to establish a Māori ward for the 2022 and 2025 elections.

This decision means that those on the Māori electoral roll will be able to elect members to the Māori ward/s in the next two elections. The number of Māori seats on Council will be determined by a representation review later this year, which will look at how the whole district is represented. However, the decision to have a Māori ward will not be able to be overturned as part of that process.

### Tūtohunga | Recommendation

That:

1. **The information be received.**

### Horopaki | Background

Concerns had been expressed about the way Māori Wards were created under the legislation, as a Council's decision was subject to a binding public poll if demanded by 5% of electors. In February 2021 Local Government Minister, Hon. Nanaia Mahuta announced a law change to:

- repeal the provisions in the Act that relate to polls on the establishment of Māori Wards and constituencies;
- prohibit binding council-initiated polls on whether to establish Māori constituencies (while retaining the right for councils to initiate non-binding polls to gauge public sentiment), and;
- Establish a transition period ending on 21 May 2021 during which any local authority may, regardless of any previous decisions or previous poll outcomes, resolve to establish Māori constituencies for the 2022 local elections.

The decision to establish Māori ward(s) remains in force for six years (two election cycles), and then continues in effect until a further resolution takes effect.

### Te Manawhenua Forum recommendation

At the Forum meeting 2 March 2021, the Forum passed the following Resolution:

That:

1. *The information be received.*
2. *The Forum recommend that Council establish a Māori Ward/s for the 2022 triennial election.*
3. *The Council supports the continuation of the Forum regardless of the decision of the Māori Ward.*

Forum members also presented to Council directly at a workshop on 21 April 2021.

Following this, Council decided at their 28 April 2021 extraordinary Council meeting to establish one or more Māori Wards.

### Number of Māori Ward members

The number of Māori members to be elected to the Council depends on a mathematical formula based on the Māori and general electoral populations of the district, related to the total number of councillors.

The Act is prescriptive in that Councillor make-up is based purely on population; there is no room in the legislation for providing ward representation for Māori that reflects the reality of the numerous individual iwi in the district.

Māori wards and constituencies are subject to the same population ratio rules as general wards and constituencies. This ensures that all representation at the council is fair.

This formula is set out in the Act. For Matamata-Piako District, the effect of applying this formula is:

Number of Māori Ward Councillors	1	2
Total Number of Councillors	6-13	14-30

*Note: Under the Act, Councils can have between 6 and 30 Councillors.*

For Matamata-Piako District, the likely scenarios for a Māori ward system would be:

- a) One ward comprising electors on the Māori roll covering the whole of the district, electing one or two Councillors. Whether one or two Councillors are elected depends on the total number of Councillors, as shown in the table above, or
- b) Two wards comprising electors on the Māori roll covering different parts of the district, each Māori ward electing one Councillor each or a single Ward electing both Councillors. This option would only be possible if the Council is to comprise 14 or more Councillors in total.

How will Māori Wards work?

- Voters on the Māori electoral roll would vote for a candidate contesting a Māori ward (and not candidates in other wards e.g. Matamata, Morrinsville, Te Aroha)
- Voters on the general electoral roll would continue to vote for candidates contesting general wards (e.g. Matamata, Morrinsville, Te Aroha)
- All voters could vote for the mayor
- Māori ward candidates would not need to be on the Māori electoral roll and do not have to be of Māori descent, but must be nominated by two people on the Māori roll in the relevant Māori ward area.
- A Māori ward Councillor, like every other Councillor, would have just one vote around the Council table.

Representation Review

The establishment of a Māori Ward for the 2022 elections will trigger a representation review process to be carried out this year.

Councils must provide for “effective representation of community’s interest’ and “fair representation of electors” There are three key factors to carefully consider:

- Communities of interest
- Effective representation of communities of interest
- Fair representation of electors (each Councillor representing a similar number of people)

A representation review involves determining the basis of election i.e.

- Number of Councillors
- Establishment of Community Boards
- Members being elected at large
- Members being elected from wards (if any)
- The number of wards (if any)
- Ward boundaries & names (if any)
- The number of elected members (at large or ward)
- Some councillors elected by wards and some at large

In summary the process to be followed is:

- Council is required by law to determine its 'initial representation proposal' for public consultation by 31 August 2021.
- Once this is decided on, we will invite submissions from the community on the proposal (which must be no later than 8 September 2021)
- Council considers all the submissions received and may amend its initial proposal.
- Council will give public notice of its "final" proposal for an appeal and objections period (which must close no later than 20 December 2021). If no appeals or objections are made then Council's proposal becomes final.
- If necessary, Council forwards appeals, objections and other relevant information to the Local Government Commission and they make a determination by 11 April 2022.

Staff will report back to Council to set the 'initial representation proposal' for public consultation. The decision to establish Māori wards will not be open for submissions and it is not reversible through the representation review process (as that decision has been made).

The timeline means Council will be required to develop an initial proposal before the next scheduled Forum meeting. Feedback from the Forum is sought on how it would like to be involved in this process.

Each Councillor must represent a similar number of people within each Ward. The current representation structure does not comply with this requirement, with Matamata and Te Aroha Wards falling outside the allowable range.

If the current representation structure is maintained with the addition of a Māori Ward, it will require referral to the Local Government Commission for a formal determination. The Commission may decide to uphold the Council decision or change it. The Commission cannot change the decision on Māori Ward/s itself but can change the detailed arrangements such as the Māori Ward boundaries, Ward name etc.

#### October 2022 election

Looking ahead to next year's triennial election, guidance from the Forum is sought on how the election can be promoted among the Māori community and how Council could work with iwi groups around:

- Electoral enrolment – encouraging those who are eligible but not currently enrolled to get enrolled and to check / update their details (note: the Electoral Commission runs an enrolment campaign);
- Encouraging/supporting candidates to stand in the Māori/General wards;
- Promoting voting (ordinary and special voting, options for location of ballot boxes etc.).



Electors have until 12 August 2022 to get on the roll, which is used to produce / deliver the voting documents. After this date, anyone who is entitled to vote and who is not enrolled as an elector, or whose details are incorrectly recorded on the roll, will have to cast a ‘special vote’.

Feedback from the Forum is invited on ways Māori can be engaged in the electoral process to assist in planning for the election.

Māori electoral option

People of New Zealand Māori descent and who are enrolled to vote can choose which electoral roll they want to be on – the General roll or the Māori roll. Electors who said they were of New Zealand Māori descent when they enrolled to vote will get a Māori Electoral Option pack in the mail every 5 years — after every census. The period for changing rolls runs for 4 months. The last option was held in 2018.

For those already enrolled, the next opportunity to change rolls will be in 2024. Only Māori enrolling for the first time or re-enrolling after having previously been removed from the roll are able to choose to enrol on the Māori Roll in the interim. Which electoral roll to choose is a personal choice for those eligible to be on the Māori roll.

The number of, and boundaries for Māori and general electorates for Parliament is set using results from the Māori roll option and the census.

Electoral enrolments

Electoral roll enrolments are managed by the Electoral Commission. There is also a ratepayer roll (for those living out of the district but who own property in the district) which provides voting rights. The Ratepayer roll is managed by the Council and its Election Service provider.

The number of enrolments in the district will frequently change due to people moving in/out of the area, those turning 18 etc. The Enrolment statistics for the Matamata-Piako District as at 31 March 2021 from the Electoral Commission are as follows:

Wards	Electoral rolls	Enrolments
Morrinsville Ward	General Roll	8,482
	Māori Roll	672
Matamata Ward	General Roll	9,196
	Māori Roll	838
Te Aroha Ward	General Roll	5,546
	Māori Roll	371
<b>Estimated eligible population</b>		<b>23,224 General roll</b> <b>1,881 Māori roll</b>

**Ngā Tāpiritanga | Attachments**

There are no attachments for this report.

**Ngā waitohu | Signatories**

Author(s)	Niall Baker <b>Corporate Strategy Team Leader</b>	
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Approved by	Don McLeod <b>Chief Executive Officer</b>	
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## Long Term Plan 2021-31 Update

Trim No.: 2432272

### Rāpopotonga Matua | Executive Summary

Consultation on the Long Term Plan 2021-31 Consultation Document was open from 16 March to 19 April. Council received a total of 515 submissions, including 14 late submissions. Council heard those submitters who wished to present to Council at its Hearing 12/13 May, followed by deliberations and decisions on 13 May.

This report provides a summary of submissions and decisions that will be incorporated into the Final Long Term Plan for adoption 30 June 2021.

### Tūtohunga | Recommendation

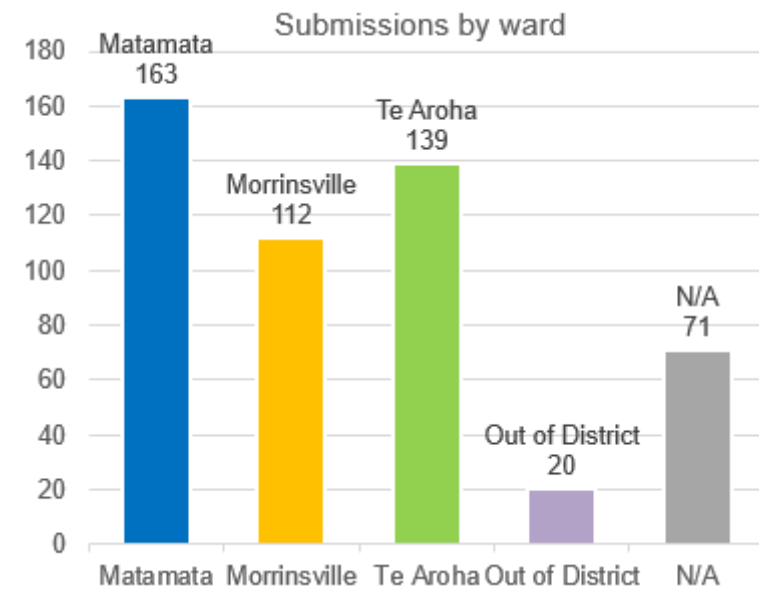
That:

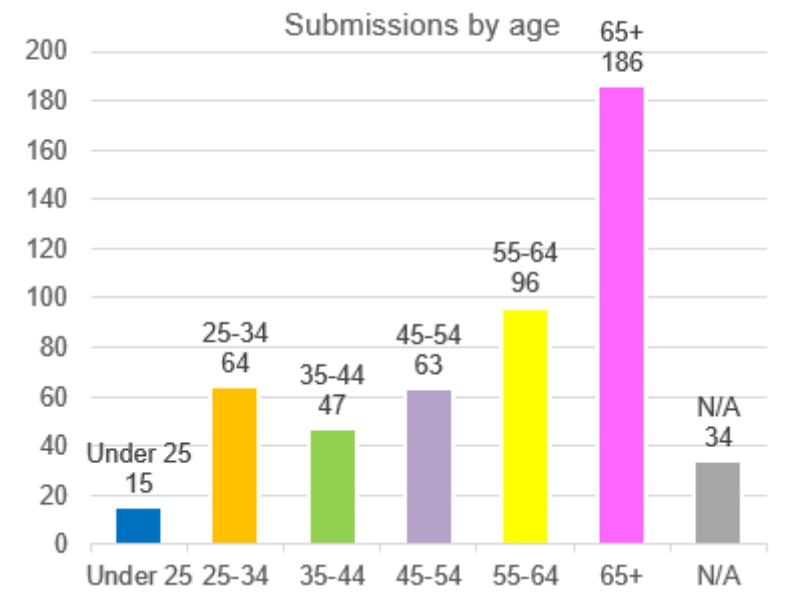
1. The information be received.

### Ngā Hua | Content

#### Horopaki | Background

Council received 505 submissions on its Consultation Document for the Long Term Plan 2021-31, with an additional 14 submissions received late and not included in the statistics used in this report.





### The Consultation Document

The CD provided an overview of the key issues Council sought community feedback on. It provided a concise and simple basis for the general reader to gain a reasonable understanding of the Council's direction, how rates, debt, and levels of service might be affected by this, the issues Council is facing, what key projects are proposed, the financial strategy and how to have their say. The CD also pointed readers to the Council's website and draft LTP for more detailed information.

### **Ngā Take | Issues**

The Forum have received progress reports during the LTP process and feedback from the Forum has been given at various points.

### Māori participation in decision-making

This section of the LTP 2021-31 has been developed in collaboration with the Forum and has been informed by the review of the Heads of Agreement. Traditionally it has included updates on Treaty of Waitangi settlements and associated legislation, a description of the functions of the Forum and also how Council engage with local iwi/hapu on matters relating to resource management. Recent changes to the Resource Management Act may see some changes to how council engage with iwi/hapu on RMA matters. The details of this text were confirmed with the Forum at its December meeting, along with the performance measure in relation to Iwi engagement in the Long Term Plan.

### Council proposals

In addition to financials, the CD set out a number of specific proposals that Council had identified to achieve the vision of making Matamata-Piako the place of choice. The preferred options, alternative options, total cost and impact on rates were described. The decisions on the issues consulted on are described below. Please note the following statistics are based on submissions received in the prescribed format. Some submissions are on behalf of a number of submitters and these statistics do not represent the number of submitters. A full overview of decisions on all submissions is available on our website.

- Te Aroha Spa development



We received strong community support to work towards developing a destination spa in Te Aroha and we agreed that if we're going to do it, it needs to be done properly. 41% of the feedback supported this, with 34% preferring Council to work towards developing a new destination spa (\$5.3m) while 25% said don't do it.

The \$18.9 million option has been approved but it will only go ahead if the review of the business case stacks up and investigations into potential risks are favourable. There's still a lot of work to do before the project gets the green light, including further consultation with the community on the detail of a new day spa.

- Rubbish and recycling (kerbside collection)

This is about moving from the current user pays rubbish bags to a service funded through targeted rates, when the current service contract ends in 2023. Council received clear support for changing the kerbside collections from 2023, with 87% in favour.

Council agrees with this change subject to the options for rubbish bags and/or wheelie bins, recycling crates and food waste bins investigated further. Staff will now progress the procurement process for a new refuse contractor.

- Rubbish and recycling (resource recovery centres)

Council have decided to progress developing two resource recovery centres in the district (37% supported this, with 44% telling us to put resource recovery centres in all three towns). A resource recovery centre is where material that would usually go to landfill is diverted. This could include services such as an op-shop, a rural recycling collection point, or salvage of clothing, building materials and so on that would otherwise end up in landfill. Our plan is to develop a facility in Matamata and Morrinsville, and upgrade the Waihou (Te Aroha) transfer station to improve functionality and health and safety.

- Additional water sources in Morrinsville

The majority of feedback (63%) indicated support for providing two additional water sources.

Council has decided that Morrinsville will receive two additional water sources to meet growing demand, and ensure there is enough water for essential use (like drinking and hygiene) all year round. Water restrictions will continue to be implemented during the summer periods. The new water sources and treatment will largely be funded by new developments (sub-divisions) but also partly funded by rates as the increased droughts require more water for the existing users.

- Revitalising our town centres

Following community feedback (61% support, 14% telling Council to do it faster than planned, and 25% don't do it) Council has decided to progress with the town centre revitalisation project. This would include comprehensive co-design engagement with the community to ascertain their aspirations for the CBDs. This will ensure interventions are delivered with value for money i.e. money is being spent where the community sees the most benefit and prioritised accordingly.

- Improving walking and cycling connections

Council included funding for widening of current footpaths to create shared pathways, creating new footpaths and also to improve connections within our town centres. 43% of submitters supported this proposal, with 41% telling us to take a 'slow but steady' approach. Council has decided to take this 'slow but steady' approach. The funding will be spread out over the life of the Long Term Plan. The aim is to make our towns more pedestrian and cycle friendly by focusing on current road and rail crossings to make things safer.

- Mountain bike skills park and dog park in Te Aroha

Following feedback, (61% in support, 39% not in support) we have agreed to in principle to developing a mountain bike skills park at Tui Park, Te Aroha. This was the communities top pick when we asked the community for ideas in 2020 under the 'your voice your vision' consultation. This will now require a detailed design to be developed and consulted on, and the necessary approvals obtained.

While there is support for a dog park in Te Aroha it won't be located alongside the Mountain Bike Skills Park, at Tui Park and alternative locations will be investigated.

- Dog Park in Matamata

This proposal was put forward by members of the community as part of the 'Your Voice, Your Vision' campaign in July 2020. A dog park at Swap Park was one of the top three proposals. While 66% of submitters supported this proposal, and 34% said don't do it, individuals and groups in the community have different ideas about the use and development of Swap Park.

Based on the information presented in submissions Council felt there would be some issues with having an off-leash dog exercise area there. Overall a dog park in Matamata was supported so alternative locations for a dog exercise area will be investigated.

#### Further decisions

The CD also provided an overview of longer term priorities; (destination playgrounds, cycleway from Matamata to Piarere, Wairongomai Carpark, upgrade of the Te Aroha sewer falling main, additional water treatment plant in Morrinsville and upgrade of our Te Aroha and Matamata wastewater treatment plants), and identified things that we want to do the ground work on over the next few years, so that we can plan the timing and costs well; Morrinsville Recreation Master Plan, Te Aroha civic facilities, Elderly Persons Housing, Morrinsville to Te Aroha cycleway and a stage for the Matamata-Piako Civic and Memorial Centre.

At its Hearing 12/13 May Council resolved to keep all of these projects in its Long Term Plan.

#### Other documents

At the same time as the LTP Council also consulted on the following documents:

- the Revenue and Financing Policy
- the Fees and Charges 2021/22
- the Rates Remissions and Postponements Policies
- the Development Contributions Policy

Following the Hearing 12/13 May, these documents will be brought back to Council for formal Adoption in June, with only minor amendments in response to submissions.

#### Long Term Plan Community Funding – Multi Year Grants

Alongside the consultation on the CD, Council also invited applications to its Multi Year Grants for community organisations. A total of 33 grant applications were received, seeking more than \$782,000 in 2021/22, compared to the draft budget of \$551,000. At the Hearing 12/13 May Council approved grant funding of \$630,000 to 28 community organisations. It should be noted that of the funding granted, \$110,000 will be funded from Council's COVID-19 reserve fund to compensate for the impact of COVID on the Morrinsville and Matamata Chambers of Commerce and the Wallace Gallery.

## Analysis

### Whakaritenga ā-ture | Legal and statutory requirements

There are an array of legislative requirements for the LTP set out in the LGA 2002, the Local Government (Financial Reporting and Prudence) Regulations 2014 and Local Government Rating Act 2002.

### Pānga ki te kaupapahere whakapānga nui | Impact on policy and bylaws

The outcome of this process will result in new plans for Council to take effect from 1 July 2021. The LTP is the 'cornerstone' of the Local Government Act 2002 planning process.

Once adopted, the LTP will set the direction for Annual Plans and Annual Reports over the next three year cycle. There are statutory restrictions if Council wants to deviate from the direction established in the adopted LTP.

### Ngā hātepe o te whakawhitiwhiti whakaaro, te rapu whakaaro, me ngā whakataunga | Communication, consultation and decision making processes

We are required to use the special consultative procedure as detailed in section 83 of the Local Government Act 2002 which states that the period of consultation must be not less than one month and we must provide an opportunity for persons to present their views in a manner that enables spoken (or New Zealand sign language) interaction between the person and Council.

#### LTP Communications plan

The communications plan included a mixture of communication methods, including: print, individual/targeted communications, online, displays, face to face (e.g. market days) and social media.

#### Timeframes

Process	Start	Finish
<b>Audit and Risk Committee to review audited LTP</b>	9 March 2021	9 March 2021
<b>LTP CD approved for consultation (and supporting information)</b>	10 March 2021	10 March 2021
<b>Submissions open</b>	16 March 2021	19 April 2021
<b>LTP hearing</b>	12 May 2021 (13 May if required)	12 May 2021 (13 May if required)
<b>Council adopt final LTP and Rates struck for 2021/22</b>	30 June 2021	30 June 2021
<b>LTP in force</b>	1 July 2021	30 June 2024

### Tākoha ki Ngā Hua ā-Hapori | Contribution to Community Outcomes

The LTP contributes to all community outcomes. The community outcomes are set out in Part 1 of the LTP and the contribution that each activity makes to the outcomes is outlined in the relevant activity plans.

Community Outcomes are the outcomes that Council seeks for its community (required by legislation). Council reviewed the community outcomes and its overall Vision in 2017, and these remain the same for the LTP 2021-31. These outcomes must be disclosed in the Long Term Plan.

Vision and Community Outcomes 2021-2031

<b>Matamata-Piako – The Place of Choice Lifestyle. Opportunities. Home.</b>				
<b>Enabling...</b>				
<b>Connected Infrastructure</b>	<b>Economic Opportunities</b>	<b>Healthy Communities</b>	<b>Environmental Sustainability</b>	<b>Vibrant Cultural Values</b>
<b>Infrastructure and services are fit for purpose and affordable, now and in the future.</b>	We are a business friendly Council.	Our community is safe, healthy and connected.	We support environmentally friendly practices and technologies.	We promote and protect our arts, culture, historic, and natural resources.
<b>Quality infrastructure is provided to support community wellbeing.</b>	Our future planning enables sustainable growth in our district	We encourage the use and development of our facilities.	Development occurs in a sustainable and respectful manner considering kawa/protocol and tikanga/customs.	We value and encourage strong relationships with iwi and other cultures, recognising waahi tapu and taonga/significant and treasured sites and whakapapa/ancestral heritage.
<b>We have positive partnerships with external providers of infrastructure to our communities.</b>	We provide leadership and advocacy is provided to enable our communities to grow.	We encourage community engagement and provide sound and visionary decision making.	We engage with our regional and national partners to ensure positive environmental outcomes for our community.	Tangata Whenua with Manawhenua status (those with authority over the land under Māori lore) have meaningful involvement in decision making.

**Pānga kit e tahua | Financial Impact**

**i. Utu | Cost**

Preparation of the LTP is provided for within existing budgets. The funding source for all the activities within the plan is set out in the Revenue and Financing Policy.

**Ngā Tāpiritanga | Attachments**

[A↓](#). Schedule of Multi Year Grant Decisions 13 May 2021

**Ngā waitohu | Signatories**

Author(s)	Ann-Jorun Hunter <b>Policy Planner</b>	
Approved by	Sandra Harris <b>Corporate Strategy Team Leader</b>	
	Don McLeod <b>Chief Executive Officer</b>	



## Schedule of Multi Year Grants Decisions 13 May 2021

Alongside the consultation on the CD, Council also invited applications to its Multi Year Grants for community organisations. A total of 33 Grant Applications were received, seeking more than \$782,000 in 2021/22, compared to the Draft budget of \$551,000. At the Hearing 12/13 May Council approved grant funding of \$630,000 to 28 community organisations. It should be noted that of the funding granted, \$110,000 will be funded from Council's COVID-19 reserve fund to compensate for the impact of COVID on the Morrinsville and Matamata Chambers of Commerce and the Wallace Gallery.

Grant Register N	Applicant	Funding 2020/21	Requested 2021/22	DECISION 2021/22	Requested 2022/23	DECISION 2022/23	Requested 2023/24	DECISION 2023/24
410	Matamata Community patrol – provides street patrols and support to police	\$ 2,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000
411	Morrinsville community patrol – provides street patrols and support to police	\$ 2,000	\$ 5,000	\$ 3,000	\$ 5,000	\$ 3,000	\$ 5,000	\$ 3,000
412	Te Aroha & District Museum – operates the Te Aroha and Districts Museum and preserves the heritage of the Te Aroha ward	\$ 12,000	\$ 17,238	\$ 17,500	\$ 18,238	\$ 17,500	\$ 19,238	\$ 17,500
414	Citizens advice bureau Te Aroha – provides impartial advice to the community	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000
415	Citizens advice bureau Matamata – provides impartial advice to the community	\$ 6,000	\$ 10,000	\$ 6,000	\$ 10,000	\$ 6,000	\$ 10,000	\$ 6,000
416	Campbell park charitable trust – owns and operates the Campbell Park sports fields in Morrinsville	\$ 5,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000
417	Morrinsville Art Gallery Charitable trust – operates the Wallace Gallery, Morrinsville	\$ 20,000	\$ 55,000	\$ 30,000	\$ 55,000	\$ 30,000	\$ 55,000	\$ 30,000
418	Matamata Resource Trust (Railside) – provides advice and social support services in Matamata	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
419	Matamata Historical society – operates the Firth Tower site alongside Council, and preserves the heritage of the Matamata	\$ 12,000	\$ 17,250	\$ 12,000	\$ 17,250	\$ 12,000	\$ 17,250	\$ 12,000
420	Te Aroha community patrol – provides street patrols and support to police	\$ 2,000	\$ 5,000	\$ 3,000	\$ 5,000	\$ 3,000	\$ 5,000	\$ 3,000
421	Morrinsville Historical society – operates the Morrinsville Museum and preserves the heritage of the Morrinsville ward	\$ 12,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000
422	Matamata Centennial Drive Development Society Inc. – takes care of the gardens in Centennial Drive, Matamata	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500
423	Keep Te Aroha Beautiful – undertakes beautification activities in the town	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000
424	Waikato Life Education Trust – provides education programmes to school children	\$ 5,000	\$ 20,000	\$ 15,000	\$ 20,000	\$ 15,000	\$ 20,000	\$ 15,000
425	Coromandel Heritage Trust		20,000	Declined	20,000	Declined	20,000	Declined
426	Te Aroha College – a contribution to the end of year prize giving	\$ 300	\$ 500	\$ 300	\$ 500	\$ 300	\$ 500	\$ 300
427	Morrinsville Tennis Club		20,000	Declined	20,000	Declined	20,000	Declined
428	Te Miro Mountain Bike club – looks after mountain bike tracks in the Te Miro Forest in the Morrinsville ward	\$ 7,000	\$ 10,000	\$ 7,000	\$ 10,000	\$ 7,000	\$ 10,000	\$ 7,000
429	Morrinsville Community House – provides advice and social support services in Morrinsville	\$ 5,000	\$ 6,000	\$ 5,000	\$ 6,000	\$ 5,000	\$ 6,000	\$ 5,000
430	Te Aroha Group NZ Riding for the Disabled Association Inc.		20,000	Declined	20,000	Declined	20,000	Declined
431	Keep Matamata Beautiful – undertakes beautification activities in the town	\$ 3,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000
432	Waikato Regional Council - EnviroSchools	\$ 18,000	\$ 14,008	\$ 14,000	\$ 15,479	\$ 15,000	\$ 17,003	\$ 16,000
433	Creative Waikato – provides support, builds capability and advocates in respect of the arts for our community	\$ 4,000	\$ 10,000	\$ 5,000	\$ 10,000	\$ 5,000	\$ 10,000	\$ 5,000
434	Future Te Aroha – runs youth programmes and events	\$ 5,000	\$ 12,000	\$ 6,000	\$ 12,000	\$ 6,000	\$ 12,000	\$ 6,000
435	Tom Grant Drive – takes care of the gardens in Tom Grant Drive, Matamata	\$ 1,800	\$ 2,000	\$ 1,800	\$ 2,000	\$ 1,800	\$ 2,000	\$ 1,800
436	Morrinsville College – a contribution to the end of year prize giving	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300
437	Matamata College – a contribution to the end of year prize giving	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300
438	Sport Waikato – provides sport programmes and supports sports in the Waikato Region	\$ 84,000	\$ 59,020	\$ 59,020	\$ 59,020	\$ 59,020	\$ 59,020	\$ 59,020
439	Te Aroha Mountain Bike Club – looks after mountain bike tracks in the Kaimai Ranges in Te Aroha	\$ 4,000	\$ -	\$ -	\$ 5,000	\$ 4,000	\$ 4,000	\$ 4,000
440	Hamilton & Waikato Tourism	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000
441	Matamata Chamber of Commerce	\$ 75,000	\$ 125,000	\$ 125,000	\$ 125,000	\$ 125,000	\$ 125,000	\$ 125,000
442	Morrinsville Chamber of Commerce	\$ 75,000	\$ 125,000	\$ 125,000	\$ 125,000	\$ 125,000	\$ 125,000	\$ 125,000
443	New Zealand War Memorial Museum Trust - Le Quesnoy		36,000	Declined				
				\$ 629,720	\$ 634,720	\$ 635,720		

# Waste Management and Minimisation Plan - Update

CM No.: 2440675

## Rāpopotonga Matua | Executive Summary

Consultation on the draft Waste Management and Minimisation Plan (WMMP) was open from 16 March to 19 April. Council received a total of 41 submissions (excluding late submissions). Council heard those submitters who wished to present to Council at its Hearing 12/13 May, followed by deliberations and decisions on 13 May. The draft WMMP is attached to the agenda.

This report provides update on the WMMP which will be adopted on 30 June 2021.

## Tūtohunga | Recommendation

That:

1. The information be received.

## Horopaki | Background

Council received 41 submissions on its WMMP, with an additional 2 submissions received late and not included in the statistics used in this report:

Question 1. Do you think our Waste Minimisation and Management Plan (WMMP) is on the right track?		Question 2. Do you agree with our proposal to adopt a zero waste attitude across the district by 2038?		Ratepayer / Non-ratepayer			Age Group						
Yes - 29	No - 12	Yes - 31	No - 10	Ratepayer -	Non-ratepayer -	Blank -	Under 25 -	25-34 -	35-44 -	45-54 -	55-64 -	65+ - 7	Blank -
				33	4	4	0	7	6	5	7		4

## Ngā Take | Issues / Kōrerorero | Discussion

### Overall

The way New Zealand manages waste is constantly changing and that's because it's getting harder to manage the amount and types of rubbish we need to dispose of. Historically we have been sending the majority of our recyclables overseas, with over 50 percent just going to China. In 2018 China enacted its National Sword policy, banning contaminated recycling coming in to their country and polluting waste streams. This created huge changes within the New Zealand recycling industry. Councils across the country, including us, removed the collection of plastics three-through-to-seven from their kerbside service, focusing only on high demand plastics one and two. Without any way for New Zealand to reuse, repurpose or recycle plastics three-through-to-seven, they are heading for landfill.

This has increased costs for how rubbish is managed on a national scale. The waste levy - tax for waste disposal and the emissions trading scheme – the Governments targets for reducing our country's emissions footprint, are two factors that will increase collection costs within our district, starting from the next financial year (June 2021). With the Tirohia landfill closing in 2038, there will be increased costs with how our rubbish is disposed of, due to it having to go to a landfill further away.

A WMMP gives us direction for how we, as a district, can reduce waste headed for landfill. The plan isn't about making things harder for people at home through increased disposal costs, but making everyone smarter about the rubbish coming into their home and considering how it will be managed at the end of its life.

In 2019-20 Matamata-Piako sent 12,710 tonnes of waste to landfill, including waste collected by industry, commercial and private contractors.

The volume of waste has not increased dramatically in 10 years, nor is it minimising, but we are following a nationwide and global trend of recycling less. For residential collections, food waste made up 38% of all rubbish we throw away. To put that into perspective, that's 66 tonnes of organic and kitchen waste per week or 3,400 tonnes (the weight of 30 blue whales) per year! Food waste is avoidable through simple at home practices such as composting, bokashi bins, worm farming and smarter meal planning – most of which the whole family can get involved with.

We know we need to do better and that's why food waste is one of the focuses for our draft Waste Minimisation and Management Plan (WMMP) and why we have proposed a food collection option as part of the proposed new service in 2023. To offset this, we have proposed a vision of a zero waste, zero carbon future by 2038, when Tirohia closes. Adopting a zero waste attitude will mean that even though we may need to pay more to send rubbish further away, we are generating less through waste minimisation and diversion activities.

#### **What does the draft WMMP mean for:**

##### Residential collections

Currently those who receive the kerbside service pay \$41 in their rates per year, plus \$3 per bag for their rubbish bags (\$156 per year if residents buy one bag per week). We're proposing to increase the targeted rate to \$131 per year in 2021/22 to help cover the increasing costs of this service, as explained above, and residents would continue to buy rubbish bags. The current rubbish and recycling service would still continue until 2023 – this increase is just to cover the rising costs, so we can pay the bill.

The rubbish and recycling rate would then increase again in 2023 to around \$328 per year to cover the costs of the new service. While this is a big jump, residents would no longer need to buy rubbish bags (\$156 if you buy one bag per week) - so the money you'd usually spend on these at the supermarket would go towards your rates instead. You would also receive a food waste collection.

All households eligible for the kerbside collection service would be charged this targeted rate – regardless of whether or not they choose to use the service. This means anyone using a private collection service may decide not to continue with this, depending on their needs. We won't be able to confirm the exact costs of this option until we've gone through a tender process for a new contract so we've based our budgeting on similar changes in other areas and expert advice.

Last year we asked for the community for feedback on our proposal for the new kerbside service from 2023.

##### The CBDs

There are challenges in how recycling is collected in the CBD areas as Matamata, Morrinsville, Te Aroha, as well as a number of settlements are all on busy state highways with limited space for collection vehicles to safely manoeuvre. There are health and safety risks for the runners as well



as traffic management issues caused by a rubbish/recycling collection truck moving slowly and constantly stopping in the CBD.

Should we shift from a **bag to wheelie bin** collection in 2023, this issue will increase with even more wheelie bins placed out for collection in the CBDs. Wheelie bins must be picked by a truck arm, which would be problematic with parked vehicles in the CBDs blocking access.

The current kerbside collection service is not suitable for most businesses as it is designed for residential collections. Currently, a busy café/bar may need two-to-three green crates and recycling bins and a business that hires more than 20 people may generate up to 10 rubbish bags a week but pay the same targeted rate as a household with only one wheelie bin, glass crate and rubbish bag.

We are reviewing how collections within the CBD could look as part of the new service. This could include dropping CBD collections completely and leaving it to the private sector.

#### Private roads

While we do service a small number of private roads now, this will be reviewed as part of the new service in 2023. A review is necessary as many private roads are narrow. Collection trucks, among various other nationwide services, have difficulty accessing these roads and safely manoeuvre around parked vehicles.

Due to the size of these vehicles there is the chance private roads can be damaged and this leaves the council and our contractors liable for the cost of repairs, which is unacceptable. This is not unique to Matamata-Piako and is a challenge within councils and other services nationwide.

#### Multi-unit developments

Multi-development units include five or more residential units that share amenities. Our Solid Waste Management and Minimisation Bylaw 2017 states that 'the owner and manager of a multi-unit development must make provision for the management of all waste generated within the property'. Our bylaw around how rubbish and recycling is collected from these designated areas is not enforced and we are proposing it become mandatory in existing and future multi-unit developments. Bylaw sections 7.22 to 7.28 address this.

#### Council decision

Council has decided the WMMP can be adopted with some minor changes. We have decided that kerbside collections in the Central Business District (CBDs), along private roads and multi-unit developments should be reviewed and confirmed as part of the new service in 2023.

### **Ngā take ā-ture, ā-Kaupapahere hoki | Legal and policy considerations**

The Waste Management Act 2008 sets out the legal requirements for the WMMP.

The WMMP is supported by a Waste Assessment.

### **Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes**

#### Communications plan

The communications plan included a mixture of communication methods, including: print, individual/targeted communications, online, displays, face to face (e.g. market days) and social media.

Timeframes

Process	Start	Finish
Te Mana Whenua Forum discussion	1 December 2020	1 December 2020
WMMP approved for consultation	2 December 2020	2 December 2020
Submissions open	16 March 2021	19 April 2021
LTP hearing / deliberations	12 May	13 May 2021
Council adopt final WMMP	30 June 2021	30 June 2021
WMMP in force	1 July 2021	30 June 2024

**Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source**

Preparation of the WMMP is provided for within existing budgets. The funding approach for the activities within the plan is set out in the plan itself.

**Ngā Tāpiritanga | Attachments**

[A↓](#). Statement of Proposal - WMMP

**Ngā waitohu | Signatories**

Author(s)	Niall Baker <b>Corporate Strategy Team Leader</b>	
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Approved by	Don McLeod <b>Chief Executive Officer</b>	
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## Statement of Proposal

# Waste Management and Minimisation Plan (WMMP)

Consultation 16 March – 19 April 2021

Version: For consultation



### Background

Council is required to develop and adopt a Waste Management and Minimisation Plan (WMMP) under s44 of the Waste Minimisation Act 2008 (WMA). Our last Waste Management and Minimisation Plan (the Plan) was adopted in 2017 in partnership with our neighbours Thames-Coromandel District Council (TCDC) and Hauraki District Council (HDC). While our Plan covered the period 2017 to 2023 significant changes in Central Government policies, and in the waste industry sector have resulted in reviewing our Plan in 2020 to ensure it is 'fit for purpose'.

In addition, Tirohia Landfill, where we currently dispose of our waste, is due to close no later than 2038 and that means our waste will need to be transported a greater distance increasing our costs. This new plan has been developed for Matamata-Piako District, to initiate activities within our district to meet our own communities' needs. It will allow us to incorporate new waste minimisation services that are 'fit for the future'. It will also allow us to continue to collaborate with TCDC/HDC and other like-minded organisations on waste minimisation initiatives.

We adopted our first WMMP in 2012, and last revised it in 2017. We have now reviewed our existing WMMP once more and wish to consult with the communities on any changes we have proposed.

This statement of proposal includes a summary of the proposed changes, the draft WMMP, the reasons for it, reasonably practicable policy options and information about how you can have your say. Consultation is being undertaken with the public so we can assess public support for the WMMP and can consider alterations to the WMMP as a result of the public submissions we receive.

Consultation on the WMMP is being undertaken in conjunction with the consultation on the Long Term Plan 2021-31 (LTP).

We invite feedback from anyone who has an interest in these issues before final decisions are made on what will and will not be included in the WMMP.

### Reasons for the proposal

The Waste Minimisation Act 2008 states that all territorial authorities must promote effective and efficient forms of waste management and minimisation. As part of this, Council must adopt a WMMP that includes objectives and policies for achieving effective and efficient forms of waste minimisation.

This draft Waste Management and Minimisation Plan sets out what we intend to do over the next six years to make sure we manage our waste as best we can for the benefit of our community, our local economy, and our environment. Council now invite you to provide input on this plan.

The Waste Assessment (WA) is a technical document. The key purpose of the WA is to present a clear picture of what happens with waste in the Matamata-Piako District area, what forces are driving current behaviours and outcomes, and to highlight the key issues and the basic options for addressing those issues. The WA is appended to the draft WMMP.

### Issues

In preparing the draft plan we have considered a range of data and information and taken account of our obligations under various pieces of legislation.

The key information that has shaped our draft plan includes the following:

- We have a statutory duty to not only ensure waste is managed effectively and efficiently, but also to minimise it.
- The amount of waste we are sending to landfill is increasing.
- Our kerbside waste and recycling performance needs to improve.

- Food and waste represents the largest fractions of material being collected from Council rubbish bags. This is potentially the biggest opportunity to throw less away.

Council intends to focus on the avoidance, reduction and minimisation of waste. We will make the most of our waste resources, foster innovation and maximise the opportunities that can be created from resource recovery.

The draft WMMP sets out goals, objectives and targets to guide us towards waste avoidance, reduction and recovery. Various activities are detailed and will be aligned with Council's Long Term and Annual Plans to help ensure the resourcing is available to deliver on our Plan.

The WA identifies the following Council specific issues that need to be addressed in the next WMMP:

- Increasing waste to landfill
- Decline in diverted material
- High volume of divertible material disposed through Refuse Transfer Stations
- High volume of organic waste going to landfill
- Cost and volume uncertainty due to legislation change

How the goals of the WMMP will be delivered

Councils have a range of factors to consider when deciding how they will achieve effective and efficient forms of waste management and minimisation within their district. As this draft WMMP spans a six year time frame a number of external and internal factors will continue to shape and inform council's waste management and minimisation actions.

Proposed activities included in the draft WMMP for consideration include:

- Consider alternative rubbish and recycling collection options (e.g. food waste collection).
- Reviewing and implementing the solid waste bylaw – this will help council set standards and gather data so we can plan and manage waste better.
- Working to deliver consistent and effective forms of waste communication and education around waste services and waste minimisation, so households and communities are inspired and supported to play their part.
- Developing a resource recovery network – this could include facilities for rural waste, e-waste, food and/or other organic waste which create employment opportunities.
- Collaborating with other local government organisations, NGOs, and other key stakeholders on undertaking research, lobbying and actions on various waste management issues such as (but not limited to) product stewardship, electronic waste, tyres, and plastics.

In some cases, the proposed actions involve the continuation of educational and community support programmes already under way. In other instances, however, implementation will involve the scoping and investigation of potential projects in order to determine the best local way forward. If, as a result of such investigation, council decides to consider a significant change in waste or recycling service delivery, then further public consultation and the consideration of costs would be likely be required. Similarly, if council proposes a new or revised waste bylaw, that bylaw would need to be publicly consulted on.

You now have the opportunity to make a submission on the plan, and, if you wish, to present your views to Council.

We want to know what you think, and are particularly interested to know:

- Whether you agree with the proposed waste minimisation targets of:





1. Decrease the volume of kerbside household waste to landfill	Reduction of 1% per person per year (from previous year)*
2. Increase the recovery of organic materials (food and green waste) by assessing the most appropriate and cost effective services to recover these resources and introduce services to achieve this	A 30% decrease in organic waste going to landfill by 2025
3. Work collaboratively within our community developing relationships to increase the range of, and options for, an increased range of products and materials, particularly in the rural sector	A minimum of five new waste minimisation services are implemented before 2025 (i.e. e-waste, batteries etc.)

- Whether you think the WMMP vision of: *ZERO WASTE 2038; working towards a low-waste future and a circular economy.*

We have selected 2038 as the Tirohia Landfill, where we currently dispose of our waste, is due to close no later than 2038 and that means our waste will need to be transported a greater distance increasing our costs.

**Main changes to the Plan**

Council are proposing to revoke the current WMMP 2017, and adopt the proposed Waste Management and Minimisation Plan (2021-27).

**Analysis of reasonably practicable options**

MPDC has considered options for addressing the district specific issues and assessed these in terms of diversion potential, cost and ease of implementation. The options in the WA are grouped into the following categories:

- Influence - change behaviour through waste minimisation programmes and advocate for national change;
- Regulate - enforce diversion and behaviour change; and
- Service – provide facilities and services to increase diversion.

The preferred option over the short term due to affordability concerns and national legislative changes is to focus on influencing behaviour. Matamata-Piako will look to extend waste minimisation programmes to businesses and support local circular economy initiatives.

Any change in service delivery or additional investment would be focused on reducing the impact of expected increased disposal cost. The current waste service contract expires in 2023 and this presents the best timing for any change in kerbside collection services or significant change to Refuse Transfer Station (RTS) operations.

The draft WMMP action plan includes reviewing the existing bylaw to identify any areas where it could be better enforced, strengthened or amended to align with legislative change and practical considerations for least cost.





Option 1 – Adopt the WMMP as proposed

Advantages	Disadvantages
Will allow us to make progress towards our vision, sustainability goals and focus on our overall role in promoting social and environmental wellbeing	This could mean added costs for additional waste minimisation initiatives in the short term to hopefully be offset by long term savings due to waste reduction overall. It could also mean greater enforcement

Option 2 – Do less/status quo

Advantages	Disadvantages
This is familiar to the community and no substantial changes to habits would be required	This will mean we would be less likely to make progress towards our vision and our overall role in promoting social and environmental wellbeing

Option 3 – Do more, e.g. increase targets or more education/enforcement

Advantages	Disadvantages
Will allow us to make more and faster progress towards our vision, sustainability goals and focus on our overall role in promoting social and environmental wellbeing	Would require a large change in habits by our community and potentially have increased costs of education/enforcement

**WMA Statutory Considerations**

44 Requirements when preparing, amending, or revoking plans

*In preparing, amending, or revoking a waste management and minimisation plan, a territorial authority must—*

- (a) consider the following methods of waste management and minimisation (which are listed in descending order of importance):*
  - (i) reduction;*
  - (ii) reuse;*
  - (iii) recycling;*
  - (iv) recovery;*
  - (v) treatment;*
  - (vi) disposal; and*
- (b) ensure that the collection, transport, and disposal of waste does not, or is not likely to, cause a nuisance; and*
- (c) have regard to the New Zealand Waste Strategy, or any government policy on waste management and minimisation that replaces the strategy; and*
- (d) have regard to the most recent assessment undertaken by the territorial authority under section 51; and*
- (e) use the special consultative procedure set out in section 83 of the Local Government Act 2002 and, in doing so, the most recent assessment undertaken by the territorial authority under section 51 must be notified with the statement of proposal.*

45 Joint plans

*Two or more territorial authorities may jointly prepare and adopt a waste management and minimisation plan for the whole or parts of their districts, and sections 43 and 44 apply accordingly, with all necessary modifications.*

46 Funding of plans



(1) A territorial authority is not limited to applying strict cost recovery or user pays principles for any particular service, facility, or activity provided by the territorial authority in accordance with its waste management and minimisation plan.

(2) Without limiting subsection (1), a territorial authority may charge fees for a particular service or facility provided by the territorial authority that is higher or lower than required to recover the costs of the service or facility, or provide a service or facility free of charge, if—

- (a) it is satisfied that the charge or lack of charge will provide an incentive or disincentive that will promote the objectives of its waste management and minimisation plan; and
- (b) the plan provides for charges to be set in this manner.

#### 47 Grants

(1) If authorised to do so by its waste management and minimisation plan, a territorial authority may make grants or advances of money to any person, organisation, group, or body of persons for the purpose of promoting or achieving waste management and minimisation.

(2) A grant or advance of money may be made on any terms or conditions that the territorial authority thinks fit, including that an advance of money is free of interest.

#### 50 Review of waste management and minimisation plan

(1) A territorial authority must review its waste management and minimisation plan—

- (a) not later than 1 July 2012; and
- (b) then at intervals of not more than 6 years after the last review.

(2) Before conducting a review, the territorial authority must make an assessment under section 51.

(3) If, after the review, the territorial authority considers that the plan—

- (a) should be amended or revoked and a new plan substituted, it must act under section 44;
- (b) should continue without amendment, it must use the special consultative procedure set out in section 83 of the Local Government Act 2002 and, in doing so, notify the assessment with the statement of proposal.

#### 51 Requirements for waste assessment

(1) A waste assessment must contain—

- (a) a description of the collection, recycling, recovery, treatment, and disposal services provided within the territorial authority's district (whether by the territorial authority or otherwise); and
- (b) a forecast of future demands for collection, recycling, recovery, treatment, and disposal services within the district; and
- (c) a statement of options available to meet the forecast demands of the district with an assessment of the suitability of each option; and
- (d) a statement of the territorial authority's intended role in meeting the forecast demands; and
- (e) a statement of the territorial authority's proposals for meeting the forecast demands, including proposals for new or replacement infrastructure; and
- (f) a statement about the extent to which the proposals will—
  - (i) ensure that public health is adequately protected;
  - (ii) promote effective and efficient waste management and minimisation.

- (2) An assessment is not required to contain any assessment in relation to individual properties.
- (3) Information is required for an assessment to the extent that the territorial authority considers appropriate, having regard to—
- (a) the significance of the information; and
  - (b) the costs of, and difficulty in, obtaining the information; and
  - (c) the extent of the territorial authority's resources; and
  - (d) the possibility that the territorial authority may be directed under the Health Act 1956 to provide the services referred to in that Act.
- (4) However, an assessment must indicate whether and, if so, to what extent, the matters referred to in subsection (3)(b) and (c) have impacted materially on the completeness of the assessment.
- (5) In making an assessment, the territorial authority must—
- (a) use its best endeavours to make a full and balanced assessment; and
  - (b) consult the Medical Officer of Health.

**WMMP – from draft to adoption**

The views of the community are vital to our success. Therefore, we would like to invite the community to provide submissions on the draft WMMP to assist us in the decision making process.

**The submission process**

Process	Date
Council approve statement of proposal and WMMP for public consultation	2 December 2020
Consult the community (alongside the Long Term Plan 2021-31 and various policies)	16 March – 19 April 2021
Council hearing (volume of submitters will determine if the meeting is required to run for both days)	12/13 May 2021
Submitters to be advised of outcome of hearing	May/June
Adopt WMMP	June 2021
New WMMP applies	1 July 2021

**Where can I find more information?**

You can download the draft WMMP, Long Term Plan 2021-31 or any of the other documents at [www.mpdc.govt.nz](http://www.mpdc.govt.nz) and you can view a copy of these documents at our offices or libraries.

**How can I have my say?**

We actively encourage the community to contribute to the formation of these important documents and it is easy to have your say. Simply make a submission on any/all draft documents (draft WMMP, Long Term Plan 2021-31 or any of the other documents) and return it to us by 19 April 2021.

**You can make a submission:**

- Online - through our website at [www.mpdc.govt.nz](http://www.mpdc.govt.nz)
- Email - [submissions@mpdc.govt.nz](mailto:submissions@mpdc.govt.nz)
- Written - you can simply write your submission as a letter and either drop it off at one of our offices or post it to:
  - Submissions
  - PO Box 266
  - Te Aroha 3342



Note: Please be aware that submissions made to Council are public information. Your submission will be used and reproduced for purposes such as reports to Councillors, which are made available to the public and media.

If you advise in your submission that you wish to speak to your submission at the hearing on 12 May 2021, Council staff will contact you (please ensure to provide a day time contact) to arrange a time for you to speak at the meeting on 12 May 2021 (volume of submitters determines if the meeting will run 13 May also). If you advise on your submission that assistance is required Council is able to offer assistance with special requirements such as New Zealand sign language and audio visual mechanisms.

**Office and library locations**

- Te Aroha Council Office: Kenrick Street Te Aroha
- Te Aroha Library: Rewi Street, Te Aroha
- Morrinsville Area Office or Library: Canada Street, Morrinsville
- Matamata Area Office or Library: Tainui Street, Matamata

**Any questions?**

We are here to help - so if you have any questions about the draft WMMP or the submission process please let us know. Just call us on 07 884 0060 and let our friendly Customer Services staff know you have a question about the draft WMMP.

**You must have your submission back to Council by 19 April 2021**





# Local Government (Rating of Whenua Māori) Amendment Act 2021

CM No.: 2438311

## Rāpopotonga Matua | Executive Summary

The Local Government (Rating of Whenua Māori) Amendment Act 2021 was recently enacted. A summary of the key provisions of the Act is provided for information purposes, as well as an outline of the steps Council staff will work through to ensure compliance with the Act when the substantive provisions become effective from 1 July 2021.

## Tūtohunga | Recommendation

That:

1. This information be received.

## Horopaki | Background

On 12 April 2021 the Local Government (Rating of Whenua Māori) Amendment Act was enacted. The Act makes changes to the rating of Māori land, looking to reduce the barriers for effective partnership between local government and Māori, encourage development and modernise the rating legislation.

Local Government Minister, the Honourable Nanaia Mahuta, recently wrote to our Mayor and Chief Executive, setting out the purpose and key provisions of the Act as follows:

“Prior to the passing of the Act, much of the rating legislation for Māori land was largely unchanged from the Māori Land Rating Act 1924. It was no longer consistent with present-day expectations about Māori–Crown relationships. As part of wider reforms for Māori land, the Act modernises aspects of this rating legislation to support owners of Māori freehold land to engage with, live on and develop their land.

The Act is important for local authorities. Enabling more housing and development provides benefits to both Māori and the wider district. One of the Act’s intended outcomes is to facilitate more engagement between Māori landowners and their councils to see what can be achieved in partnership with one another.

The Act has six key provisions which support the development of, and provision for housing on, Māori land. These are:

- allowing, and in certain instances requiring, a local authority chief executive to write off rates arrears;
- a statutory rates remission process for Māori land under development;
- making unused Māori land and land subject to Ngā Whenua Rāhui kawenata non-rateable;
- treating multiple blocks of Māori land that are used together ‘as one’ for rating purposes;
- allowing individual houses on Māori land to be rated separately from other houses and land uses on the same block, which provides low income occupants of those houses with access to the Rates Rebate Scheme; and

- requiring some of our revenue and financing policies to support the principles of the Preamble to Te Ture Whenua Māori Act 1993.

The Act also modernises the rating law that applies to Māori land by:

- removing arbitrary two-hectare land area limits from rates exemptions for marae and urupā;
- clarifying the current exemptions for marae, meeting places, and meeting houses;
- including purpose statements in the Local Government (Rating) Act 2002 and Local Government Act 2002 relating to Māori land;
- providing protection to Māori land made general land under the Māori Affairs Amendment Act 1967 from abandoned land and rating sale provisions; and
- requiring trustees to provide evidence to support any claim they make that the income from their land is insufficient to pay rates.”

The major changes of the Act from current legislation are very well summarised in the attached “Changes to the rating of Māori land” document produced by Te Tari Taiwhenua Department of Internal Affairs, and Te Puni Kokiri.

### **Ngā Take | Issues / Kōrerorero | Discussion**

Some of the changes are already in force, but the most substantive provisions do not come into force until 1 July 2021 or later. Council Rating staff are currently familiarising themselves with the Act, attending webinars being provided by relevant Government agencies, collecting information, reviewing our internal systems and looking to implement any new processes that may be needed within the required timeframe. Guidance provided by the DIA has suggested the following steps that our staff are currently working through.

<b>Step</b>	<b>Description</b>
<u>1.</u>	Identify the Māori land in your district
<u>2.</u>	Establish your communications plan
<u>3.</u>	Establish internal processes and protocols about use of the write off power
<u>4.</u>	Prepare for making unused land non-rateable
<u>5.</u>	Prepare for making land subject to Ngā Whenua Rāhui kawenata non-rateable
<u>6.</u>	Establish internal processes to provide for separate rate assessments
<u>7.</u>	Review other Māori land that is currently or partially non-rateable
<u>8.</u>	Review your abandoned land and rating sale procedures
<u>9.</u>	Familiarise yourself with new section 20A – be ready to respond
<u>10.</u>	Familiarise yourself with new section 114A – be ready to respond
<u>11.</u>	Establish your timeline for reviewing your funding and financing policies

In the Matamata-Piako District, we have identified 186 parcels of Whenua Māori land, just over 3,500ha with a capital value of \$120 million and improvement value of \$13 million. 92 of the properties have improvements of less than \$10,000 indicating that they would likely be classified

as unused, however we have further work to do to confirm the status of these properties and the likely quantum of arrears that will qualify to be written off.

We intend to update this Forum of progress with implementation of the key provisions of the Act at future meetings.

### Ngā Tāpiritanga | Attachments

[A↓](#). Changes to the rating of Māori land

### Ngā waitohu | Signatories

Author(s)	Larnia Rushbrooke <b>Finance and Business Services Manager</b>	
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Approved by	Manaia Te Wiata <b>Group Manager Business Support</b>	
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Te Tari Taiwhenua  
Internal Affairs

Te Puni Kōkiri  
MINISTRY OF MĀORI DEVELOPMENT

# Changes to the rating of Māori land

Local Government (Rating of Whenua Māori) Amendment Act 2021





## Changes to the rating of Māori land

This booklet provides an overview of the major changes that result from the Local Government (Rating of Whenua Māori) Amendment Act 2021.



### Introduction

There are 1.4 million hectares of Māori freehold land in Aotearoa, with much of that whenua held by multiple owners. Māori land is a taonga tuku iho, a treasure handed on through the generations. Connection to, use and development of whenua can sustain whānau and strengthen identity and belonging.

In April 2021, the Government passed the Local Government (Rating of Whenua Māori) Amendment Act. Some of the changes to the rating of Māori land are effectively immediately and others will come into force on 1st July 2021.

The changes are part of the Government's wider commitment to supporting whānau and regional development through whenua by:

- reducing the barriers for owners of Māori freehold land who want to use, occupy, build houses on and develop their whenua, particularly for those who have rates arrears.
- providing greater consistency, equity and clarity around the rating of Māori land for the benefit of Māori landowners and local authorities.
- stimulating regional development – the value of fully utilising and developing Māori land could result in benefits of up to \$1.4 to \$2 billion over 40 years.

For a copy of the Local Government (Rating of Whenua Māori) Act 2021 go to [www.legislation.govt.nz](http://www.legislation.govt.nz) and for more information go to [tpk.nz/rating](http://tpk.nz/rating).

*Note: When referring to Māori land or whenua Māori in this booklet, we mean Māori freehold land. There is around 1.4 million hectares of Māori land in Aotearoa (around 5%) and it is governed by Te Ture Whenua Māori Act 1993.*

## Major changes to the rating of Māori land



### Wholly unused land to be non-rateable

Before:	Owners of wholly unused Māori land blocks are legally obliged to pay rates.
After:	Historic rate arrears on unused Māori land will be automatically removed and no further rates will be charged on wholly unused land blocks.
Benefits:	This clears the way for Māori landowners to develop unused Māori land and pay rates once this land comes into productive use. It also ensures unused Māori land does not accumulate rates arrears in the future.
Commences into effect:	1 July 2021



### Ability to write-off arrears

Before:	Local authorities do not have the ability to write-off rates that were considered to be unrecoverable.
After:	Local authorities must write off outstanding rates on any land that they consider unrecoverable, including rates debt inherited from deceased owners.
Benefits:	This change alleviates one of the major barriers to Māori landowners engaging, using and developing land which currently has rates owing.  It also reduces the administrative costs for local authorities who may be trying to collect unrecoverable rates.
Commences into effect:	Day after Royal assent

The value of fully utilizing and developing Māori land could result in benefits of up to \$1.4 to \$2 billion over 40 years.



## Rates remission for Māori freehold land under development

The remission of rates involves reducing the amount owing or waiving the collection of rates altogether.

<b>Before</b>	Local authorities across the country take different approaches to the remission of rates on whenua Māori. While some local authorities remit or postpone rates payments on unused land, others do not.
<b>After</b>	Local authorities are now able to remit rates on Maori land in order to encourage development, regardless of what their current policy states.
<b>Benefits</b>	All Maori landowners will be able to apply for rates remission while their land is under development and if the applications is successful, it will provide some rates relief for Maori landowners while they bring their land into greater use.  This will encourage local authorities to consider the mutual benefits to Maori landowners and the local community of developing Maori land in the region.
<b>Comes into effect</b>	<b>Day after Royal Assent</b>







### Ngā Whenua Rāhui kawenata land to be made non-rateable

Before:	Local authorities have the ability to collect rates on Māori land protected for conservation purposes under Ngā Whenua Rāhui.
After:	All land protected by Ngā Whenua Rāhui is non-rateable and outstanding rate arrears are written off.
Benefits:	This recognises the conservation value of the land and will make it more attractive for Māori land owners to set aside land blocks or part of their blocks for conservation purposes.  This clarifies the rating of Ngā Whenua Rāhui.
Commences into effect:	1 July 2021

Ngā Whenua Rāhui already makes up around 13 percent of Māori land and ranges from small blocks (1 ha) to large forests (17,000 ha +). Māori land blocks host around a third of indigenous vegetation on private land across Aotearoa. This is a substantial investment in the environment as well as providing cultural, social and economic benefits to the local community.



### Treating multiple blocks as one

Before:	Multiple land blocks from the same parent block are rated individually.
After:	Māori landowners can make an application to have multiple Māori land blocks that come from the same parent block to be treated as one rating unit.
Benefits:	This will encourage the development of unused land by reducing the overall rating liability for the blocks and support economic development in the region. Instead of paying several uniform charges on individual blocks originating from one parent block there will only be one set of uniform charges to pay.
Commences into effect:	1 July 2021





## Rating individual homeowners on Māori land separately

A rates rebate is a partial refund for people who pay rates to the council. For 2020/2021, the maximum rebate available was \$655. This amount is adjusted each year for inflation.

The Rates Rebate Scheme provides a rebate of rates to eligible ratepayers to assist low-income households. It is administered by local authorities.

<p><b>Before</b></p>	<p>Multiple homeowners on the same block of Māori land are treated as a separate rating unit.</p> <p>If there are low-income homeowners on Māori land and the property has more than one home, or is used for a variety of purposes, they are not eligible for a rates rebate.</p>
<p><b>After</b></p>	<p>Upon request, local authorities can rate individual houses on Māori land as a separate rating unit.</p> <p>If the houses are chosen to be rated individually, the occupant of the house becomes responsible for the rates on the house, and each homeowner will also have access to the Rates Rebate Scheme.</p>
<p><b>Benefit</b></p>	<p>It makes it easier for individual homeowners to pay rates for their home and ensures they are not liable for any rates arrears owed by neighbouring homeowners.</p> <p>It also ensures low income homeowners on Māori land are eligible for the rates rebate scheme, which provides a partial refund of rates paid to council.</p>
<p><b>Commence into effect</b></p>	<p>1 July 2021</p>

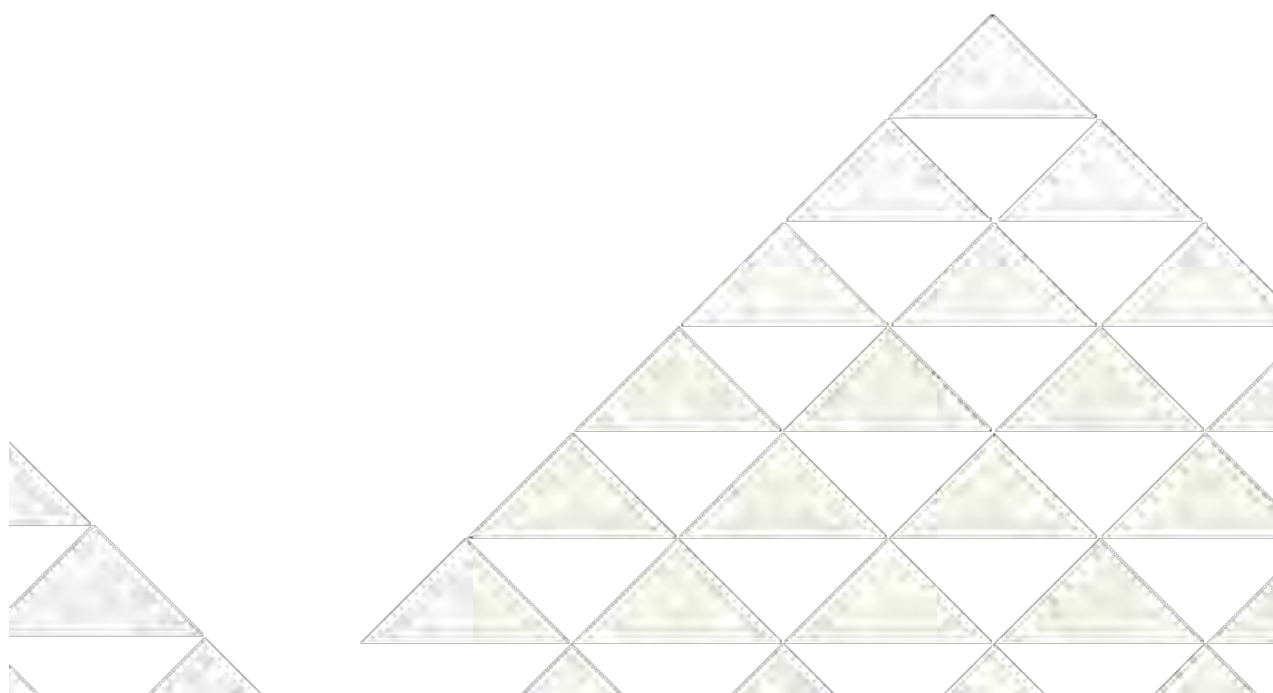
The building of pepekāinga on whenua Māori is increasingly regarded as a viable housing option for whānau and hapū. The legislative change to the rating of individual homeowners on collectively owned Māori land will ensure homeowners have the same rating liability and access to rates rebates as other homeowners.

## Other changes

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A number of other changes have been made to modernise the legislation affecting the rating of Māori land. These changes include:

- providing protection to Māori land converted to general land by the Māori Affairs Amendment Act 1967 from being sold as 'abandoned land sales'
- removing the arbitrary two-hectare limit on the non-rateability for marae and urupā
- extending the non-rateability for marae on all kinds of land, not just those on a Māori reservation
- clarifying the obligations on trustees to declare income received from land if requested to work out rates liability
- clarifying that homes on Māori reservations are liable for rates
- referencing the principles of Te Ture Whenua Māori Act 1993 in local government rating legislation to signal the intent of the changes.







## Support for Māori landowners

The changes to the rating of whenua Māori are part of the Government's wider commitment to supporting whānau and regional development through whenua.

Te Puni Kōkiri is working with Māori landowners, primarily through the Whenua Advisory Service, to support them to achieve their cultural, social and economic aspirations for their whenua and for whānau.

To contact the Whenua Māori Services, contact [whenua@tpk.govt.nz](mailto:whenua@tpk.govt.nz)

For general information about whenua Māori initiatives and funding available to support Māori landowners, go to [tpk.nz/whenua](http://tpk.nz/whenua)

If you are interested in developing housing on Māori land, go to [tpk.nz/housing](http://tpk.nz/housing)

To learn more about Māori land blocks, go to [Tupu.nz](http://Tupu.nz)

### Te Ture Whenua Māori Act 1993

Te Ture Whenua Māori Act is the primary legislation for Māori land. It aims to balance the protection of Māori land for future generations with the ability to use and develop land to meet the aspirations of whānau.

The Act:

- promotes the retention and use of Māori land
- facilitates the occupation, development and use of that land
- ensures decisions made about Māori land are fair and balanced, taking into account the needs of all the owners and their beneficiaries.

For more detail about Te Ture Whenua Māori Act 1993, go to

[www.maorilandcourt.govt.nz](http://www.maorilandcourt.govt.nz) and [www.tpk.nz/whenua](http://www.tpk.nz/whenua).



Te Tari Taiwhenua  
Internal Affairs



Te Puni Kōkiri  
MINISTRY OF MĀORI DEVELOPMENT

## Update on the 3 Waters Reform

CM No.: 2409947

### Rāpopotonga Matua | Executive Summary

Since the last Council update (date here if there has been one otherwise edit), the Three Waters Reform work programme has reached a number of key milestones.

Most significant of these milestones was the first reading of the Water Services Bill<sup>1</sup> in December 2020 and its progress to Select Committee. The Water Services Bill seeks to redefine the roles and responsibilities of Water Suppliers and regulators while also integrating Taumata Arowai into the three waters legislative framework.

Submissions on the Water Services Bill closed 2<sup>nd</sup> of March 2021 with a number of submissions being received. Within the context of Local Government, two key submissions to the Water Services Bill include:

- Local Government New Zealand's submission on the Water Services Bill<sup>2</sup>.
- Submission for Water New Zealand on the Water Services Bill<sup>3</sup>.

In addition to the progress of the Water Services Bill, Cabinet has proactively released material relating to progressing the three waters service delivery reforms<sup>4</sup>.

The material released detailed key features of the reform process going forward, notably that local government participation in the programme will remain a voluntary, however will also be an "opt out model". In this approach, all affected councils would be included in one of the new water service delivery entities by default, but can decide not to continue to participate<sup>4</sup>.

The aggregation of water services into larger entities will be delivered through the upcoming Water Services Entity Bill, while design of these entities will be a centrally-led process involving the Minister of Local Government, in consultation with other Three Waters Ministers and the Joint Steering Committee<sup>4</sup>.

The shortlist options will be worked through with Local Government and iwi/Māori in March 2021 with a proposal for the final number and boundaries of entities, and which entity each council would be part of, considered by Cabinet in April/May 2021<sup>4</sup>.



Additionally, an economic regulation regime is being considered as part of a reformed New Zealand three waters sector; whether or not stronger forms of economic regulation, such as price-quality regulation, should also be employed will depend on the number of reformed water services entities and their governance arrangements<sup>4</sup>.

Further, a new bill will be introduced, the Local Government (Three Waters Reform) Amendment Bill. This bill will seek to address the statutory obstacles in local government legislation that prohibit councils from divesting ownership of, or control over, water infrastructure assets and services, but only for the purposes of making a decision to participate in the government's reform proposals to create new water service entities, as well as, remove or amend the detailed legislative requirements in local government legislation relating to council consultation, long-term planning, and decision making for the purposes of making a decision to participate in the government's reforms.

The resultant mechanism will provide a fit-for-purpose consultation process, based on the provisions in the LGA02, which sets out how local government would engage with communities and iwi/Māori about the reform proposals, and make decisions<sup>4</sup>.

Furthermore, the material also outlined the process for identifying the number of new water service entities. As previously signalled, there is a Ministerial preference for the creation of a smaller number of large-scale water service entities, however a shortlist of options has not been identified. It is implied that a shortlist is currently being developed as it has been signalled that local government and iwi/Māori will be consulted in March 2021 on this list. The consultation will seek to define the exact number of entities and their boundaries<sup>4</sup>.

In support of the process for identifying the number of new water service entities, a presentation of the economic modelling undertaken by the Water Industry Commission for Scotland (WICS) was also released. This work showed that the economic benefits of aggregation were lost in scenarios where there are than eight water service entities across New Zealand<sup>5</sup>.

Finally, an updated reform timeline<sup>6</sup> was also released. The timeline update revealed future milestones. The key milestones being:

- April-May 2021, Entity design is completed – Water Services Entity Bill.
- September-December 2021, Councils make a decision on participation.
- January 2022-December 2023, establishment of Water Services Entities.

## Tūtohunga | Recommendation

That:

1. **Council to receive the report.**

## Horopaki | Background

In July 2020, the Government announced a \$761 million funding package to provide post COVID-19 stimulus to maintain, improve three waters infrastructure, support a three-year programme of reform of local government water service delivery arrangements (reform programme), and support the establishment of Taumata Arowai, the new Waters Services Regulator.

Council agreed to sign the funding agreement via a Memorandum of understanding and is participating with the initial stage of the reform programme.

By signing the initial MOU, Council committed to the following:

- engage in the first stage of the reform programme – including a willingness to accept the reform objectives and the core design features set out in the MoU;
- the principles of working together with central government and the Steering Committee;
- work with neighbouring councils to consider the creation of multi-regional entities;
- Share information and analysis on their three waters assets and service delivery arrangements.

At this point, this is a voluntary, non-binding commitment. It does not require councils to commit to future phases of the reform programme, to transfer their assets and/or liabilities, or establish new water entities.

The MoU is effective from the date of agreement until 30 June 2021, unless terminated by agreement or by replacement with another document relating to the reform programme.

Consequently, Council submitted a Delivery Plan which was approved by the Crown and staff are now working through the delivery of the Plan.

### **Ngā Take | Issues / Kōrerorero | Discussion**

The cabinet paper on progressing the three waters service delivery reforms and associated minute, reconfirms this Government's commitment to progressing the reforms in this term of Government. The December 2020 paper sought Cabinet's direction on:

- the voluntary approach to reform and legislation to facilitate a voluntary approach;
- work with iwi/Māori – as our Treaty partners – throughout the reform programme
- the process for identifying the numbers and boundaries of new water services entities;
- the entity design scenarios;
- the reform strategy and timetable.

#### ***Voluntary approach to reform and legislation to facilitate a voluntary approach***

Central Government has confirmed its commitment to delivering the reform programme via a voluntary, partnership-based approach with the local government sector. This approach is considered least risk, however is not risk free.

#### ***The "opt out" decision***

"Councils would be asked to decide to participate in the new service delivery system in late 2021. This decision would be in the form of an 'opt out' approach, whereby all affected councils would be included in one of the new water service delivery entities by default, but can decide not to continue to participate."<sup>4</sup>

To enable Council decision making in late 2021, Central Government will be providing Councils with the following prior to the decision-making window:

- Design proposals for the entities which describe ownership, governance, control, and accountability arrangements.
- Conformation of which new entity each Council will be a member of and the area these entities will manage.
- Analysis of the financial and other implications of participating in the proposed new service delivery system, including any applicable incentives.

Alternative approaches were considered, such mandating council participation in the reforms and asset transfer by legislation, however these other approaches were found to increase risk and reduce benefit relative to a voluntary approach<sup>4</sup>.

In order to support the selected voluntary approach, Central Government will be taking a number of steps to increase public awareness of the reforms and its benefits through education, provide incentives to Councils to encourage continuing participation and enact required legislation early in the reform to enable Councils to consult and make decisions on participation in the new service delivery system.

Legislation already sign-posted;

- Taumata Arowai—the Water Services Regulator Bill (enacted)
- Water Services Bill (select committee)
- Local Government (Three Waters Reform) Amendment Bill (drafting)
- Water Services Entity Bill (drafting)

***Work with iwi/Māori – as our Treaty partners – throughout the reform programme***

Between September and October 2020, members of the Three Waters Reform Team and Taumata Arowai conducted a series of hui to engage with iwi, hapū and Māori throughout the country (hui-ā-motu).

The hui-ā-motu have been attended by over 300 representatives from many different iwi, hapū and Māori organisations. The purpose of these hui was to (re)introduce the Three Waters and Taumata Arowai kaupapa, provide an overview of the direction of travel of this mahi, and listen to the perspectives of iwi, hapū and Māori across the country regarding this mahi. The hui-ā-motu highlighted many emerging issues that have the potential to impact iwi, hapū and Māori throughout the country as well as some unique issues to individual iwi and hapū based on their locations or experiences.

In acknowledging that the reform of water services is an important kaupapa, iwi/Māori expressed the view that resolving matters of ownership and allocation of freshwater are higher priorities to them. Some participants emphasised that, if the three waters reforms are to progress ahead of broader ownership and allocation claims, the reforms must, at the very least, not preclude any progress in these claims.

Other key themes from the hui-ā-motu included: cautious optimism about working together to design something that works better than the status quo for iwi/hapū and small rural communities; the need to ensure continued iwi/Māori involvement in all aspects of the reforms; ensuring strong protections against privatisation; not breaking catchments and whakapapa/iwi boundaries when designing the new entities; and a desire to see these changes utilised to build iwi/hapū skills and improve practices around water use and treatment.

The cabinet paper outlines that engagement with iwi/ Māori throughout the reform process will continue, and that it will deliver on the Treaty-related obligations. It is proposing to commit to a high-level principle of partnership in this work, and seek to ensure this approach is reflected in the governance and operational arrangements of the new water service delivery entities and broader regulatory system.

The full report on can be viewed on the following link:

[Hui-ā-Motu Summary Report](#)

***Process for identifying the numbers and boundaries of new water services entities***

Currently, Central Government has expressed its preference for the creation of a small number of large-scale water service entities, separate from local authorities<sup>4</sup>. However, further discussion is needed between Central Government, iwi/Māori and Local Government to determine the exact number of entities and their boundaries.

A centrally-led process involving the Minister of Local Government, in consultation with other Three Waters Ministers (these being the Ministers of Finance, Infrastructure, Housing, Commerce and Consumer Affairs, Environment, Rural Communities, Climate Change, Health, and Economic and Regional Development) and the Joint Steering Committee will determine a shortlist of options. The shortlist will take into consideration key factors such as achieving scale benefits, communities of interest, and relationship with other boundaries, including catchments<sup>4</sup>.

The shortlist options will be further worked through with Local Government and iwi/Māori in March 2021 with a proposal for the final number and boundaries of entities, and which entity each council would be part of, considered by Cabinet in April/May 2021. The preparation of legislation to give effect to the decisions made will follow<sup>4</sup>.

***Entity design scenarios***

The proposed water services entities will have, financial and operational autonomy, including independent and competency-based governance arrangements. The entities will also have a commercial objective, among other objectives<sup>4</sup>.

An independent, competency-based governance of water services entities is seen as critical to realising the benefits of reform, and that balance sheet separation from councils is needed to provide entities with the financial capacity to meet the infrastructure deficit and future investment needs<sup>4</sup>.

Central Government is continuing to explore collective Council ownership options that meet the reform objectives, including statutory entities on a shareholding or non-shareholding ownership basis.

Some consideration is also being given to options that allow for Crown and iwi/Māori interests in the new water services entities<sup>4</sup>.

In addition, Central Government has also signalled the need for an economic regulator to protect consumer interest. The integration of an economic regulator is likely to place additional requirements and restrictions on final design of entities. For example, it is anticipated that effectiveness of economic regulation and oversight will be reduced the greater the number of entities<sup>4</sup>.

The entity design process is being supported from an economic and a “lesson learned” perspective by WICS, a non-departmental public body with statutory responsibilities to ensure the delivery of a high-quality service and value for money for Scotland's waters industry. The Scottish water industry undertook a comparable reform in 1996.

The WICS has been commissioned to prepare a report into the economic basis for aggregation<sup>5</sup>. A FAQ and slide pack covering this work was also released in December 2020.

It must be stressed that this report was a desktop exercise where WICS applied its experience of aggregation in Scotland to a New Zealand context using high-level, publicly available data. It was a purely economic task and did not take into account any surrounding issues that may play a significant part in shaping the final aggregation boundaries.



The findings of the WICS report were presented in three general contexts, current economic challenges, economic benefits of aggregation scenarios and next step refinements.

*Current economic challenges<sup>7</sup>*

- There is a significant investment need across the sector.
- Between \$27 billion and \$46 billion of additional investment will be required over the next 30 years to upgrade three waters assets to meet environmental and drinking water standards.
- To support the additional investment needed, household charges would need to increase by between 180% and 330% times in real terms.
- Without sector reform, the cost increases will likely be greater, and likely unaffordable in smaller and more rural communities.
- There is significant potential for efficiency gains associated with water services reform to reduce the costs for households, relative to the status quo.

*Economic benefits of aggregation scenarios<sup>7</sup>*

- The most economically advantageous scenario for the South Island is to have one entity.
- Any entity containing the Auckland region is likely to be significantly advantaged economically.
- Scenarios involving a number of entities totalling eight or more is likely to result in customers facing higher bills and larger differentials. That is, economies of scale only significantly improved affordability when aggregation was less than eight entities.

*Next step refinements<sup>7</sup>*

- More up-to-date and detailed information will be used to re-run the exercise. This information is currently being collected from Councils through the Department of Internal Affairs Request for Information (DIA RFI).
- Overlay growth forecasts and assumptions.
- Further develop and test the assumptions made regarding the level of efficiency gains that could potentially be realised through reform.

**Strategy and timeline**

The three waters reform strategy is to deliver a comprehensive reform of the three waters industry over a three-year period. This strategy was developed and agreed by the Cabinet Economic Development Committee in June 2020 and was noted as being necessarily ambitious in order to capitalise on the existing reform momentum (following the introduction to the house of the Taumata Arowai—the Water Services Regulator Bill December 2019).

The first timeline was released in July 2020<sup>9</sup> and has since been updated with the current timeline in December 2020<sup>6</sup> and reflects the significant amount of work has been done to further define the steps Government will take in order to deliver the three waters reform strategy.

Features and details of note in the December 2020 timeline update include<sup>6</sup>;

- December 2020 – Amendments to the Local Government Act to remove current legislative constraints, enactment September/December 2021.
- February/March 2021 – Engagement with Local Government and iwi/Māori on options.
- April/May 2021 - Substantive policy decisions relating to the reforms, to enable drafting instructions to be issued, including decisions on:
  - the core design features of the new water services entities and system;
  - the number and boundaries of the new water services entities;

- **September-December 2021 - Councils make a decision on participation (opt out).**
- September/December 2021 - Introduction of legislation to create the new service delivery system, enactment by mid-2022;
- 2022/23 - transition, entity establishment, and implementation of the new service delivery system;

### Mōrearea | Risk

There are the following key risks that Council needs to consider as we move through the reform:

- Balance sheet separation from Councils, while enabling finance capacity for the new entities may negatively impact Councils ability for finance projects.
- Councils future involvement in 3 waters decision making
- Consideration to supporting local iwi to participate in the reform discussion and alignment with other parties along common interest lines

### Ngā Whiringa | Options

At this stage Council is not asked to make a decision on the matter but going forward there will be some decisions required from Council on the participation and more specific matters.

### Ngā take ā-ture, ā-Kaupapahere hoki | Legal and policy considerations

Taumata Arowai—the Water Services Regulator Bill was passed into law August 2020, establishing a new dedicated drinking water regulator (Taumata Arowai)<sup>10</sup>.

From mid-2021 Taumata Arowai will administer New Zealand's drinking water regulatory system and as a water service provider, Council will need to meet any new standards or rules established by Taumata Arowai.

In order to integrate Taumata Arowai as a regulator, the Water Services Bill has been introduced<sup>1</sup>. This bill will significantly change key definitions, roles and responsibilities within the Three Waters Industry, altering Councils statutory obligations with regard to;

- Water supplies other than domestic self-supplies.
- Meeting revised drinking water standards in a timely manner.
- Chlorination of supplies.

The reform is a voluntary model with an opportunity to opt out. Councils would be asked to decide on their continued participation in the new service delivery system in late 2021 (the decision window). Council will need to spend time between now and the decision window, considering the options to enable a decision in late 2021<sup>4,6</sup>.

There are a number of provisions in the Local Government Act 2002 (LGA02) that create statutory obstacles for Councils to make the necessary decisions to continue to participate in the reform. Some of these provisions include provisions that oblige councils to maintain water services, and prohibit them from divesting ownership of these services, or from selling, transferring, or losing control of the infrastructure needed to provide water services, provisions relating to consultation, long-term planning, and decision making that would apply due to the significance the reform<sup>4,6</sup>.

Central Government has signalled its intention to address these statutory obstacles through legislative amendments to the LGA02; the Local Government (Three Waters Reform) Amendment Bill. Ultimately the bill will remove the statutory obstacles while also providing a fit-for-purpose consultation process, based on the provisions in the LGA02, which sets out how local government would engage with communities and iwi/Māori about the reform proposals, and decision making<sup>4,6</sup>.

Technical experts from the Local Government sector and iwi/Māori will be consulted during the drafting of the Local Government (Three Waters Reform) Amendment Bill, which will be introduced no later than 1 April 2021, and passed no later than 1 November 2021<sup>4</sup>.

Finally, beyond the legal and policy considerations regarding the mechanisms of reform implementation, Council will soon need to face consequences the reform programme will have on the remaining Council business.

### Ngā take ā-Ihinga | Consent issues

There are no consent issues.

### Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source

There is little detail what the financial implications of the reform will be for Council.

At this stage Central Government has signalled that Councils can expect some level of financial support in order to enable engagement with the reform programme, though there is little detail on what this support will be in practice<sup>4</sup>.

In addition, the balance sheet separation of new services entities from councils, will have a significant impact on Councils ability to deliver on its current financial strategy.

### Attachments

1. [Water Services Bill - New Zealand Parliament \(www.parliament.nz\)](http://www.parliament.nz)
2. [LGNZ-DRAFT-submission-Water-Services-Bill-4-February-2020.pdf](#)
3. WaterNZ Draft submission Feb 2021
4. [Progressing the three waters service delivery reforms, December 2020 \(dia.govt.nz\)](#)
5. [PowerPoint Presentation \(dia.govt.nz\)](#)
6. [Reform-timeline-December-2020.pdf \(dia.govt.nz\)](#)
7. [Hui-ā-Motu Summary Report](#)
8. [Economic-analysis-of-water-services-aggregation-Frequently-Asked-Questions.pdf \(dia.govt.nz\)](#)
9. [2635-DIA-three-waters-review-A3-20200716](#)
10. [Taumata Arowai—the Water Services Regulator Act 2020 No 52, Public Act – New Zealand Legislation](#)

### Ngā Tāpiritanga | Attachments

- A↓. LGNZ-DRAFT-submission-Water-Services-Bill-4-February-2020  
B↓. Febuary 2021 DRAFT - WNZ

- [C↓.](#) Reform-timeline-December-2020
- [D↓.](#) Three Waters Hui a Motu - Summary Report 2021
- [E↓.](#) Economic-analysis-of-water-services-aggregation-Frequently-Asked-Questions
- [F↓.](#) 2635-DIA-three-waters-review-A3-20200716

### Ngā waitohu | Signatories

Author(s)	Susanne Kampshof <b>Asset Manager Strategy and Policy</b>	
	Karl Pavlovich <b>Water &amp; Wastewater Manager</b>	

Approved by	Manaia Te Wiata <b>Group Manager Business Support</b>	
	Fiona Vessey <b>Group Manager Service Delivery</b>	



SUBMISSION

**We are.  
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Te Kāhui Kaunihera ō Aotearoa.

< Local councils  
play an active  
role in keeping  
our communities  
moving. >



## Water Services Bill

Local Government New Zealand's **DRAFT** submission on the Water Services Bill

February 2021.

SUBMISSION



## We are. LGNZ.

LGNZ is the national organisation of local authorities in New Zealand and all 78 territorial and regional councils are members. We represent the interests of councils and lead best practice in the local government sector. LGNZ provides advocacy and policy services, business support, advice and training to our members to assist them to build successful communities throughout New Zealand. Our purpose is to deliver our sector's Vision: "Local democracy powering community and national success."

## Introduction

Local Government New Zealand (LGNZ) thanks the Health Committee for the opportunity to provide a submission on the Water Services (the Bill).

LGNZ fully supports the intent of the Bill. LGNZ has been calling for clear drinking water standards, and strong enforcement of those standards since 2015, when we published the [Three Waters position paper](#), a year before the Havelock North contamination. That position paper highlighted the urgent need for improved regulatory frameworks and enforcement of the standards to remedy the longstanding failure of the Ministry of Health to perform its function as the drinking water regulator. Through that work, LGNZ explicitly extended the opportunity to central government to work together with local government to establish a robust regulatory framework that most effectively delivers the three waters infrastructure and services for our communities.

In countries around the world, best practice is that a regulator sets clear standards, standards backed-up through strong enforcement, further supported by reporting and data gathering. Then it is up to the asset owners and providers to meet those standards, or face enforcement. New Zealand has been unusual in many of the features of a good governance regime in the drinking water space, and successive governments have failed to address this issue until the Havelock North contamination incident. Notwithstanding councils' responsibility to provide safe water to their communities, we agree with the findings of the Government Inquiry into Havelock North Drinking Water, specifically that this decades long regulatory stewardship significantly contributed to a system failure.

The Inquiry was damning of the regulatory system, finding that no formal enforcement action was taken by District Health Boards from when the previous drinking water regime was introduced in 2007, up until 2018.

LGNZ supports the ambitions of the Government to ensure safe drinking water, which is why we have actively supported the policy development process, and why we are pleased to see this long needed policy intervention take shape.

In recognising the regulatory standards and other duties that Taumata Arowai will enforce, it is vital that the new regulator ensure that water network owners are only responsible for the performance of their networks. LGNZ is very concerned at the amendments to the Local Government Act that impose a duty on territorial authorities to ensure communities have access to drinking water if private suppliers cannot meet the obligations under the Act, essentially being the "last man standing". This provision is likely to drive suboptimal outcomes among private water scheme owners seeking to avoid making the necessary investments in their assets to meet drinking water standards, which in turn will impose a significant cost on affected councils at a time when communities are experiencing Covid-related financial pressure.

## SUBMISSION

**We are.  
LGNZ.**  
Te Kāhui Kaunihera o Aotearoa.

It is worth emphasising that between 800,000 and a million New Zealanders currently receive their water from non-council sources.

The local government sector will continue to work with the Government on the implementation of the Bill, recognising it is part of a significant and fundamental change to the delivery of our three waters services. We particularly want immediate focus given to building capacity across the system to support all the parties to meet their obligations and ensure the safe supply of drinking water – Taumata Arowai, territorial authorities, regional councils, drinking water suppliers. An implementation strategy is required to effect this.

LGNZ wishes to appear in support of this submission.

### Key Points

#### Te Mana o Te Wai

LGNZ strongly supports the requirement to give effect to Te Mana o Te Wai and a commitment by the Taumata Arowai Māori Advisory Board to develop and maintain a framework that provides advice and guidance on interpretation.

The local government sector will look forward to working with Taumata Arowai to operationalise Te Mana o Te Wai.

#### Focus attention on areas of highest risk

We support taking a risk-based approach. Until the establishment of the Government's new water entities, territorial authorities should be enabled to dedicate their attention to council-owned and operated supplies. The assessments the Government has undertaken to inform its review of three waters services and work LGNZ has lead shows the quantum of work involved to bring local government drinking water supplies to a level that will meet the drinking water standards. This alone will require investment and focus to achieve. We are concerned that placing additional obligations on councils through changes in the Local Government Act, which will require assessments by Territorial Authorities in respect of all supplies (except domestic self-suppliers), will divert this focus from attention on council-owned and operated supplies.

Our preference is to make the new drinking water regulator responsible for assessing non-council water networks, while councils work to meet the new standards on their networks. This will be challenging enough as it is. The result will be a mismatch, with an unmet need for capacity in territorial authorities to implement this new law.

#### Role confusion

There is potential for role confusion between the regulator and territorial authorities. For as long as councils are responsible we support local government having clear responsibility for council-owned supplies and the regulator the responsibility for all other supplies - the regulatory responsibility and the responsibility to step into the breach in the event of failure. The regulator is obliged to build the database, receive notifications of breaches of standards and hold and audit the water safety plans. The regulator will, therefore, be best-placed to undertake the required assessment across these networks.

## SUBMISSION

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A significant amount of capacity and capability building will be required of the small suppliers and we are concerned that local government's focus should be on its core business of managing and upgrading its own drinking water supplies. For example, capacity building will be required with respect to drinking water safety plans, (noting the plan is to take account of source water and making sense of the information available).

### Unfunded mandate

The unfunded mandate the proposals create are of significant concern to LGNZ and to local government. We will continue to voice our concerns about the proposal that councils are the "last man standing" with regard to community drinking water supplies and all supplies except for domestic self-supplies.

Given the Government's plans to transfer water services to new multi-regional entities, which will leave some councils with no responsibilities as water service providers nor the capability and competency to undertake such a role, we find those parts of this Bill that require councils to actively work with, regulate and potentially manage small drinking water supplies to be seriously problematic.

Our position is that regulator or the new statutory entities should be responsible for assessing these supplies and local government should focus on council-owned supplies and that central government be required to take over a private supply, noting that it is the legislative body that is responsible for private supplies.

Two other concerns need to be flagged, one involves moral hazard risk while the other concerns regressive taxation:

- The risk of moral hazard occurs as small suppliers will have an incentive to fail to bring their supplies up the required standard in the knowledge that the wider community will eventually be forced to pay the bill; and
- Regressive taxation can occur when low socio economic communities end up subsidising the water and wastewater costs of well-off citizens who have chosen to live in isolated areas for life style reasons. The exacerbator, my principle should apply here also; if individuals choose to live in parts of New Zealand that have limited access to water supplies then it is incumbent on them to meet the costs associated with those choices.

This Bill places obligations on local government to sort out suppliers with no recourse for funding to support this, realistically a process that might take multiple years. There are also issues related to ownership and the lack of details about the process by which a council can take management of a water scheme away from the legal owners, or the authority to use eminent domain powers to transfer ownership should existing owners be uncooperative.

LGNZ is strongly opposed to these provisions.

### Implications for growth

The proposals that see local government being the "last man standing" with respect to community supplies will mean that some councils will take a highly cautious approach when assessing developments that seek to set up their own water networks.



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Not all growth can be serviced through connections to a reticulated network and the Government needs to be clear on whether it wants to enable small schemes, and small communities, going forward - or if it seeks to limit growth to where council-owned networks exist. If schemes are to be consented by councils the standards will need to be much higher and the costs will be greater.

The matter of concern to all territorial councils is very simply who will pay for the cost of the required upgrades – a concern exacerbated by the fact that many of these supplies will be in small rural communities with small rating bases.

### Compliance and enforcement

The Bill provides the perfect opportunity to provide the powers that Territorial Authorities need to effectively use bylaws to manage activities affecting three waters infrastructure and the safety and supply of drinking water. With respect to drinking water this includes management of backflow risk, water demand, takes from hydrants other than for firefighting purposes.

Being able to issue infringement fines for these offences will address a longstanding issue that councils have and that also needs to be addressed in relation to the new statutory entities. Infrastructure owners need to be able to protect their infrastructure and currently do not have the tools to do so. In most cases the offence does not warrant a prosecution but compliance with the bylaw is still required.

### Implementation Strategy

This significant reform of three waters delivery includes a new regulator, Tūmata Arowai, the proposed creation of new multi-regional statutory entities to supply drinking water and new functions and duties for territorial authorities and regional councils and new obligations for drinking water suppliers (including small suppliers). LGNZ notes the intent of the legislation to build and maintain capacity in the water services sector. However, it is not clear how this capacity will be built and monitored. An implementation strategy to effect this reform is needed, focused on the respective roles of all the parties and building capacity and capability across the entire system. Attention needs to be given to ensure all the parties have enduring capacity for example focusing on workforce retention and development and supporting the small suppliers to comply with their obligations. The reality is, organisations are already competing for a scarce resource – experienced three waters engineers.

We are seriously concerned that this Bill, if enacted, exposes many councils to a largely unlimited financial liability. The reasons small waters schemes fail to meet drinking water quality standards are almost inevitably cost. The references in the Bill to councils “working with suppliers to identify options”, while creating a range of transaction costs, ignores the fact that the critical factor is cost and the ability of that community to meet the cost. Regardless of whether the council ends up managing the scheme, or not, the ability to pay issue does not go away.

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## Detailed points

Below are some detailed comments on the Bill – many we have already provided through the development of the Bill.

### Part 1 Preliminary provisions

#### Clause 8: Meaning of drinking water supplier

The definition of drinking water supplier is set too low, the threshold being everything above a domestic self-supplier. Research is needed on the impact of defining a network supply as one supplying more than one domestic dwelling (ie workload created versus risk reduction). We hold the view that that even changing the definition to supplying a population of 25 would significantly reduce the paperwork/bureaucracy/workload/ cost/public resistance and allow more focus on the bigger (and therefore higher risk) supplies.

#### Recommendation:

- Increase the threshold of drinking water supplier and amend the definition accordingly.

### Part 2 Provisions relating to supply of drinking water

#### Clause 22: Duty to comply with the Drinking Water Standards

There do not appear to be any transitional arrangements with regard to achieving full compliance with the current or any future revisions of the drinking water standards, with the assumption being that compliance must be achieved from the first day in which the Bill is enacted.

Given the sheer number of drinking water suppliers who are not currently subject to regulation but will now be subject to the provisions of this new legislation, this will be a huge and significant challenge for the suppliers and the regulator. Transition arrangements need to be provided and focus given to building the capability of the smaller supplies through an implementation strategy.

#### Recommendations:

- Provide transition arrangements with regard to the lead-in timeframe for drinking water suppliers to fully comply with standards including those that have not yet been released.

#### Clause 30 – Owner must have a water safety plan

Clause 30 (1) requires that all owners of drinking water supplies must prepare drinking water safety plans.

Consideration should be given as to how drinking water safety plan requirements will practically be met by small suppliers, and also their review by Taumata Arowai, given the level of detail and effort required. Consideration could be given to a section under Transitional Arrangements to introduce a requirement for Taumata Arowai to create a fit for purpose drinking water safety plan template for small supplies well in advance of the timeframe by which a drinking water safety plan is required to be submitted. The provision of fit-for-purpose templates should be part of the implementation strategy.



## SUBMISSION

### Recommendations:

- Provide fit-for-purpose templates as part of an implementation strategy.

### Clause 31: Drinking water safety plans

Clause 31 (1)(j) requires that drinking water safety plans provide for residual disinfection where the drinking water supply includes reticulation unless an exemption is obtained. As there is no definition of 'residual disinfection' it is assumed to refer to maintaining a chlorine residual in the reticulated water.

LGNZ notes that where councils operate reticulated drinking water supplies without chlorination, they will typically use chlorine as a targeted measure when required to reduce the risk of microbial contamination e.g. where there are poor condition reservoirs, inadequate backflow prevention and following pipe repairs. This approach in some cities has been long standing and supported by health evidence.

The Bill is unclear whether very small private supplies will be required to be chlorinated. LGNZ notes there will be risks involved with the application and handling of chlorine and these may outweigh any benefits that chlorine may provide. If it is not intended that very small supplies be chlorinated, this should be clear.

The Bill provides for an exemption to residual disinfection at clause 31(4); Taumata Arowā may grant an exemption from the requirement to use residual disinfection "on any conditions that Taumata Arowā thinks fit".

For many such drinking water suppliers, requiring chlorination at short notice would be expensive and/or impractical or impossible to achieve. As clauses 31 and 37 are currently worded, it is unclear whether a drinking water supplier without residual disinfection would be able to apply for an exemption, or whether the supply would first have to have residual disinfection before an exemption could be sought. Christchurch City Council advises that it would cost around \$25 million to install permanent chlorination equipment which would then be redundant if an exemption was obtained.

LGNZ supports a provision for exemptions to residual disinfection, but considers that improvements are needed to the Bill to clarify requirements for suppliers whose drinking water supplies do not already include residual disinfection and a particular focus is given to small supplies.

### Recommendations:

- Clarify exemption requirements for suppliers whose drinking water supplies do not already include residual disinfection and clarify requirements for small supplies.

### Clause 38: Requirement for supplier to provide information to consumers and have complaints process

This clause requires that a drinking water supplier have a complaints process. A complaint could relate to low pressure, high pressure, toby location, faulty meter, chlorine taste, leaking fitting, standard of meter reader's behaviour etc.

We are concerned that the offence provisions are disproportionate and further, we are concerned again at how smaller suppliers will manage this. LGNZ holds the view that there is not sufficient resource in the system to provide this capacity including to support the complaints process.





## SUBMISSION

### Recommendations:

- Review the offence provisions related to the complaints process.

### Clause 42: Source water risk management plans

LGNZ supports this concept but cautions about the practicality of this requirement for the small drinking water supplies. Taumata Arowāi will need to provide a great deal of support to build capacity to support the smaller suppliers and to be clear about requirements, based on scale, complexity and risk.

42(4) requires that local authorities must contribute to the development and implementation of source water risk management plans prepared by drinking water suppliers including undertaking any actions to address risks or hazards to the source of a drinking water supply that local authorities have agreed to undertake on behalf of a supplier.

Local government wants to work with the regulator on how this is operationalised, given it is a significant unfunded mandate and that local government's capacity in three waters will be reduced considerably if the creation of new statutory entities is realised. Given the number of drinking water suppliers it is unclear how this requirement will actually be met if there are capacity/capability issues with the supplier and/or the local authority. The offence provisions under clause 171 will bring some of these matters to a head, given the fine which as a maximum of \$50,000 if a plan is not completed by an individual.

### Recommendation:

- Work with LGNZ and the local government sector on operationalising the requirement to develop and implement source water risk management plans.

### Clause 43: Suppliers to monitor source water quality

This clause requires that a drinking water supplier must monitor the quality of the supplier's source water at the abstraction point in accordance with the supplier's drinking water safety plan. Again, this provision points to the need for significant capacity building and it is assumed this support will be provided by Taumata Arowāi or the new water entities (not the local authority). Local government's capability to perform this function will be diminished if the Three Waters Reform process proceeds as skills are transferred to the new water entities.

### Recommendation:

- Work with LGNZ and the local government sector on operationalising the requirement that a drinking water supplier must monitor the quality of the supplier's source water at the abstraction point and make it clear that Taumata Arowāi will provide this support.

### Clause 55: Duty to renew annual registration and notify changes

This clause requires registered drinking water suppliers to apply for renewal of registration annually. This is not required by the Health Act 1956 and an annual renewal seems to be an unnecessary requirement for both the supplier and the regulator to administer. An alternative is to require registered drinking water supplies to confirm any details regarding any changes to the supply (i.e. changes to size, ownership, etc.) when they occur.



## SUBMISSION



### Recommendation:

- Amend clause 55 (1) to only require registered drinking water suppliers to immediately advise Taumata Arowai any changes to their registration details and remove the requirement for annual renewal.

### Part 3 Enforcement and other matters

#### General

The Bill provides the perfect opportunity to provide the powers that Territorial Authorities need to effectively use bylaws to manage activities affecting three waters infrastructure and the safety and supply of drinking water, noting that the Government is also well advanced with plans to take these responsibilities away from councils. With respect to drinking water this includes management of backflow risk, water demand, takes from hydrants other than for firefighting purposes. The ability to enforce bylaws in relation to: non-compliance with trade waste bylaw re discharge; discharges to stormwater networks (for example of paint, concrete slurry, oil and chemicals); discharging stormwater to wastewater; taking water without consent; and not complying with summer water restrictions; tampering with restricted water supply.

Being able to issue infringement fines for these offences will address a longstanding issue that councils have had and that will need to be addressed in relation to the new statutory entities. Infrastructure owners need to be able to protect their infrastructure and currently do not have the tools to do so. In most cases the offence does not warrant a prosecution but compliance with the bylaw is still required.

LGNZ also seeks clarity on the powers that water suppliers have if they are not Territorial Authorities. For example, a water supplier may not be able to enforce a bylaw, and the potential for Taumata Arowai to utilise their powers to assist.

### Recommendation:

- Amend the LGA to provide territorial authorities with the ability to infringe bylaws generally and specifically those concerning three waters infrastructure and ensure Taumata Arowai has the same powers.

#### Clause 134: Drinking water compliance, monitoring, and enforcement strategy

The board of Taumata Arowai is required to prepare a drinking water compliance, monitoring, and enforcement strategy and to review this three yearly. LGNZ considers a Taumata Arowai Compliance, Monitoring and Enforcement Strategy and a graduated approach to regulation is important for water suppliers throughout New Zealand. LGNZ seeks a direct obligation for Taumata Arowai to engage specifically with local government, along with industry. We see this as critical, due to the number of agencies having a role in the direct delivery or oversight of the delivery of three waters services.

### Recommendation:

- Require Taumata Arowai to engage specifically with LGNZ in the development of its Compliance, Monitoring and Enforcement Strategy.

## SUBMISSION



### Clause 139: Network registers

This provision requires Taumata Arowai to establish and maintain a register for wastewater networks and a register for stormwater networks. Clarity is needed regarding the type, size, ownership or other factor for either wastewater or stormwater networks. For example, there are a number of houses that may have a shared driveway, and shared stormwater or sewer laterals. It is assumed that shared driveways, for instance are not intended to be included in the requirements, but there needs to be a scale at which a group of houses connected does become a network. It is also unclear whether a stormwater network is considered to be a network of stormwater pipes and/or drains or whether retention basins and similar are intended to be included.

#### Recommendation:

- Clarify the definitions of wastewater network and stormwater network to include what constitutes a wastewater and stormwater network in terms of size and scale.

### Subpart 10 Offences

These provisions enable employees to face significant fines. We do not support provisions enabling employees to be prosecuted, and we seek information on whether any other industry has this scale of provision. We understand this is the first legislation that takes this approach. 10 pages of offences appears to be disproportionate to other legislation. We are concerned this approach is not consistent with modern regulatory practice or with the approach and offence provisions in the Health and Safety at Work Act.

Councils may decide to indemnify employees for fines and a significant issue is created regarding staff recruitment and retention.

We support raising accountability but are concerned this will mean drinking water suppliers will not be encouraged to work openly with Taumata Arowai and with suppliers.

#### Recommendation:

- Review the proposed Offence provisions to ensure they are aligned with the Health and Safety at Work Act 2015

### Part 4 Miscellaneous provisions

Section 190 is a regulation-making power that includes specific powers to regulate:

- The information that suppliers must provide the users;
- The requirements for complaints including processes, timeframes and records that must be kept on the complaints;
- The requirements for annual reporting; and
- Various mechanical requirements such as identity cards, setting fees and charges, and (very importantly) infringement fees.

LGNZ supports the regulatory powers being essential to achieve the purpose of the Bill (particularly the infringement offence regime). In developing the regulations, LGNZ considers it should include a specific requirement to engage with affected stakeholders/parties such as suppliers.

## SUBMISSION



Some regulations could have significant cost implications, for example if they set requirements for information disclosure or a time period.

Therefore, we consider there should be some requirement on the Minister to engage as these regulations are made. This will ensure the regulation takes into account the cost and practicability of the requirements and ensure that they are proportionate and practicable.

### Recommendation:

- Include a provision that requires the Minister to engage as regulations are made

### Additional provisions

#### Offence to contaminate raw water or pollute a water supply

The Health Act 1956 makes it an offence if a person knowingly or recklessly does any act that is likely to contaminate any raw water or pollute any drinking water. There is no such offence in the Water Services Bill. It is very important that water sources and water supplies are protected from deliberate or reckless behaviour which could contaminate them.

### Recommendation:

- Add the offence of contaminating raw water or polluting a water supply in section 69ZZ of the Health Act to the Water Services Bill

#### Non-potable reuse

A changing climate is increasing the demand for water at the same time as diminishing the availability of source water. The National Policy Statement (NPS) for Freshwater Management 2020 sets out a hierarchy of obligations in Te Mana o Te Wai that prioritises first the health and well-being of water bodies and freshwater ecosystems over the use of water for drinking water and other uses. We need to look for other sources of water in areas where water sources are vulnerable to climate change and where it may be difficult to obtain sufficient fresh water from local sources.

Both territorial authorities, developers of new subdivisions and private householders have, from time-to-time, sought the ability to enable non-potable reuse of treated wastewater. This would include flushing of toilets and watering gardens, irrigating public land. In the absence of regulations, this has not been supported by District Health Boards and the Ministry of Health.

### Recommendation:

- That Taumata Arowā develop the necessary regulations to enable non-potable reuse of treated wastewater, in collaboration with other government agencies, water suppliers and tangata whenua.

### Part 5 Amendments to Local Government Act 2002

#### Clause 126: Requirements following assessment of community drinking water service

These provisions go well beyond territorial authorities' current responsibilities under LGA 2002, particularly the requirement to take over water supplies that fail to meet their statutory obligations or pose a risk to public health.



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The amendments to LGA 2002 would require territorial authorities to:

- Assess all drinking water supplies other than domestic self-supplies within their districts once every three years;
- Work with a drinking water supplier, consumers of the supply and Taumata Arowai to find a solution if a drinking water service fails or appears to be failing; and
- Take over the management and operations of a failing drinking water service, or provide water via alternative arrangements.

Noting that these should not be council responsibilities – given that water services are being removed from council control, we would prefer a risk-based approach. Territorial authorities should be enabled to dedicate their attention to council-owned and operated supplies. We are concerned that placing additional obligations on councils through changes to the Local Government Act, which will require assessments by Territorial Authorities in respect of all supplies (except domestic self-suppliers), will divert this focus from attention on council-owned and operated supplies.

Our preference is that Taumata Arowai is made responsible for assessing non-council water networks, leaving councils to work on meeting the new standards on their networks.

The implementation strategy should give attention to ensuring skills and capacity are where they are needed to fulfil functions and duties and we expect they will increasingly sit in the new water entities and Taumata Arowai, leading to a mismatch with the need for capacity in territorial authorities to implement this new law.

Should councils' water services remain with territorial authorities, LGNZ's view is that three years is an unrealistic time period to carry it out.

**Recommendation:**

- That Taumata Arowai is made responsible for assessing non-council water networks, leaving councils to work on meeting the new standards on their networks

**Clause 127: Duty to ensure communities have access to safe drinking water if existing suppliers facing significant problems**

LGNZ is strongly opposed to these provisions. It is not and should not be the responsibility of territorial authorities to be responsible for failing private drinking water suppliers. If this is a matter of concern for central government then it must be addressed as a social policy issue using the full weight of the Crown's taxing powers and balance sheet, not through a regressive charge on other water users.

Complying with the drinking water standards and the requirements of the Bill will be onerous for some very small private supplies, and it is likely that many of them will be found to face significant problems. This clause requires local authorities to take responsibility for private water supply networks that don't/can't meet the standards. This will be a serious challenge; councils may be expected to buy the assets and they will need easements to protect the assets and to provide for regular access. They will also need to do a full condition assessment of the assets before taking them over.

This will be slow, time consuming and expensive. Councils will be unlikely to recover these up-front costs from the previous operator. Some of these operators may prefer to change their supply arrangements to achieve classification as domestic self-suppliers.



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LGNZ expects territorial authorities will face significant capacity issues to carry out this function. Experienced staff will be required, however many will be transferring to the Government's new water suppliers with those remaining in councils focused on council-owned supplies meeting their legislative obligations, for as long as councils operate them.

In LGNZ's view the Bill imposes tough obligations on councils, fails to provide the necessary powers such as a power of "eminent domain" (which puts them in a weak negotiating position) and implies that costs should be met from general rates - another cost imposition by central government on local government. LGNZ's view is that the work required to gain legal ownership of assets (and access them) should be the responsibility of the regulator.

Once assets are transferred, should this be possible, councils will then have to carry out necessary upgrades. Many of these supplies will be in remote locations and therefore will be very expensive to provide compliant water. Subsidising water supply costs from elsewhere in the city/district would send the wrong pricing signals with regard to sustainability and intensification.

Transition arrangements are needed so that as each supply is transferred to a council there is at least a three year window before new standards are expected to be met.

The net result of these requirements is that councils are unlikely to ever improve a water supply for a development in outlying areas that is more than a domestic self-supplier (and perhaps require cessats to prevent any change).

Recommendations:

- Amend the clause 127 provisions that require a territorial authority to take over the management and operations of the drinking water service, on a temporary or permanent basis; OR
- Provide funding to territorial authorities to enable them to bring private supplies up to the standard required to achieve statutory compliance;
- Provide transition arrangements so that as each supply is transferred to a council at least a 3 year window is included before it is expected to meet the new standards; and
- Amend clause 127 to require Taumata Arowai to undertake the work required to gain legal ownership of private supplies (and access them).

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**Schedule 1: Transitional, savings and related provisions**

A drinking water supplier is required to submit a new water safety plan within one year if it serves more than 500 people, regardless of whether an approved water safety plan exists. Councils around the country have put in a large amount of effort preparing water safety plans to meet the much higher expectations of the New Zealand Drinking-water Safety Plan Framework (Ministry of Health, 2018), which are largely similar to the requirements of section 31 of the Bill.

It is onerous to require water suppliers to submit a new water safety plan so soon if one has already been approved under the revised framework.

**Recommendation:**

- Amend clause 4(3) to allow those large water supplies that have an approved water safety plan under the New Zealand Drinking-water Safety Plan Framework (Ministry of Health, 2018) to have five years from the date of approval of that water safety plan to submit a new water safety plan.

**DRAFT**



[DATE]

Chair  
Health Committee  
Parliament Buildings  
Wellington

Dear Sir/Madam,

## **SUBMISSION FOR WATER NEW ZEALAND ON THE WATER SERVICES BILL**

### **INTRODUCTION AND OVERVIEW**

1. Water New Zealand ("Water NZ") appreciates the opportunity to provide a submission on the Water Services Bill ("the Bill").
2. This bill sets the framework for the biggest improvement in the provision of safe drinking water safety that we have seen in this country in decades.
3. Water NZ fully supports this very important legislation and the intent of the bill and most of the clauses within the legislation, these represent a sea change in the way drinking water will be regulated and a much-needed improvement the public health of drinking water for all New Zealand communities.
4. This submission was drafted in collaboration with Water NZ members across a wide range of practices working with various water utility sizes.
5. Water NZ was involved in the recovery effort after Havelock North drinking water contamination event and the subsequent public inquiry, which was a driving factor in this reform, the sector is aware of many other such events and near misses. Water NZ is accordingly very supportive of all actions and decisions that will improve the provision of safe drinking water to all New Zealanders and mitigate against further events.
6. There is a need to move forward as quickly as possible. It is concerning that the ongoing "systemic failure" can be borne out through recent findings and reports in years following the Havelock North contamination event.
7. The Ministry of Health 2018-19 Annual Report on Drinking-water Quality which reports on communities of more than 101, found that 23.8 percent of the population were supplied with water that did not meet all of the Drinking Water Standards. The total report population covers 4,077,000 people. Effectively, this means that 970,000 people received publicly supplied water that did not meet all of the standards. This level of non-compliance has not significantly improved in the last 20 years. Also of concern with New Zealand's estimated population being over 5,100,000 means there is a further 1,023,000 New Zealanders with unknown drinking water quality. There are approximately 2,000,000 New Zealanders with drinking water that does not fully comply with the

- drinking water standards or within an unknown level of compliance. (ref <https://www.health.govt.nz/publication/annual-report-drinking-water-quality-2018-2019>)
8. The Ministry of Health 2018-19 Annual Report on Drinking-water Quality also identified that of the supplies being monitored in the report 2.9 percent did not have a water safety plan, this equates 117,000 New Zealanders do not have their risks to their drinking water identified or a management plan should an event occur.
  9. Water New Zealand's latest published annual benchmarking tool, the National Performance Review 2018/19, there were 42 of the 64 municipal water utilities that participated covering 4,467,620 New Zealanders, of these utilities they reported 415,409 resident days were affected by boil water notices. For a boil water to notice to be issued, the drinking water supply has failed.
  10. Water NZ is a national not-for-profit organisation which promotes the sustainable management and development of New Zealand's three waters (drinking water, wastewater and stormwater). Water NZ is the country's largest water industry body, providing leadership and support in the water sector through advocacy, collaboration and professional development. Its 2,300 members are drawn from all areas of the water management industry including regional councils and territorial authorities, consultants, suppliers, government agencies, academia and scientists. Water NZ is the leading voice for the three waters sector in New Zealand.
  11. Water NZ represents the entire water sector and is therefore interested in the entire Bill. Whilst this submission makes comments supporting or opposing particular provisions, this does not limit the generality of the overall interest in the Bill.
  12. Water NZ generally supports the Bill.



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#### ROLE OF TAUMATA AROWAI

13. As highlighted in various parts of this submission, the form of how Taumata Arowai will conduct some functions and exercises its powers are not known regarding some provisions of the Bill. It is acknowledged that these may not need to be written into the Bill, but Water NZ makes the submission that they should be kept in mind when drafting the Bill, and that Taumata Arowai should be aware of what industry bodies expect regarding their obligations.

#### COMMENTS ON SPECIFIC PROVISIONS

14. Water NZ wishes to make a number of comments on specific provisions in the Bill. In some instances, specific changes are also recommended by Water NZ to address its concerns, outlined at the end of this submission at **Appendix A**.

#### Part 1, subpart 2 - Interpretation

15. This subpart frames the meaning and understanding of the entire Bill and must accurately represent what is intended to be legislated. Therefore, some clarifications or amendments are recommended as below.

#### RELIEF SOUGHT

16. Water NZ particularly supports the following definitions as they are:
  - [definitions supported this section to be filled in prior to submission with definitions not requiring clarification or amendment]
17. The following undefined terms require definitions for clarification:
  - "Aesthetic values" – for clarity, the definition in clause 47(3) should be copied to the Interpretation subpart.
  - "Authorised supplier" – whilst the Bill refers to the requirements that council-controlled organisations will be required to become authorised or have their drinking water services delivered by an authorised supplier, no definition of "authorised supplier" is provided.
  - "Inspector" – Clause 97(3) refers to an inspector, however, this is not defined or mentioned anywhere else. It is likely that this is merely an error, where "officer" should have been used instead.
  - "Ordinary drinking water needs" – suppliers have a duty to supply a quantity of drinking water that is sufficient to support the ordinary drinking water needs of consumers at the point of supply under Clause 25(2). A definition should be added here for clarity and certainty.
  - "Planned events" – examples are given in Clause 33 ("*...such as a festival or other organised gathering or camp...*") but it is suggested that a clearer definition be given.
  - "Reticulation system" – This is referred to in multiple places with different requirements for reticulated and non-reticulated water supplies. Clarification is therefore required to avoid uncertainty.

- "Drinking Water Supplier" requires clarification if a drinking water supplier has a population threshold as well, an amendment to include embedded networks as part of a drinking water suppliers.
- "Secondary Drinking Water Supplies" is a term used in the draft drinking water supply operational compliance rules, it is recommended that a definition be created for secondary Drinking Water Supplies in the water services bill as well as including their obligations and enforcement. "Domestic self-supplier" – the examples of what is not a domestic self-supplier requires greater clarity, as currently worded, a café that has it's own river water supply is a domestic self-supplier and Water NZ does not believe this is the intent of this definition.

18. The following definitions require amendments:

- "End-point treatment" requires amendments to clarify what is intended to be covered by the associated duty at Clause 28. Water NZ submits that this amendment should separate all water supply operations upstream of this connection.

Water NZ also submits that this clause should be at the approval of Taumata Arowai. If this clause was to be used to change a community from a centralised water supply system managed by competent authorised trained persons to many individual end-point treatment systems operated and maintained by homeowners, this may not be the best solution when looking from a public health perspective.

- "Safe in relation to drinking water" at Clause 7 requires amendment to avoid uncertainty. The definition is concerningly subjective and uncertain, relying on a likelihood of causing risk of harm. Water NZ submits that there needs to be a stronger, clearer definition as many duty and enforcement provisions use the term "safe". Meets the MAV's.
- "Unplanned events" – The definition provided at Clause 34(2) needs amendment for clarity.

**Part 1, subpart 3 – Key Principles Relating to Functions, Powers, and Duties**

19. Water NZ supports this subpart and the direct reference to the Te Mana o Te Wai and the National Policy Statement for Freshwater Management 2020.

**Part 2, subpart 1 – Duties of Drinking Water Suppliers**

20. For the most part, the duties are clear and appropriate. However, Water NZ does have concerns around the application of these duties and therefore proposes various amendments. There is also a concern that the Bill lacks a clear provision regarding the failure to comply with drinking water standards being an offence. This will be discussed later in the submission under the 'offences' subpart.
21. As above, the "ordinary drinking water needs" of consumers needs to be defined for the purposes Clause 25(2).



22. Water NZ also recommends introducing a mechanism to allow suppliers a viable exit plan from consumers in areas with retreating water supply systems or the abandoning of supplies due to delivery constraints.
23. The exemption for water suppliers restricting or interrupting the provision of drinking water to a point of supply because of environmental factors affecting the source of a drinking water supply should be expanded. Environmental factors can include a range of circumstances, particularly from natural hazards and changing climates, that can have an effect on any part of the supply of drinking water.
24. There are provisions in the Electricity Industry Act 2010, subpart 3, Continuance of Supply, clause 105, whereby an electricity distributor is prohibiting from ceasing to supply line function services to a "place" without the prior consent of the Minister or every consumer who would be affected by the cessation of those services. To be able to stop supplying line function services the electricity distributor must supply electricity from an alternative source – a combination of supply from a solar array, battery or diesel generator would be an example of such services. Water NZ submits that a new clause is included which provides for an equivalent "alternative long term water supply solution", with consent from Taumata Arowai and every affected consumer.
25. Provisions for planned and unforeseen restrictions or interruptions to supplies should also allow for prior approval to be given from Taumata Arowai for multiple related occasions.
26. Water NZ does not see a need for suppliers to notify Fire and Emergency NZ where sufficient quantity of drinking water is at risk. Some utilities supply drinking water but do not have any systems with fire hydrants. Local authorities have protocols in place to notify appropriate authorities of affected services and this responsibility should lie solely with them.
27. 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. These duties should also not require persons installing equipment to take steps to ensure fire sprinkler systems are compliant as this is part of the building regulations.
28. Under section 93 of the Local Government Act 2002, Territorial Local Authorities are required to undertake long term planning – the plan must be for a minimum of ten years. However, for the water sector longer term forecasting is required, particularly in light of climate change, potential changes in population, consumer behaviour and land use.
29. Water NZ submits that a new provision should be included in the Bill in relation to long term planning, forecasting and reporting requirements of Drinking Water Suppliers, Wastewater Network Operators and Stormwater Network Operators. Analysing the impact of potential environmental changes on water networks over a 50-year period, and in some areas 100 years would be appropriate as water assets have expected life span of between 70-300 years.
30. One of the key benefits of requiring Drinking Water Suppliers, Wastewater Network Operators and Stormwater Network Operators to publish future investment scenarios is that it increases community understanding of the implication of near-term decisions, e.g.,



expenditure on addressing network condition to reduce leakages may over the long-term delay investment in a new water source.

31. Water NZ notes that Transpower, as the electricity national grid owner and system operator regularly publishes a Transmission Planning Report which details the grid asset capability over the next 15 years. Under the Electricity Industry Participation Code requires Transpower to publish the Grid Reliability Report, Grid Economic Investment Report and the ten year forecast fault levels within defined timeframes. See [Transpower's Integrated Transmission Plan suite of documents](#). Transpower has also published a number of documents which have considered various energy futures through to 2050 (see [Te Mauri Hiko - Energy Futures | Transpower](#)).

#### RELIEF SOUGHT

32. Insert a new definition for "ordinary drinking water needs" for the purposes of Clause 25(2) in Clause 5. Insertion of new clause relating to alternative water supply.
33. Amend Clause 21(2) regarding the immediate notification of Taumata Arowai and alternate actions arising from advising consumers of unsafe drinking water.
34. Amend Clause 25(3) to apply to the entire drinking water supply.
35. Insert new Clause 25(8) regarding ability of Taumata Arowai to provide prior approval for the purposes of this subpart.
36. Delete reference to Fire and Emergency New Zealand in Clause 26(1).
37. Amend Clauses 27(3) and 28(2)(3) regarding installation and maintenance of backflow prevention and end-point treatment devices.
38. Insertion of new Clause relating to long term planning.

#### **Part 2, subpart 2 – Drinking Water Safety Plans**

39. Water NZ supports the use and implementation of Drinking Water Safety Plans and only recommends changes for the purpose of clarification. Water NZ also wishes to submit that there are various processes here that are to be defined and determined by Taumata Arowai and suggests an external policy statement or other such publication clarify the mechanics of the process. In particular, detail should be provided regarding the lodgement of safety plans with Taumata Arowai under this subpart and Taumata Arowai's requirements under Clause 32 to review safety plans and monitor compliance.
40. Water NZ supports Clauses 30 and 31 but proposes legislating more specific requirements regarding the review of safety plans, such as minimum time requirements for reviews. The requirement to provide for the use of residual disinfection of reticulated water supplies unless an exemption is obtained under Clause 51 is supported, though Water NZ submits that the safety plan should then need to describe the processes and measures in place to supply safe drinking water without a disinfection residual.
41. The multi-barrier approach to drinking water safety in Clause 31(2) also needs some clarification. The current wording of subsection (2)(b) does not acknowledge supplies where particles, pathogens, chemical or radiological hazards are not present in the source water (e.g., certain groundwater supplies) or if they may be removed by means other than physical treatment. The requirement should be rephrased to allow acceptable

treatments for the same outcome. Subsection (2)(c) and (2)(d) also do not clearly recognise instances where those requirements do not apply.

42. Water NZ 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. Water NZ also supports pro-active random reviews and monitoring from Taumata Arowai to ensure a sufficient cross-section of the industry is being compliant, rather than only those that are deemed to require review and monitoring.
43. Clause 33 is supported but Water NZ notes that a policy should be published by Taumata Arowai regarding the process for applications to Taumata Arowai for registration of a temporary drinking water supply, such as the lead time for applications to be approved and registered.
44. As mentioned above in the Interpretation subpart, a definition of "reticulation system" is required. Clearer definitions for "planned events" and "unplanned events" should also be written into the Bill.
45. It is understood that Taumata Arowai will be providing guidance and examples of water safety plans, particularly for smaller suppliers. Water NZ supports this but recommends that further guidance for smaller suppliers may also be required to ensure those plans are implemented and reviewed correctly.

#### RELIEF SOUGHT

46. Insert a new definition for "Reticulation system" in Clause 5.
47. Amend Clause 31(1)(e) to include requirement for when reviews of water safety plans will occur.
48. Amend Clause 31(1)(j) so that exemptions also include a requirement for water safety plans to describe in detail the measures in place to ensure the supply of safe drinking water without a disinfection residual.
49. Insert new Clause 31(1)(n) providing for a minimum time requirement for reviews of plans.
50. Amend Clause 31(2)(b) to remove the specific reference to "by physical treatment".
51. Amend Clause 32(2)(c) to 'kill or inactivate pathogens in the water by disinfection unless exempt from residual disinfection under section 57'.
52. Amend Clause 32(2)(d) to 'maintain the quality of water in the reticulation system' and state that this does not apply to supplies without a reticulation system.
53. Amend Clause 33(5)(b) to specifically reference subsection (4).

#### **Part 2, subpart 3 – Requirements relating to notifications and record keeping.**

54. Water NZ generally supports this subpart. It is noted however that a policy document should be published by Taumata Arowai regarding their process for determining what risks or hazards are notifiable.

#### Part 2, subpart 4 – Consumer Complaints

55. Water NZ 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.
56. Water NZ recommends that requirements be introduced for complaints to be reviewed by a third party rather than Taumata Arowai. The process of Taumata Arowai reviewing complaints described in Clause 39 is in direct contrast to the process followed in the electricity and gas sector. Neither the Electricity Authority nor the Gas Industry Company review deadlocked complaints; rather, this is undertaken by Utilities Disputes Limited. This occurs through a provision whereby the Governor General may, by Order in Council made on the recommendation of the Minister, make regulations providing for a regulated dispute resolution scheme.
57. Water NZ suggests that there may be economies of scale and scope from adopting a similar process, rather than requiring Taumata Arowai to upskill in the assessment of complaints. If such an approach is adopted, Water NZ then recommends including a requirement, as in the Utilities Disputes electricity and gas scheme rules, that they are not able to make decisions on complaints that relate to price.
58. A mechanism is required allowing enforcement action where there is a risk to public health and safety and some amendments would also aid in clarity and flexibility to allow for a more effective process. This would include specifying who can make a complaint and what prescribed information can be.

#### RELIEF SOUGHT

59. Introduce requirements for complaints to be reviewed by a third party rather than Taumata Arowai.
60. Amend Clause 38 to weigh the complaints process based on the scale and complexity of, and the public health risk to, drinking water supplies.
61. Amend Clause 40 to be in accordance with complaints processes and provide for enforcement action.

#### Part 2, subpart 5 – Source Water

62. Water NZ supports the requirement that risks and hazards to source water are identified, assessed, managed, and monitored by drinking water suppliers and local authorities. It is noted though that this process will be new for a number of utilities- a Water NZ National Performance Review reported that less than half of the water suppliers had identified the zone from which water was sourced for their drinking supplies.<sup>1</sup> Water NZ therefore recommends a guidance document be required to be published by Taumata Arowai to assist in both the process and the publication of information on the process.
63. It is also submitted that local and regional authorities go further than merely contributing to the development and implementation of source water risk management plans. Instead, Water NZ submits that amendments be made requiring the source water plans

<sup>1</sup> *Water New Zealand 2018-19 National Performance Review*, at pg. 5.  
[https://www.waternz.org.nz/Attachment?Action=Download&Attachment\\_id=4271](https://www.waternz.org.nz/Attachment?Action=Download&Attachment_id=4271)



to be jointly prepared by the water supplier and local and regional authorities. This amendment would have the plan being owned by the water supplier with the authorities actively assisting and signing off on the plans. The intent here is that the plan will require actions and obligations that all parties will need to perform in order to make a source water management plan effective.

64. Amendments are also recommended regarding the requirements of councils to publish information about source water. These amendments include providing for a more collaborative and regular reporting dialogue between councils, Taumata Arowai and drinking water suppliers regarding water contamination risk management.

#### RELIEF SOUGHT

65. Amend Clause 45 regarding requirements of councils to monitor and publish information about source water, and to jointly contribute to the development of the plans.

#### **Part 2, subpart 6 – Standards, Rules, Directions and other Instruments**

66. Water NZ generally supports the adoption of Drinking Water Standards.
67. There are however concerns that the Drinking Water Standards are too limited by the wording of the subpart. Specifically, the requirement that they may only specify or provide for minimum or maximum values. To allow greater flexibility and fit-for-purpose standards, amendments to “minimum or maximum” are required to also allow mean, median and percentile ranges to be set.
68. Water NZ supports Clause 46(c). The addition of fluoride to drinking water is different from other water treatment process in that it is not about removing contaminants (biological, chemical or radiological). The decision to fluoridate or not is independent of making water safe to drink. The decision therefore is not one that should be made in the Drinking Water Standards. Water NZ understands and supports that the Standards can still set the acceptable limits for when fluoride is dosed. The Health (Fluoridation of Drinking Water) amendment bill is currently waiting for its second reading and addresses the decision to fluoridate or not.
69. Water NZ supports the requirement for Taumata Arowai to issue or adopt aesthetic values and supports the definition of aesthetic values in clause 47(3). It is submitted that this definition should be copied into the interpretation subpart for clarity. For ease of reference and functionality, the aesthetic values should also ideally form part of or be appended to the Drinking Water Standards. This would ensure water suppliers have clear and easy direction on requirements, leading to better public health outcomes.
70. Water NZ supports the ability of Taumata Arowai to make compliance rules for drinking water suppliers and other duty holders. There are concerns though that the prohibition for rules to apply to an individual water supply or local authority inappropriately removes the flexibility of Taumata Arowai to decide rules on a case-by-case basis. Every water supply is different, and some may be unable for example to meet the aesthetic values for hardness that others can easily meet.
71. Water NZ supports the circulation of template or model drinking water safety plans by Taumata Arowai as members see the value for small water supplies, noting however that it is not envisaged that larger supplies would use a template to develop their water safety plan. It is noted that a water safety plan is still required to be reviewed by Taumata



Arowai whether or not a template has been issued or followed and Taumata Arowai retain the ability to circulate a template without this provision. Therefore, Water NZ neither supports nor opposes Clause 51.

72. Water NZ supports the consultation requirements for Taumata Arowai and the narrow exemptions to those requirements. However, it is submitted that an additional clause is required to provide for an obligation to consider the importance of relevant existing standards of drinking water supply and construction.

#### RELIEF SOUGHT

73. Amend Clause 46 regarding acceptable values and amounts of substances.
74. Amend Clause 52.

#### **Part 2, subpart 7 – Drinking Water Supply register**

75. Water NZ supports the application process to register a drinking water supply and the keeping of a publicly available register of drinking water supplies. Water NZ particularly supports the ability of Taumata Arowai to withhold information from the publicly available register. This shows a good consideration of the sensitivity of certain details with respect to the privacy and safety of individuals, as well as potential threats to water supplies.
76. Water NZ supports the requirement to renew registrations annually. However, particularly for smaller supplies with overlapping duty holders, there are concerns that offences for a supply with lapsed registration are indistinguishable from offences for a supply that was never registered. This will be covered in the 'offences' subpart of this submission.

#### **Part 2, subpart 8 – Exemptions**

77. Water NZ supports the intention of this subpart and recommends minor amendments for clarity. However, Water NZ does note that there are various processes here that are to be defined and determined by Taumata Arowai and seeks an external policy statement or other such publication to clarify the mechanics of the process, particularly in regard to framework for the exemption application and review process.
78. Clause 56 is supported but changes are recommended to provide greater flexibility to the Chief Executive.
79. Clause 57 provides broad discretion to Taumata Arowai. Water NZ does acknowledge this is necessary but recommends amendments to clarify the extent of that discretion, particularly in regard to exemption conditions applied by Taumata Arowai.
80. Exemptions will also be relied on by suppliers and therefore some certainty is required in the Bill regarding the replacement and revocation of exemptions. The power to replace and, in some circumstances, revoke exemptions is supported. However, revoking or replacing exemptions with ones materially different to the previous should only be done after consultation with the supplier and appropriate notice periods. Reasons for replacement or revocation of exemptions should also be communicated.

#### RELIEF SOUGHT

81. Amend Clause 56(2) to allow exemption of any requirements.

82. Amend Clause 57(5) to require conditions to be proportionate to the scale, complexity, and risk profile of the water supply.
83. Amend Clause 57(7) to clarify "replacement" and introduce controls on any replacement or revocation of exemptions including requirements to consult with the supplier, provide reasonable notice, and communicate the reasons for replacement or revocation.

**Part 2, subpart 9 – Emergency Powers**

84. Water NZ supports the provisions relating to Emergency Powers. The powers granted to Taumata Arowai are extremely broad and extensive but generally appropriate in the circumstances. However, Taumata Arowai must recognise this and ensure that these powers are exercised responsibly and under the direction of suitably authorised persons within Taumata Arowai.
85. Water NZ particularly supports the exemptions provided for in this subpart that protect public health. This allows timely interventions where there is a conflict between public health and environmental protection provisions that can protect life.
86. Water NZ submits that when declaring a drinking water emergency Taumata Arowai should use established civil defence communication paths to avoid delays in action and public notification.

**RELIEF SOUGHT**

87. Amend Clause 58(6) to include requirement to use established civil defence communication paths.
88. Amend Clause 62(3) to include provision for a do not consume notice.

**Part 2, subpart 10 – Authorisations**

89. Water NZ supports the power of regulations to require the authorisation of those operating a drinking water supply. However, it is submitted that amendments are required for the purposes of clarity.
90. Water NZ looks forward to engaging with Taumata Arowai on possible delivery options for how individual authorisation could be delivered. Water New Zealand has developed a competency framework for the Drinking Water Treatment Operator, Wastewater Treatment Operator, Drinking Water Distribution Operator and Wastewater Network Operator. Due to these pieces of work, other roles have been identified to develop competency frameworks for, which includes the supervisors, team leaders and managers.
91. Water Industry Professionals Association (WIPA) is an incorporated society jointly established by Water Industry Operations Group (WIOG) and Water NZ. WIPA provides an operational Continuing Professional Development registration programme for individuals to be registered as Water Industry Professionals. It is possible that WIPA is part of the solution for authorising individuals under this legislation and we look forward to discussing options with Taumata Arowai.
92. There are also concerns regarding the process and practicability of authorisations that will be addressed below under the 'Regulations' subpart in Part 4.

93. Water NZ also supports Clause 5 of Schedule 1 regarding authorisation requirements which require local authorities and council-controlled organisations operating drinking water supplies to be authorised or have the supply operated by an authorised supplier. Water NZ understands the mechanisms that will enable this authorisation will be developed through regulations. In the meantime, Water NZ offers that a potential pathway for such authorisations is through self-certification against a series of criteria developed by Taumata Arowai. Such schemes have been used in the electricity sector with the Electricity Authority adopting a stress test process, whereby certain industry participants in the wholesale electricity market are required to apply a set of standard tests to their market position and report the results. The purpose of the annual certificates is to confirm that the Boards of the participants have considered the results of the stress tests.

RELIEF SOUGHT

94. Various amendments are required for clarity.

**Part 2, subpart 11 – Laboratory Accreditation and Testing**

95. Water NZ generally supports this subpart but has some specific concerns regarding process and the strain it puts on drinking water suppliers and Taumata Arowai. In particular, the requirement under Clause 72(2) to notify Taumata Arowai if results indicate that drinking water does not comply with the drinking water safety, and the accreditation of laboratories for discrete services.
96. Water NZ submits that the requirement under Clause 72(2) to notify Taumata Arowai is unnecessary and puts an undue administrative strain on Taumata Arowai where related to general guidance values or aesthetic values. Amendments are suggested requiring laboratories to notify the drinking water supplier as soon as practical instead, with an additional provision inserted to require laboratories to notify Taumata Arowai as soon as practical if the results of an accredited laboratory's analysis indicate that drinking water causes a risk to public health. Suppliers have a duty to comply with drinking water standards under Clause 22 which includes a requirement to notify Taumata Arowai. These amendments will reduce redundant double-notification except in circumstances where public health is at risk.
97. Water NZ also has some concerns regarding the accreditation of laboratories for discrete services. The wording of provisions in this subpart is extremely broad and makes no indication of laboratories being accredited for different services, and no mention of requiring accreditation for the sampling of water. It is expected that Taumata Arowai's register will clearly state what services each laboratory is accredited for, but amendments are suggested to clarify the requirements on laboratories and Taumata Arowai to ensure both the sampling and the analysis of source water, raw water and drinking water is carried out by appropriately accredited laboratories.

RELIEF SOUGHT

98. Amend Clause 72(2) to require laboratories to notify the supplier rather than Taumata Arowai.



99. Insert a new provision in Clause 72 to require laboratories to notify Taumata Arowai as soon as practical if the results of an accredited laboratory's analysis indicate that drinking water causes a risk to public health.
100. Amend Clause 76 to include accreditation for sampling.

**Part 2, subpart 12 – Statutory Management and Transfer of Operations**

101. The process and circumstances of exercise for this power is supported by Water NZ. However, there are concerns around overburdening a supplier with the costs of additional operations, investment and infrastructure required to competently operate a safe water supply. Amendments are suggested to provide for circumstances where Taumata Arowai covers these costs until a sustainable funding arrangement is in place for all parties.

RELIEF SOUGHT

102. Insert a new clause at 85(3) to provide for sustainable funding models.

**Part 2, subpart 13 – Review and Appeals.**

103. Water NZ generally supports these provisions and their execution. However, a slight amendment is required for clarity and practicability by merging Clauses 89(1) and 90, requiring Taumata Arowai to make and communicate the decision simultaneously.
104. Water NZ also submits that the effects of an appeal under Clause 96 also apply to appeals of reviewable decisions under Clause 88(2).

**Part 3, subpart 1 – Appointment of Compliance Officers**

105. Water NZ supports the ability of Taumata Arowai to appoint compliance officers, and to apply conditions or limitations to that appointment. However, due to the complexity of matters that may be dealt with by compliance officers, there are concerns regarding the lack of defined suitability requirements. Water NZ submits that an additional provision is therefore necessary that requires Taumata Arowai to publish a competency framework for compliance officers to meet prior to appointment.

RELIEF SOUGHT

106. Insert new Clause 97(4) requiring Taumata Arowai to publish a competency framework.

**Part 3, subpart 2 – Powers of Compliance Officers**

107. Water NZ supports empowering Compliance Officers with extended powers beyond those in the Health Act. It is agreed that these powers are necessary to achieve the purpose of the Water Services Bill and ensure a graduated response to non-compliance. However, Water NZ submits that the checks on these powers need some amendment for clarity, effectiveness, and practical workability.
108. Compliance Officers are given heightened powers where there is a serious risk to public health, including the power to enter without a search warrant. This circumstance is defined as a serious risk relating to the drinking water supplied to consumers or the ongoing supply of a sufficient quantity of drinking water to consumers. Water NZ supports this definition of what the risk relates to. However, there is a significant concern



regarding the lack of a definition or context for what amounts to a 'serious risk'. It is submitted that some guidance be inserted to direct the very subjective threshold.

109. Water NZ supports the ability of Compliance Officers to issue Directions to drinking water suppliers.

**Part 3, subpart 3 – Compliance Orders**

110. Water NZ supports the elevated process to issue Compliance Orders on any person compared the issue of Directions on drinking water suppliers. The requirement for a Compliance Order to be issued by the Chief Executive appropriately recognises the gravity of issuing enforceable orders on any person.

**Part 3, subpart 4 – Remedial Action**

111. Water NZ generally supports these provisions. It is important that the regulatory has the power to undertake the action to ensure that the compliance orders are complied with.

RELIEF SOUGHT

112. Retain this subpart.

**Part 3, subpart 5 – Enforceable Undertakings**

113. Water NZ generally supports these provisions as they provide flexibility in the way in which compliance can be achieved.

RELIEF SOUGHT

114. Retain this subpart.

**Part 3, subpart 6 – Planning and Reporting Requirements of Taumata Arowai**

115. Water NZ supports this subpart.

**Part 3, subpart 7 – Monitoring and Reporting on Wastewater and Stormwater Networks**

116. Water NZ supports this subpart but has concerns regarding lack of sufficient detail. Water NZ therefore recommends inserting an additional provision regarding timelines and a requirement for industry consultation to this provision, along with other amendments for clarity and workability.
117. There is currently limited reporting of wastewater and stormwater network environmental performance occurring through the National Performance Review and the Non-Financial Performance Measure Rules. There are shortfalls with both approaches which require a more comprehensive environmental reporting system based on resource consent condition and compliance. Consulting with industry will help avoid similar shortfalls occurring in the future. Providing timelines for implementation will assist industry in complying with the provision.
118. Water NZ also submits that wastewater and stormwater performance should be reported on by publishing a database collating the number and location of wastewater treatment and stormwater discharges and associated consent conditions, rather than publishing a report. Where there are discharge related consent conditions the database should

include compliance against these consents. It should also be noted where there are discharges but no associated consents (as is often the case with stormwater discharges and wastewater overflows).

119. The content of that database needs to be flexible to enable meaningful environmental reporting. Wastewater and stormwater discharges are not always consented, and those that are consented are inconsistent. The development of this database would provide an information base to develop greater consistency across consent parameters monitored, compliance limits and measurement approaches over time. The drinking water supplies compliance map published by ESR on behalf of Ministry of Health provides an example of how this database could be navigated.<sup>2</sup>
120. Consents and related reporting around wastewater overflows from the wastewater system (often occurring through constructed overflow points) are not widespread. Where consents related to wet weather overflow points from the wastewater system exist, these should be included in addition to wastewater treatment plant discharges. Additional information should also be provided on the number and locations of overflows occurring where consents are not held. Further work defining what constitutes a notifiable event is required.
121. Water NZ submits that the extent to which operators are avoiding, remedying, or mitigating adverse effects on the environment arising from systems operation does not benefit from an annual report. These practices are best disseminated amongst the industry through interactive training and network events. Water NZ therefore recommends removing the provision to report on how adverse environmental effects are being mitigated unless some further specific detail can be provided on how this could be demonstrated.
122. In addition, mandatory reporting of greenhouse gas emissions for wastewater networks (and water supply networks) is needed to balance the nexus between greenhouse gas emissions, energy use and water service outcomes. Wastewater treatment plant effluent quality requirements impact on greenhouse gas emissions and energy use. Alternative water supply options can have vastly different energy and emissions intensity (for example desalination versus demand side management approaches). Emissions reporting in the New Zealand water sector is not currently widespread and needs a regulatory driver. Water regulators in other Australasian jurisdictions such as NSW and VIC require emissions reporting for this reason.
123. Water NZ supports the identification and development of advice and guidance documents 136(d). Water NZ has been providing guidance documents for many years and is greatly supported by expertise within our special interest groups, there are a number of existing documents that provide evidence of this. Water NZ looks forward to working with Taumata Arowai to continue this work.
124. Water NZ submits that Onsite Wastewater Management Systems (OWMS) should also come under the oversight of Taumata Arowai, it is noted that marae wharekai or a café if supplied by a rainwater tank or river supply are not deemed a domestic self-supply. In these situations, it is likely that the wastewater is managed through an OWMS. It is Water NZ understanding that at times a community of 400 persons is served by a single OWMS.

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<sup>2</sup> <https://www.drinkingwater.esr.cri.nz/supplies/Suppliescompliance.asp>.

As a general rule the majority of OWMS are permitted activities with little or no requirement for desludging or maintenance to be carried out. The risks to public health and the environment also exist with OWMS and as such should come under the oversight of Taumata Arowai.

RELIEF SOUGHT

125. Amend Clause 141 for clarity and insert new subclauses 141(2) and (3).

**Part 3, subpart 8 – Infringement Notices**

126. Water NZ supports this subpart as it provides a quicker enforcement pathway to achieve a particular outcome than a full prosecution.

RELIEF SOUGHT

127. Retain this subpart.

**Part 3, subpart 9 – Criminal Proceedings**

128. Subject to the comments below Water NZ supports this subpart.

129. Clause 156 contains the specific defences. Subclause (2)(1)(ii) refers to "an accident". It is unclear if this term would include 'acts of God'. Some clarification would be warranted.

130. Clause 160 refers the liability of volunteers. It is unclear whether this is intended to apply to just natural persons or also applies to body corporates.

131. Water NZ recognises that Clause 161 regarding exemptions of elected officials from being charged with offences is consistent with other legislative arrangements. Nevertheless, on behalf of Water NZ members which includes duty-holding employees under this legislation it is important to acknowledge their position.

132. This position is that these water sector employees are required to exercise due diligence to ensure that a drinking water supplier complies with duties under a legislative requirement that can result in a \$50,000 fine if the supplier commits an offence involving the drinking water safety plan. The safety plan is the mechanism by which the supplier details how their supply will comply with legislative requirements. Financial decisions made by elected officials to approve or decline specific capital or operating expenditure will have an effect on operations that can or cannot be undertaken by a drinking water supplier under their safety plan, and which can have a consequential impact on public health.

RELIEF SOUGHT

133. Retain this subpart but clarify the meaning of 'accident' in clause 156 and the intent of clause 160 with regards to the meaning of volunteer.

**Part 3, subpart 10 – Offences**

134. Water NZ supports this subpart and notes the fines and penalties are sufficiently robust to ensure they operate as a significant incentive to ensure offences are rare.

RELIEF SOUGHT

135. Retain this subpart.

**Part 3, subpart 11 – Sentencing for Offences.**

136. Water NZ supports this subpart. Given the specific nature of the legislation guidance in Sentencing beyond that contained in the Sentencing Act is considered appropriate.

RELIEF SOUGHT

137. Retain this subpart.

**Part 4 – Miscellaneous Provisions**

138. Water NZ supports this subpart.

RELIEF SOUGHT

139. Retain this subpart.

**CHANGES SOUGHT**

140. Given the issues noted above, Water NZ requests amendments to the Bill which appropriately address the concerns expressed above, including the changes laid out in **Appendix A** or changes to similar effect or.

**CONCLUSION**

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

142. Water NZ welcomes any opportunity to answer questions arising from this submission or to otherwise engage in the development of the Bill.

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Gillian Blythe  
Chief Executive



Appendix A

Provision	Changes sought	
<i>Interpretation</i>		
5 Interpretation	Amend	<b>end-point treatment</b> means treatment of drinking water <del>at the final point beyond the connection/metering point</del> of the supply at which the consumer can consume, use, or collect drinking water
	Insert	<b><u>Aesthetic values may, without limitation, specify or provide for minimum or maximum values for substances and other characteristics that relate to the acceptability of drinking water to consumers (such as appearance, taste, or odour)</u></b>
	Insert	<b><u>Authorised supplier means</u></b>
	Insert	<b><u>Planned event means</u></b>
	Insert	<b><u>Reticulation system means</u></b>
7 Meaning of safe in relation to drinking water	Amend	<p>(1) In this Act, unless the context otherwise requires, safe, in relation to drinking water, means drinking water that is unlikely to cause a serious risk of death, injury, or illness, —</p> <p>(a) immediately or over time; and</p> <p>(b) whether or not the serious risk is caused by—</p> <p>(i) the consumption or use of drinking water; or</p> <p>(ii) other causes together with the consumption or use of drinking water.</p> <p>(2) For the purposes of subsection (1), the assessment of serious risk must take into account, among other factors, compliance with drinking water standards.</p> <p>(3) Drinking water is not unsafe merely because—</p> <p>(a) a person objects to it, or substances in it, because of personal preference; or</p> <p>(b) it does not comply with aesthetic values; or</p> <p>(c) it contains substances that are within minimum or maximum acceptable values for chemical, radiological, microbiological, or other characteristics of drinking water in the drinking water standards Maximum Allowable Values.</p>
8	Amend	In this Act, unless the context otherwise requires, drinking water supplier—

		<p>(a) means a person who supplies drinking water through a drinking water supply; and</p> <p>(b) includes a person who ought reasonably to know that the water they are supplying is used as drinking water; and</p> <p>(c) includes the owner and the operator of a drinking water supply; and</p> <p>(d) includes a person described in paragraph (a), (b), or (c) who supplies drinking water to another drinking water supplier; <b>and</b></p> <p><b>(e) includes secondary and embedded networks;</b> but</p> <p><b>(ef) does not include a domestic self-supplier.</b></p>
21(2)	Amend	<p>(2) If there is a reasonable likelihood that a supplier's drinking water is or may be unsafe, the supplier must –</p> <p>...</p> <p>(b) notify Taumata Arowai <b>immediately</b> that the drinking water is or may be unsafe; and</p> <p>...</p> <p>(f) take all practicable steps, to the satisfaction of Taumata Arowai, to advise affected consumers that drinking water is or may be unsafe and how it should be treated (for example, by boiling) <b>or isolated and not used.</b></p>
25(3)	Amend	<p>...</p> <p>(c) environmental factors affecting <b>a source of</b> a drinking water supply; or</p>
25	Insert	<p><i>After (7)</i></p> <p><b>(8) To avoid doubt, Taumata Arowai –</b></p> <p><b>(a) may provide prior approval for the purposes of this subpart for multiple related occasions at once; and</b></p> <p><b>(b) must respond to requests for prior approval in a reasonable time.</b></p>
26(1)	Amend	<p>...</p> <p>(a) notify Taumata Arowai, <del>Fire and Emergency New Zealand,</del> and the local authorities in the area where the water is supplied of the circumstances giving rise to the risk; and</p>
27(3)	Amend	<p>A person who installs <b>or maintains</b> a backflow prevention device must <b>be suitably qualified take all reasonable steps to ensure that it operates in a way that does not compromise the operation of any automatic fire sprinkler system connected to the drinking water supply.</b></p>
28(2)	Amend	<p>A drinking water supply may <b>with the approval of Taumata Arowai:</b> -</p> <p>(a) Install an end-point treatment device and require the homeowner of the premises to reimburse.....</p>

		(b) Require the owner of the premises to install, maintain and test an end-point treatment device.....
28(3)	Amend	A person who installs <u>or maintains</u> an end-point treatment device must <u>be suitably qualified</u> <del>take all reasonable steps to ensure that it operates in a way that does not compromise the operation of any automatic fire sprinkler system connected to the drinking water supply.</del>
31(1)	Amend	(1) A drinking water safety plan must ... (e) identify how <u>and when</u> the drinking water safety plan will be reviewed on an ongoing basis, and how its implementation will be amended, if necessary, to ensure that drinking water is safe and complies with legislative requirements; and ... (j) where a drinking water supply includes reticulation, provide for the use of residual disinfection in the supply unless an exemption is obtained under <u>section 57</u> <del>and the plan describes in detail the measures in place to ensure the supply of safe drinking water without a disinfection residual</del> ; and
31(1)	Insert	... <u>(n) be reviewed at least annually.</u>
31(2)	Amend	(2) A multi-barrier approach to drinking water safety is one that Taumata Arowai considers will— (a) prevent hazards from entering the raw water; and (b) remove particles, pathogens, and chemical and radiological hazards <del>from the water by an acceptable treatment process physical treatment</del> ; and (c) kill or inactivate pathogens in the water by disinfection <u>unless an exemption is obtained under Section 57</u> ; and (d) <u>where a supply has a reticulation system</u> , maintain the quality of water in the reticulation system.
33(5)(b)	Amend	(b) any conditions imposed by Taumata Arowai <u>under subsection (4)</u> .
38	Amend	(1) A drinking water supplier must, in accordance with regulations that apply to the supplier, —

		<p>(a) provide any prescribed information to consumers; and</p> <p>(b) establish, maintain, and administer a consumer complaints process <b>based on the scale and complexity of, and the public health risk to, drinking water supplies;</b> and</p> <p>(c) report annually to Taumata Arowai on its consumer complaints process.</p> <p>(2) A drinking water supplier must ensure that complaints are dealt with—</p> <p>(a) in accordance with its consumer complaints process; and</p> <p>(b) in an efficient and effective manner.</p>
40	Amend	<p>Taumata Arowai must monitor compliance with this subpart <del>based on the scale and complexity of, and the risk to, drinking water supplies in accordance with the supplier's complaints process.</del> <b>Enforcement action may be taken if the supplier's complaints process is not followed and there is a risk to public health or safety.</b></p>
42(4)	Amend	<p>(4) Local authorities must contribute to the development and implementation of source water risk management plans prepared by drinking water suppliers, including by—</p> <p>(a) providing information to suppliers in accordance with compliance rules issued by Taumata Arowai under section 48, including information about—</p> <p>(i) land-use activities, potential sources of contamination, and other water users that could directly or indirectly affect the quality or quantity of the source of a drinking water supply; and</p> <p>(ii) water quality monitoring of the source of a drinking water supply conducted by a regional council; and</p> <p>(iii) any known risks or hazards that could affect the source of a drinking water supply; and</p> <p>(b) undertaking any actions to address risks or hazards to the source of a drinking water supply that local authorities have agreed to undertake on behalf of a drinking water supplier, as specified in a schedule attached to a source water risk management plan or otherwise agreed in writing.</p>
45	Amend	<p><b>45 Regional Councils to <u>monitor and publish information about contamination risks in source water catchments.</u></b></p> <p>(1) Regional councils <u>and Territorial Authorities must monitor the contamination risks within source water catchments of drinking-water supplies.</u></p> <p>(2)</p>



		<p><u>Regional Councils and Territorial Authorities must jointly report the results of the contamination risk monitoring to the drinking water suppliers within each catchment and to Taumata Arowai, and Taumata Arowai must audit the monitoring results annually. If a new risk is identified, then the parties are to be notified as soon as practicable.</u></p> <p><del>must publish and provide Taumata Arowai with information on source water quality and quantity in their region annually, including any changes to source water quality and quantity.</del></p> <p>(23) Regional councils <u>and Territorial Authorities</u> must assess the effectiveness of regulatory and non-regulatory interventions to manage risks or hazards to source water in their region <u>annually at least once every 3 years</u> and make this information available to the public on Internet sites maintained by or on behalf of the councils.</p> <p>(34) <u>Compliance rules issued under section 48 may specify the monitoring and management requirements for source water catchments that are proportionate to the scale and complexity of each drinking water supply and any known risks or hazards to the source of a drinking water supply.</u></p> <p><del>Taumata Arowai may issue compliance rules under section 48 to regional councils on the format and content of the information they are required to publish under this section.</del></p>
46	Amend	<p>(2) Drinking water standards may, without limitation, specify or provide for—</p> <p>(a) <del>minimum or maximum</del> <u>acceptable</u> amounts of substances that may be present in drinking water; and</p> <p>(b) <del>minimum or maximum</del> acceptable values for chemical, radiological, microbiological, and other characteristics of drinking water.</p> <p><del>(3) Drinking water standards must not include any requirement that fluoride be added to drinking water.</del></p>
51	Delete	<p><del>(1) Taumata Arowai may, by notice in the Gazette, issue a template or model for drinking water safety plans or components of plans.</del></p> <p><del>(2) Templates and models issued under subsection (1) must be published in accordance with section 195.</del></p>
52	Amend	<p><b>52 Taumata Arowai consultation requirements</b></p> <p>(1) Taumata Arowai must ensure that adequate public</p>

		<p>consultation has been carried out before the following instruments are made:</p> <p>(a) drinking water standards;</p> <p>(b) aesthetic values;</p> <p>(c) compliance rules;</p> <p>(d) acceptable solutions or verification methods.</p> <p>(2) Adequate public consultation must include—</p> <p>(a) adequate and appropriate notice of the content of the proposed instrument; and</p> <p>(b) a reasonable opportunity for interested persons to make submissions; and</p> <p>(c) appropriate consideration of any submissions received; <u>and</u></p> <p><u>(d) consideration of the importance of the relevant existing standards of drinking water supply and construction.</u></p> <p>(3) Despite <b>subsection (1)</b>, Taumata Arowai need not consult the public if Taumata Arowai is satisfied that—</p> <p>(a) the instrument needs to be made—</p> <p>(i) urgently; or</p> <p>(ii) to deal with transitional issues; or</p> <p>(b) an amendment to an instrument is minor and will not adversely and substantially affect the interest of any person.</p>
56(2)	Amend	(2) An exemption <del>must</del> <u>may</u> exempt a drinking water supplier, or class of supplier, from <del>all any of</del> the requirements in subsection (1).
57(5)	Amend	(5) Taumata Arowai may exempt a drinking water supplier from the requirement to use residual disinfection in the supply on any conditions that Taumata Arowai thinks fit <u>and that are proportionate to the scale, complexity, and risk profile of the water supply.</u>
57(7)	Amend	
58(6)	Amend	As soon as practicable after making or amending a drinking water emergency declaration, Taumata Arowai must—

		<p>(a) give a copy of the declaration or amended declaration to every affected drinking water supplier and territorial authority; and</p> <p>(b) publish a copy of the declaration or amended declaration in the <i>Gazette</i>; and</p> <p>(c) take all practicable steps, <u>using established civil defence communication paths and</u> working with affected drinking water supplies and territorial authorities, to ensure that consumers are informed about the drinking water emergency.</p>
62(3)	Amend	<p>...</p> <p>(b) that the drinking water supplier take appropriate measures to warn consumers of the need to boil <u>or not consume</u> any drinking water from the water supply; and</p>
72	Amend	<p>(1) A drinking water supplier must use an accredited laboratory to analyse source water, raw water, and drinking water as part of any monitoring requirements in compliance rules or a drinking water safety plan.</p> <p>(2) If the results of an accredited laboratory's analysis indicate that drinking water does not comply with the drinking water standards, the laboratory must notify <del>Taumata Arowai</del> <u>the drinking water supplier</u> as soon as practicable after the results are known.</p> <p><u>(3) If the results of an accredited laboratory's analysis indicate that drinking water causes a risk to public health, the laboratory must notify Taumata Arowai as soon as practical after the results are known.</u></p> <p><u>(34)</u> In this subpart, <b>accredited laboratory</b> means a person accredited under <b>section 76</b> to perform the functions of a laboratory that analyses source water, raw water, and drinking water.</p>
76	Amend	<p>The laboratory accreditation body may, on the application of a person made in accordance with <b>section 78</b>, accredit that person to perform the functions of a laboratory that analyses <u>or samples</u>, source water, raw water, and drinking water.</p>
85(3)	Insert	<p><u>(3) Taumata Arowai will continue to carry the costs associated with the operations and duties of the transferred water supply until a sustainable funding model is in place for the new operator.</u></p>
89(1)	Amend	<p>(1) Taumata Arowai must review the reviewable decision and make <u>and communicate in writing to the applicant</u> a decision—</p> <p>(a) as soon as practicable; and</p> <p>(b) in any case, within 20 working days after the application for internal review is received: <u>and</u></p> <p><u>(c) give the applicant the reasons for that decision.</u></p>

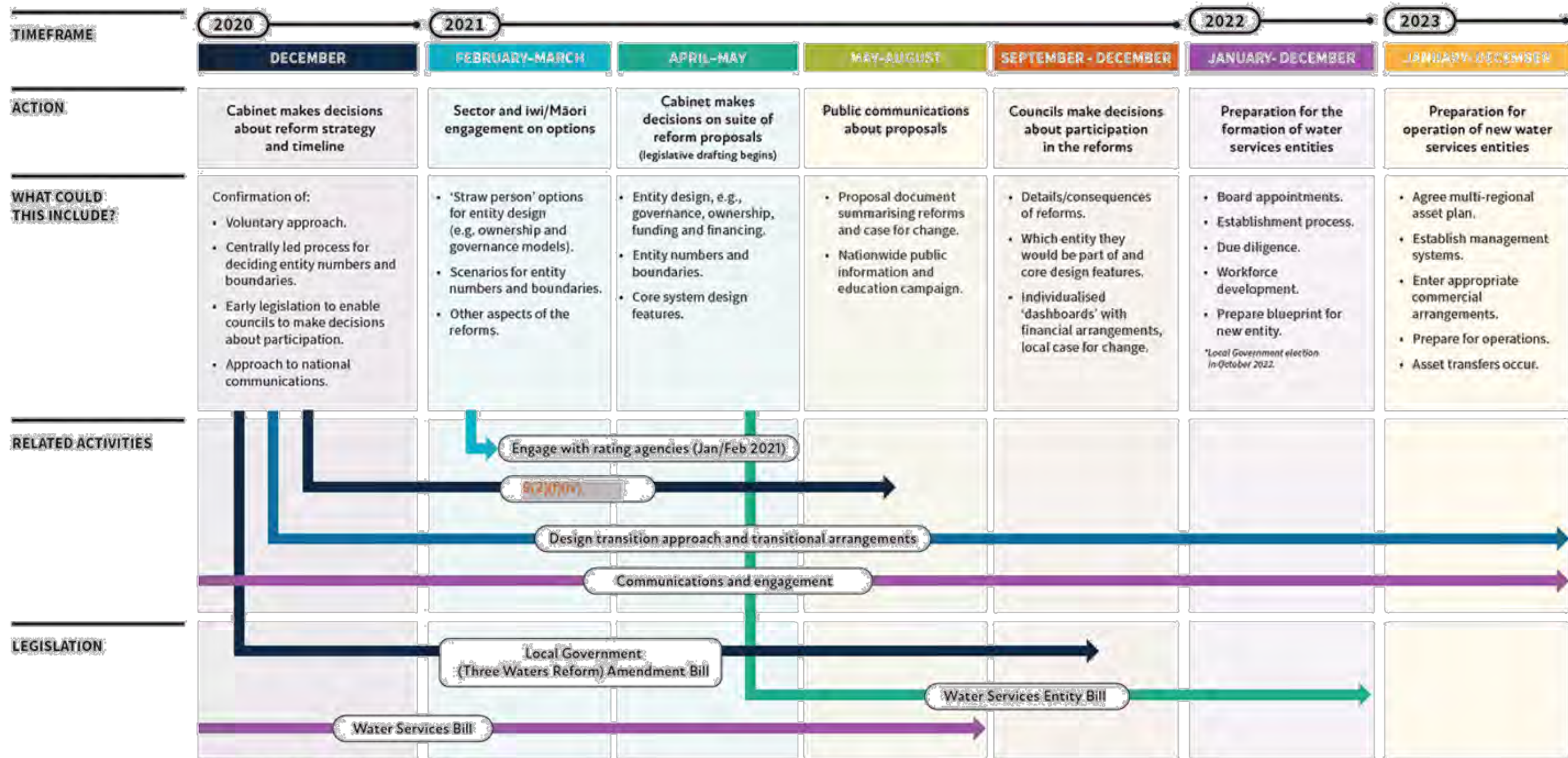
90	Delete	<p><del><b>90 Notice of decision on internal review</b></del>  <del>As soon as practicable after making a decision in accordance with section 89, Taumata Arowai must give the applicant in writing—</del>  <del>(a) the decision on the internal review; and</del>  <del>(b) the reasons for the decision.</del></p>
96	Amend	<p><b>96 Effect of appeal against compliance order or reviewable decision</b>  An appeal under sections <del>9288</del> to 95 against a compliance order <u>or reviewable decision</u> has the following effects:  (a) the chief executive whose compliance order is appealed against must not revoke or amend the order while the order is the subject of an appeal or while the time for the person’s appeal rights is running; and  (b) an appeal against a compliance order does not operate as a stay of that order unless the court orders otherwise; <u>and</u>  <u>(c) the directions, conditions, exemption or authorisation to which the reviewable decision relates must not be revoked or amended while it is under appeal or while the person’s appeal rights is running; and</u>  <u>(d) an appeal against a reviewable decision does not operate as a stay of that order unless the court orders otherwise.</u></p>
97	Insert	<p><u>(4) Taumata Arowai must publish a competency framework that all compliance officers must satisfy before appointment.</u></p>
141	Insert and amend	<p><u>(1) Taumata Arowai must, on an annual basis, publish a report information on—</u>  (a) the environmental performance of wastewater and stormwater networks and network operators, including their performance against environmental performance measures; and  (b) the extent to which wastewater and stormwater networks are complying with applicable standards, conditions, or requirements (whether under legislation or as part of a resource consent); and  (c) <del>the extent to which wastewater and stormwater network operators are avoiding, remedying, or mitigating any adverse effects on the environment arising from the operation of wastewater and stormwater networks; and</del></p>



		<p>(d) wastewater and stormwater practices, including—</p> <ul style="list-style-type: none"> <li>(i) examples of good practices; and</li> <li>(ii) specific risks or concerns that relate to individual performance and practices or system-wide performance and practices, or both; and</li> </ul> <p>(e) recommendations for any actions that might be taken to address matters raised in the report.</p> <p><u>(2) In the first 12 months Taumata Arowai must review and develop, in partnership with the wide water industry, a reporting approach to the management of Wastewater and Stormwater management, considering the following:</u></p> <ul style="list-style-type: none"> <li>(a) <u>Existing wastewater and stormwater consents;</u></li> <li>(b) <u>Water New Zealand's National Performance Monitoring Criteria;</u></li> <li>(c) <u>The relevant Non-Financial Performance measures; and</u></li> <li>(d) <u>Any reports generated by DIA to support the wider Three waters review process.</u></li> </ul> <p><u>(3) Consultation on these measures must occur with relevant industry bodies prior to implementation.</u></p>

# Three waters services delivery reform programme

## Proposed reform strategy and timeline



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Te Tari Taiwhenua  
Internal Affairs

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## Three Waters Reform Programme and Taumata Arowai: Hui-ā-Motu Summary Report

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## 1. Background

1. Between September and October 2020, members of the Three Waters Reform Team and Taumata Arowai conducted a series of hui to engage with iwi, hapū and Māori throughout the country (hui-ā-motu).
2. The hui-ā-motu included an introductory [webinar with the Minister of Local Government, Hon Nanaia Mahuta](#), a technical webinar on the details of the Water Services Bill, 17 a-tāngata hui across the country, and an online hui. In addition, the team continues to hold ongoing ad hoc discussions with iwi, hapū and Māori that were unable to attend the initial hui-ā-motu.
3. The hui-ā-motu have been attended by over 300 representatives from many different iwi, hapū and Māori organisations. A breakdown of attendance at these hui is provided in Appendix A.
4. The purpose of these hui was to (re)introduce the Three Waters and Taumata Arowai kaupapa, provide an overview of the direction of travel of this mahi, and listen to the perspectives of iwi, hapū and Māori across the country regarding this mahi.
5. The hui-ā-motu highlighted many emerging issues that have the potential to impact iwi, hapū and Māori throughout the country as well as some unique issues to individual iwi and hapū based on their locations or experiences.

## 2. Methodology

6. This report was compiled using notes taken by DIA staff during the hui-ā-motu, direct quotes have been used where possible. The report summarises these notes to identify emerging themes from the recent hui-ā-motu. This summary report is not a verbatim record of the hui-ā-motu, and though it has feedback from hui-ā-motu attendees it cannot be seen as a complete reflection of all the views expressed during the hui-ā-motu.
7. The intention of this report is to support DIA staff in the development of policy options regarding the Three Waters Reform programme and the establishment of Taumata Arowai. The report is not a substitute for ongoing direct and collective engagement regarding the develop of policy options.
8. A draft of this report was supplied to attendees for feedback to ensure general themes of each hui have been captured, this has been incorporated into the Final report.

## 3. Emerging themes

9. The following section summarises the emerging themes DIA heard throughout the hui-ā-motu that are shared across iwi, hapū and Māori organisations. Section Three of this report discusses those matters that were raised that are unique to a region.
10. The issues have been themed according to the principles of the Treaty of Waitangi to reflect the matters as they relate to Māori as Treaty Partners.

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**Partnership**

11. There was resounding support throughout the hui-ā-motu for a stronger partnership between tangata whenua and the Crown. Many attendees reflected, that if done well, this reform programme is an opportunity to develop/improve this relationship.
12. DIA heard that it needs to ensure tangata whenua are embedded as Treaty Partners from the very start, including mana whenua representation at every table, on boards and anywhere decisions will be made. It is important DIA alongside iwi, hapū and Māori work through rights, interests and entity ownership and governance, so the Department can identify the roles and responsibilities of all, as Treaty Partners, at these levels.
13. In many instances, there was disappointment expressed by many iwi, hapū and Māori with the current relationship they have with their councils – especially around providing water services. There was a reflection that the reform stimulus is, in-effect, rewarding councils for their mismanagement of water infrastructure. Iwi were also disappointed that there were no explicit mechanisms or expectations for councils to work with iwi/hapū on how the stimulus funding would be spent.
14. In relation to this, many concerns were raised regarding the relationship between iwi and the proposed new entities with concerns the new entities will maintain the status quo. Other iwi representatives reflected that they have built strong relationships with their councils and fear the reform may impact on the progress they've made.
15. Overall, DIA heard that iwi want the Treaty of Waitangi to be embedded more explicitly throughout the reform process and beyond. The Treaty of Waitangi gives iwi and hapū a mechanism when holding the Crown and its agents to account providing iwi and hapū voices weight. Several attendees expressed a view that Treaty Partnership must include by default representation by iwi with decision making powers not advisory. Many of the attendees were clear that notions of 'advisory' roles for iwi, hapū and Māori were not acceptable.

**Participation**

16. One of the major concerns iwi shared was regarding their ability to participate and engage in this kaupapa. Currently, there is insufficient capacity and capability for many iwi, hapū and Māori to engage. As a result, DIA heard many calls for support to develop Māori capacity and capability to participate throughout the reform process and in the new entities as well as alongside Taumata Arowai. This includes helping iwi, hapū and Māori develop skills, supporting education on better practices around water use and whakapapa of waterways, resourcing iwi adequately to engage, providing material that is easily understood, and workforce training.
17. In some places, attendees queried whether marae could undertake the water quality testing on behalf of new entities and Taumata Arowai. Iwi see an education opportunity in this with their Kura to build a long-term, meaningful relationship with their wai and its health, however iwi don't have the full resources to embed this. It was noted that some of the marae in Auckland, for example, have their own testing kits and iwi are using this as an opportunity to educate their rangatahi on the whakapapa of a water source as part of this process.

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18. There were also calls for more collaborative opportunities to design a system that works better than the status quo. Thoughts around this involved iwi, hapū and Māori bringing mātauranga Māori/mātauranga-ā-iwi into the entities' design and practices to better care for the water and environment. Incorporating mātauranga Māori and mātauranga-ā-iwi allows for the voices of whānau, hapū, iwi and marae to be present throughout the reform process and new entities. This also acknowledges the knowledge they hold that is specific to a place.
19. Iwi attendees questioned how Taumata Arowai, the Three Waters Reforms and Councils will incorporate information and findings already available through existing iwi reports and iwi Environmental Management Plans into the reform process and the ongoing work.

***Protection***

20. Iwi also made many calls for protection of their rights, roles and responsibilities as tangata whenua. Iwi, hapū and Māori noted that they don't want to see Taumata Arowai issuing permits to their wai. They want to see protection around their cultural assets, and how the service delivery arrangements will provide this.
21. Iwi want to see protections against privatisation of water services and hope to see roles for iwi and hapū being woven into these protections. As reflected above, there were calls from iwi and hapū who want to be involved in the water quality monitoring system to weave cultural indicators and whakapapa of a water body into the process of testing the sources of water. This is a reflection of the status quo being insufficient as there is a lack of Māori involvement and mātauranga Māori/a-iwi embedded within the existing water quality monitoring processes.
22. DIA heard many concerns from iwi, hapū and marae representatives around enforcement measures that may be undertaken by Taumata Arowai. Many voiced concerns with council/private suppliers who have more resourcing, capacity and capabilities yet have long ignored their problems regarding drinking water quality, the health of waterways and puna management, and wastewater and stormwater discharges.
23. This led to further concerns around small suppliers' responsibilities under the Water Services Bill and Taumata Arowai's enforcement of these. A similar concern raised was the potential for enforcement to be disproportionate on iwi and Māori. Iwi, hapū and Māori emphasised the need for a right-size approach, ensuring that enforcement of small suppliers is supportive rather than punitive and brings in more resources than it takes from maraes' already stretched capacity.
24. Across the hui-ā-motu there was a reflection that marae are often relied upon in emergencies, such as the recent earthquakes and fires, yet there is no investment in marae as local hubs. If the reforms and Taumata Arowai enforcement is not done in a considered way this could negatively impact the potential for marae to provide support in future emergencies.

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25. An iwi attendee in Palmerston North noted that a rural marae in their rohe needs a wastewater plant but has had to close because it can't afford to invest in this. In support of this, there were calls for equitable registration fees from Taumata Arowai and for marae and papakāinga to have minimal, or preferably nil, fees. The new water services entities must also be designed in a way that enables better access to water services for rural/isolated marae and papakāinga that wish to be connected to these services.

*Recognition of cultural values*

26. DIA heard iwi talk about their inherent and inter-generational relationships with the waterbodies and landscapes within their rohe. Iwi want to see their mātauranga-ā-iwi incorporated within the three waters reform process and Taumata Arowai's regulatory regime. Provisions for innovation and mātauranga need to be made now to better enable the design of the future entities, and infrastructure upgrades to be reflective of the local environment it serves.
27. In relation to entity design, they do not want to see catchments broken. There was a strong preference to adhere to the 'ki uta ki tai' concept and ensure that the entity boundaries take this into account. Additionally, iwi, hapū and Māori do not want their whakapapa/iwi/hapū boundaries to be separated by the new entities.

*Use mana enhancing processes*

28. Iwi have told us they want to be involved at all levels of the reform programme and the new entities, but specifically want to be involved in the 'nitty gritty' aspects where they can provide the greatest change.
29. Iwi that DIA met with were generally supportive of the three waters reform because they see this as an opportunity to work together to design something that works better than the status quo for iwi, hapū, whānau and small rural communities. DIA need to work to ensure that these opportunities are realised for iwi and hapū to share their voices in this at all levels of the reform process.

*Synthesis*

30. What DIA heard from these hui provide a strong basis to help guide the wider water reform programme of work. Attendees were not shy to voice their opinions on the existing three waters services and how it can be improved through the reform.
31. In acknowledging that the reform of water services is an important kaupapa, iwi, hapū and Māori expressed that resolving matters of ownership and allocation of freshwater are a higher priority to them. Those DIA engaged with emphasised that if the Three Waters Reforms are to progress ahead of ownership and allocation, they do not want the reforms to preclude any progress in these claims.

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## 4. Unique challenges

32. This section of the report summarises some of the challenges highlighted by attendees during the hui-ā-motu that were unique to their rohe. These challenges have been presented as anecdotes.

### *New Plymouth*

- 33. Concerns were raised around the impact of the Three Waters Reform on their aspiration to increase the presence of people living at their marae and papakāinga.
- 34. One marae has an old well that is kept for emergency use if needed and questioned the implications for the use of this well under the Taumata Arowai regime. At a broader level, iwi want to understand how the reforms could better support resilient water services for marae as emergency hubs.
- 35. One iwi attendee noted that most of the marae in this region use septic tanks for their wastewater, how will the reform and the work affect this?

### *Auckland*

- 36. Iwi attendees noted that they have challenges of getting potable water and piped sewage out to the marae outside of the city limits.
- 37. A big concern for iwi is regionalisation in this rohe. Iwi are concerned that if you have Auckland included with Northland and Waikato, then this becomes too big because it is about half the population of NZ. This might put people in their small rural communities at risk, so DIA need to look at innovative ways to ensure they are protected.

### *Palmerston North*

- 38. An iwi attendee had concerns about the fire suppressant at Linton and Ohakea affecting the ground water and wanted to know how Taumata Arowai will appropriately manage the risk and effects of fire water run-off.

### *Rangitāne – Palmerston North*

- 39. Some iwi attendees noted that Palmerston North were going through a wastewater process and questioned what impact the water reform would have on this. An iwi attendee noted that Rangitāne are river people that have been impacted by settlement, regulation, policy and development. There are nine rivers all draining from a wide catchment area. All swamps have been drained. What is the impact on the aquifers? Development of stop banks and controlling of the waterways disregarding the cultural impact – a long term view of impact on the aquifers is needed.

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Internal Affairs**

**New Zealand Government**

*Napier*

40. Iwi attendees noted that for storm water they have a sensitive receiving environment, but the laws are convoluted and mixed. Iwi questioned where the alignment will be across those?
41. A robust discussion was presented regarding the term 'Te Mana o te Wai', whereas mana whenua preferred 'Te Mauri o te Wai'.
42. Iwi attendees directed DIA staff to the Hawke's Bay Three Waters Review and the section relating to the Cultural Case. The role of the Cultural Case was to highlight the place of Te Ao Māori, with the Three Waters regulatory framework and was underpinned by the Treaty of Waitangi.
43. The case highlighted engagement strategies and identified principles and values for the region. A point raised was that the region might want to set up an Independent Māori Statutory Board (IMSB) to work on this mahi.

*Gisborne*

44. Iwi attendees noted that they were concerned with Taumata Arowai's ability to affect farmers' bottom line over something that offers a community a service, such as its ability to create jobs.
45. An iwi attendee noted that iwi and Māori in the rohe feel whakamā about their drinking water on the marae and whether it is safe. As an alternative they are offering fizzy to their visitors which has wider health impacts for whānau.
46. Iwi questioned how consents for new treatment plants will work with the fact that they are opposing many of these consents. Iwi want to stop discharge into water.

*Whanganui*

47. Iwi attendees questioned how the Te Awa Tupua Act would apply to Taumata Arowai and how the new water service entities will interact with it.
48. Iwi attendees noted that in Whanganui they are different with their Te Awa Tupua legislation, but also with their councils. Iwi operate as hapū katoa, iwi do not speak on behalf of hapū. When needed as a legislated entity the iwi will come in and speak for hapū.

*Taupō*

49. Attendees highlighted the unique position of the rohe as an outcome of settlement legislation. Tūwharetoa owns the Taupō lakebed and are dealing with the Government through multiple forums. Attendees also noted that the Tūwharetoa Māori Trust Board will take over all water quality monitoring within the Lake Taupō catchment from the Waikato Regional Council. These above factors needed to be recognised in the work of the Three Waters Reform Programme and Taumata Arowai.

*for consultation not Government Policy.*



Te Tari Taiwhenua  
Internal Affairs

New Zealand Government

*Nelson*

50. An iwi attendee noted that one of the biggest challenges in their rohe is run-off from farms.

*Zuī – Hui a Motu*

51. A Northland iwi attendee noted that they have a sludge generator which they move around the marae in their rohe and have noticed in their community people are struggling to resource and maintain their UV systems as the old subsidies have failed to provide resource to maintain and upgrade these. Iwi will need support to prepare water safety plans. Iwi often don't have the resources and capability to keep the current services up and running.
52. In Wellington, it was noted that there are good processes for iwi to have input into water services. Iwi are involved in Greater Wellington Regional Council's Whaitua catchment-based approach to set standards and limits on use to bring water quality up to NPS standards. Additionally, Wellington Water has mana whenua representation on the Water Committee alongside its council owners, but noted that "our wai is still in the bad state it has always been in, so what is the step change here?"
53. An iwi attendee noted that there are a lot of issues in Gisborne with the Unitary Authority requesting an extension to the resource consent for their wastewater plant and recharging the aquifer. As identified earlier, iwi in Gisborne want to stop wastewater discharges to water. How can DIA ensure iwi values and desires are upheld?
54. Iwi attendees questioned how Te Mana o Te Wai will be supported by the whole of Government? The Overseas Investment Office agreeing the sale of land at the top of a catchment for a proposed regional landfill in the Hōteao catchment, breaks the hearts of all Ngāti Whātua.

*Synthesis*

55. While each issue is different on its own, most of the unique issues identified above are in relation to the status quo not protecting iwi rights and interests. The unique issues tell us that iwi, hapū, marae and Māori organisation have insufficient resources to meet their existing needs. While these organisations may support the wider reform programme, DIA needs to be mindful of their individual issues that may result in them being disproportionately affected by the water reform process.

## 5. Other issues

56. During the hui-ā-motu attendees raised issues that are outside the scope of the Three Waters Reform Programme and the establishment of Taumata Arowai. These have been captured within this section.
57. Water bottling and the sale of water overseas was raised as a significant issue for several rohe. Associated with these was a lack of engagement on these matters and the long-term effect of this on relationships with iwi/hapū and local government.

*for consultation not Government Policy.*



**Te Tari Taiwhenua**  
**Internal Affairs**

**New Zealand Government**

## **6. Next steps**

58. In addition to the hui-ā-motu officials are committed to ongoing engagement with iwi, hapū and Māori ahead of the next formal engagement round scheduled to take place in early 2021. This engagement will build on the initial conversations DIA, Taumata Arowai and iwi, hapū and Māori have had through the hui-ā-motu. Engagement will include ongoing hui, virtual opportunities and information sharing in advance.
59. Officials will brief the Minister of Local Government on the hui-ā-motu and our proposed next steps.

*for consultation not Government Policy.*



**Te Tari Taiwhenua  
Internal Affairs**

**New Zealand Government**

Appendix A: Hui locations and attendance

Hui date	Location	Approximate Participants *
15 September - Introductory Webinar	Zoom	44
17 September - Water Services Bill Technical Webinar	Zoom	28
Monday 21 September	Palmerston North	2
Monday 21 September	Kaitaia	10
Tuesday 22 September	Wellington	3
Tuesday 22 September	Whangarei	20
Thursday 24 September	Nelson	3
Friday 25 September	Hamilton	8
Monday 28 September	Tauranga	6
Tuesday 29 September	Ōpōtiki	17
Wednesday 30 September	Gisborne	17
Thursday 1 October	Napier	32
Tuesday 6 October	Whanganui	7
Tuesday 6 October	Rotorua	13
Wednesday 7 October	New Plymouth	3
Wednesday 7 October	Taupō	22
Thursday 8 October	Auckland	3
Tuesday 13 October – Online version of the hui	Zoom	32
Thursday 15 October	Palmerston North (Rangitāne)	5
Saturday 17 October	Temuka (Ngāi Tahu)	40
<b>Total</b>		<b>315</b>

\*This record does not include central and local government attendees

*for consultation not Government Policy.*





**Te Tari Taiwhenua  
Internal Affairs**

**New Zealand Government**

Appendix B: Hui specific issues raised.

Subject-specific concerns	Specific examples
Source water protection	Palmerston North attendees raised concerns about the fire suppressant at Linton and Ohakea affecting the ground water. How will Taumata Arowai appropriately manage the risk and effects of fire water run-off.
	A Gisborne attendee noted that there are a lot of issues in Gisborne with the Unitary Authority requesting an extension to the resource consent for their waste water plant and recharging the aquifer. Iwi in Gisborne want to stop wastewater discharges to water. How can DIA ensure iwi values and desires are upheld?
Water scarcity	Whangarei attendees raised concerns regarding climate change particularly water security and resilient supplies, noting the affect this has on water scarcity.
Farming	Several attendees highlighted concerns with run-off from farms into waterbodies.
	Gisborne attendees noted concern with Taumata Arowai's ability to affect farmers bottom line over something that offers a community service, such as its ability to create jobs.
Discharges into water	Gisborne attendees noted that iwi in the rohe are opposing many of the new wastewater treatment plants, as they want to stop discharge into the water. How will consents for the new treatment plants work with this in mind? Iwi want to guarantee that their voice is heard on these matters.
	Whangarei attendees highlighted that Kawakawa has had a hospital discharge into the awa for 6 months with no repercussions.
Protecting sensitive receiving environments	Napier attendees noted that for storm water they have a sensitive receiving environment, but the laws are convoluted and mixed. Where will the alignment be across those?
	Auckland attendees questioned how Te Mana o Te Wai will be supported by the whole of Government? The Overseas Investment Office agreeing the sale of land at the top of a catchment for a proposed regional landfill in the Hōteao catchment, breaks the hearts of all Ngāti Whātua.
Māori, iwi, hapū involvement	Napier attendees noted that they might want to set up an Independent Māori Statutory Board (IMSB) to work on this work.

*for consultation not Government Policy.*



**Te Tari Taiwhenua  
Internal Affairs**

**New Zealand Government**

	Attendees in Wellington noted that they currently have good processes for iwi to have input into the water services. Iwi are involved in Greater Wellington Regional Council's Whaitua catchment-based approach to set standards and limits on use to bring water quality up to NPS standards. Additional, Wellington Water has mana whenua representation on the Water Committee alongside its council owners. However, despite this the wai is still in a bad state as it always been. What is the step change in the three waters reform to ensure that water quality is improved?
Settlement Concerns	Whanganui attendees questioned how the Te Awa Tupua Act (Whanganui River Claims Settlement) would apply to Taumata Arowai and how the new water service entities will interact with it?  In Whanganui they are different with their awa legislation, but also with their councils. Iwi operate as hapū katoa, iwi do not speak on behalf, only when needed a legislated entity will come in and speak for iwi in support of what DIA want. Three waters reform must recognise this.
	Taupō attendees highlighted the unique position of the rohe as an outcome of settlement legislation. Tūwharetoa owns the Taupō lakebed and are dealing with the Government through multiply forums. Attendees also noted that the Tūwharetoa Māori Trust Board will take over all water quality monitoring within the Lake Taupō catchment from the Waikato Regional Council. These above factors needed to be recognised in the work of the Three Waters Reform Programme and Taumata Arowai.
	Palmerston North attendees noted that Rangitāne are river people that have been impacted by settlement, regulation, policy and development. There are nine rivers all draining from a wide catchment area. All swamps have been drained. What is the impact on the aquifers? Development of stop banks and controlling of the waterways disregarding the cultural impact – long term view of impact on the aquifers. How do DIA maintain our aquifers – looking at future proofing in this area?
Māori, whānau, hapū, iwi aspirations	New Plymouth attendees have concerns around the impact the Three Waters Reform will have on their aspiration to increase the presence of people living at their marae and papakāinga.
Supporting marae	New Plymouth attendees noted that one of their marae have an old well that is kept for emergency use if needed. What might the implications be for the use of this well under the reform. At a broader level, iwi want to understand how the reforms could better support resilient water services for marae as emergency hubs.
	One attendee from New Plymouth noted that most of the marae in this region use septic tanks for their wastewater, how will the reform and the work affect this?

*for consultation not Government Policy.*



**Te Tari Taiwhenua  
Internal Affairs**

**New Zealand Government**

	<p>A Gisborne attendee noted that iwi and Māori in the rohe feel whakamā about their water and whether it is safe. Because of this they are alternatively offering fizzy for their visitors, this has wider health impacts for whānau.</p>
	<p>Auckland attendees noted that there are challenges of getting potable water and piped sewage out to the marae outside of the city limits.</p>
	<p>A Northland attendee noted that they have a sludge generator which they move around the marae in their rohe and have noticed in their community people are struggling to resource and maintain their UV systems as the old subsidies have failed to provide resource to maintain and upgrade these. Iwi will need support to prepare water safety plans. Iwi often don't have the resources and capability to keep the current services up and running.</p>
<p>Entity concerns</p>	<p>For Auckland attendees a big concern was regionalisation in this rohe. If Auckland is included with Northland and Waikato, then it becomes too big as it is just about half the population of New Zealand. The concern of this is that it might put people in their small rural communities at risk. How will DIA ensure they are protected?</p>

*for consultation not Government Policy.*

## Economic analysis of water services aggregation – Frequently Asked Questions

### **Q: Why was this study commissioned?**

**A:** The Department of Internal Affairs commissioned this study from the Water Industry Commission for Scotland to provide a preliminary analysis of the potential economic benefits of aggregating water service delivery entities in New Zealand. This study was required as there has historically been very poor information about the quality and cost of water services infrastructure in New Zealand.

### **Q: Why was the Water Industry Commission for Scotland asked to undertake the study?**

**A:** The Water Industry Commission for Scotland (WICS) was selected to undertake this work because of its significant experience as an economic regulator of water services delivery, and because of its growing familiarity with New Zealand through its advisory work with Watercare and Wellington Water.

WICS has comprehensive, in-depth knowledge and experience of water services reform in the United Kingdom and Scotland, and several other jurisdictions in the European Union and beyond. This experience was particularly valuable in New Zealand due to the relative lack of maturity in the water services sector here compared to other jurisdictions.

### **Q: What were the general conclusions of the study?**

**A:** The Water Industry Commission for Scotland found that:

- there is evidence of significant underinvestment by local authorities in three waters infrastructure, including under-estimation of asset values and infrastructure replacement costs;
- between \$27 billion and \$46 billion of additional investment will be required over the next 30 years to upgrade three waters assets to meet environmental and drinking water standards;
- this investment requirement has potentially significant implications for households, with household charges – associated with the additional investment needed to fund these water infrastructure upgrades – needing to increase by between 1.8 and 3.3 times in real terms;
- without reform, the cost increases will be much higher, and likely unaffordable, in smaller and more rural communities;
- there is significant potential for efficiency gains associated with water services reform to reduce the costs for households, relative to the status quo; and

### **Q: What are the limits of the study?**

**A:** The study was based on historic publicly available information. Stage two of the analysis will incorporate more up-to-date and detailed information on asset condition, asset values, levels of service, network performance, current operating costs and future investment plans. In addition, more work will be undertaken to take account of the impact of population growth.

All local authorities across the country are currently providing updated information through a large-scale Request for Information as part of the reform programme. This will then enable



further development of the analysis, and the ability to test assumptions regarding the level of efficiency gains that could potentially be realised through reform.

**Q: What does the study say about the potential benefits of aggregation of water services delivery?**

**A:** The modelling indicates that households in each council area, including Auckland, would likely be better off by 2050 as a result of aggregation, provided that new entities are able to realise the potential for efficiency savings in line with those seen in overseas jurisdictions.

Preliminary findings include:

- having more than one entity in the South Island appears likely to lead to higher costs for all South Island customers relative to scenarios that involve only one entity in the South Island;
- an entity containing Auckland within their amalgamated territory is likely to be significantly advantaged;
- scenarios involving eight or 13 entities appear likely to result in customers facing higher bills and larger differentials in charges than scenarios that establish a fewer number of larger entities.

**Q: How will this analysis be used as part of the three waters reform programme?**

**A:** The analysis is an input into determining the future number and boundaries of water service entities. However, it is only one input and will need to be considered alongside other factors, including alignment with communities of interest and regulatory boundaries, the views of iwi/Māori arising from engagement (particularly as it relates to rohe/takiwā), alignment with proposed reform of the Resource Management Act 1991, and the implications for the ability to benchmark performance of entities following the introduction of economic regulation.

Final decisions on the number and boundaries of water service entities will need to strike an appropriate balance across these factors.

**Q: What are the next steps?**

The Water Industry Commission for Scotland considers its Stage One analysis to be 'directionally accurate' and sufficient for illustrative purposes. However, it notes that more detailed bottom-up analysis is required to provide greater confidence in the results.

Due to the short timeframe and data limitations associated with the Stage One analysis, there are several areas that have not been fully explored. A second stage of analysis is underway that will:

- incorporate more up-to-date and detailed information on asset condition, asset values, levels of service, network performance, current operating costs and future investment plans;
- take account of the impact of population growth and intra-regional migration between different councils; and
- further develop and test the assumptions made regarding the level of efficiency gains that could potentially be realised through reform.

**Q: Where does the Request for Information process fit in with this analysis?**

This analysis drew on publicly available data from local authorities' Long-Term Plans and Annual Reports, as well as data from Water New Zealand's National Performance Survey.

A second phase of this analysis will draw on the more detailed information that is currently being sought from local authorities through the comprehensive request for information process currently underway. This includes more up-to-date and detailed information on asset condition, asset values, levels of service, network performance, current operating costs and future investment plans.



# Three Waters Reform Programme

A proposal to transform the delivery of three waters services

## 1. BACKGROUND

Over the past three years central and local government have been considering solutions to challenges facing the regulation and delivery of three waters services. This has seen the development of new legislation and the creation of Taumata Arowai, the new water services regulator.

Both central and local government acknowledge that there are broader challenges facing the delivery of water services and infrastructure, and the communities that fund and rely on these services. There has been regulatory failure, underinvestment in three waters infrastructure in parts of the country, and persistent affordability challenges.

Iwi/Māori also have a significant interest in te mana o te wai. Both central and local government acknowledge the importance of rights and interests under the Treaty of Waitangi and the role of the Treaty partners in progressing these issues.

Additional investment is required to increase public confidence in the safety of drinking water, and to improve environmental outcomes. The reform of three waters services will also support increased sustainability and resilience of communities to natural hazards and climate change.

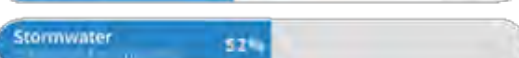
## 2. CHALLENGES

### THE EXISTING INFRASTRUCTURE DEFICIT

Quantifying the precise infrastructure gap remains challenging. The Office of the Auditor General (OAG) has raised concerns about relevant and reliable information about assets remaining a challenge.

### UNGRADED ASSETS

Across our water networks



### RENEWAL GAPS

A more recent analysis highlights the extent of the reinvestment challenge and the "renewals gap".

Forecast average renewals as proportion of forecast average depreciation for:



While unquantified in New Zealand due to limited asset quality data, experience from places like Scotland that have undertaken significant water services reforms indicates the bulk of asset replacement value (potentially up to 80%) and the accumulated infrastructure deficit likely lies in renewal of pipes rather than treatment plants.

### FURTHER RESEARCH COMMISSIONED BY DIA FOUND:

**\$309-\$574 million** Estimated cost for upgrading networked drinking water treatment plants to meet drinking water standards, with an additional annual operating cost of \$11-\$21 million.

**\$3-\$4 billion** Estimated cost for upgrading wastewater treatment systems that discharge to coastal and freshwater bodies to meet national minimum discharge standards, with an annualised operating cost of \$126-\$193 million.

## 3. OBJECTIVES

**A** Significantly improving safety and quality of drinking water services, and the environmental performance of wastewater and stormwater systems.

**B** Ensuring all New Zealanders have equitable access to affordable three waters services.

**C** Improving resource coordination and unlocking strategic opportunities to consider national infrastructure needs at a larger scale.

**D** Increasing resilience of three waters service provision to both short- and long-term risks and events, particularly climate change and natural hazards.

**E** Moving three waters services to a financially sustainable footing, and addressing the affordability and capability challenges faced by small suppliers and councils.

**F** Improving transparency and accountability in cost and delivery of three waters services, including the ability to benchmark performance of service providers.

## 4. KEY FEATURES

Design features of the proposed reform programme should examine, as a minimum:

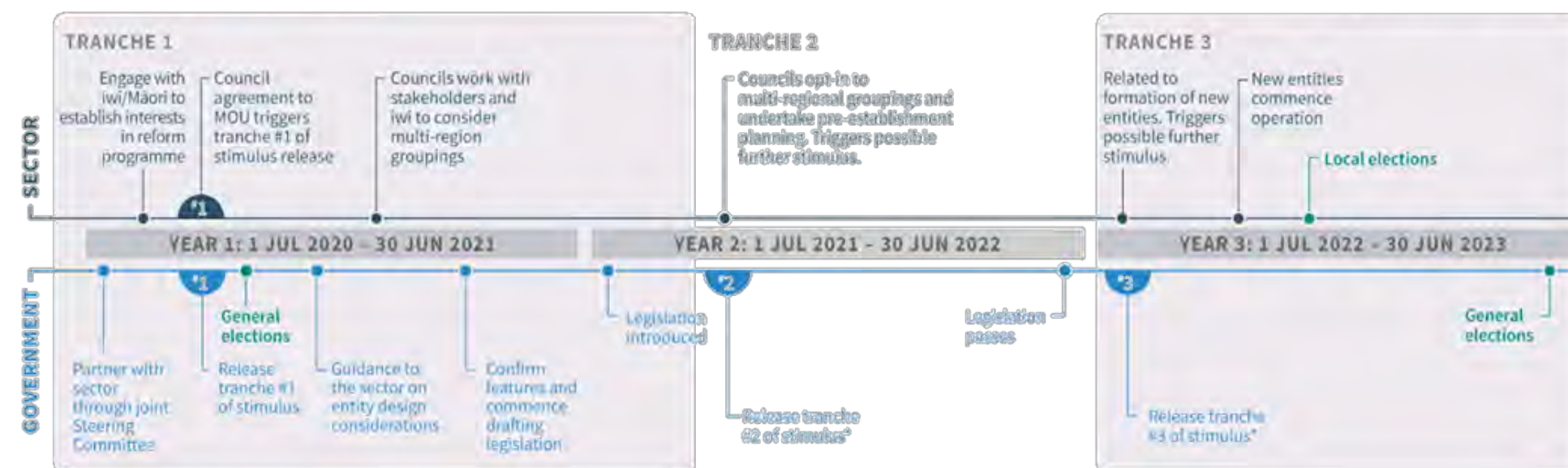
- A** Water service delivery entities that are:
  - of significant scale (most likely multi-regional) to enable benefits from aggregation to be achieved over the medium- to long-term;
  - asset-owning entities with balance sheet separation, to support improved access to capital, alternative funding instruments and improved balance sheet strength; and
  - structured as statutory entities with appropriate and relevant commercial disciplines and competency-based boards.

**B** Delivery of drinking water and wastewater services as a priority, with the ability to extend to stormwater service provision only where effective and efficient to do so.

**C** Publicly owned entities, with a preference for collective council ownership.

**D** Mechanisms for enabling Iwi /Māori and communities to provide input in relation to the new entities.

## 5. INDICATIVE REFORM PATHWAY



## 6. PROPOSED PROCESS

An opt-in reform and funding programme to:

- Stimulate investment, to assist economic recovery through job creation, and maintain investment in water infrastructure renewals and maintenance.
- Reform current water service delivery into larger scale providers, to realise significant economic, public health, environmental, and other benefits over the medium- to long-term.

Progressed in phases:

- Three phases of reform with three tranches of investment proposed (as set out above). The first phase of the programme includes a Memorandum of Understanding between central and local government to progress the reform in partnership. Reform will be guided by a joint Steering Committee at key stages.

Memorandum of understanding:

- Non-binding MOU between each Council and Government.
- Does not commit Councils to reforming water services or transferring assets.
- Enables Councils to access funding for three waters through an associated Funding Agreement and Delivery Plan.

## 7. FUNDING AND IMPACT

Government funding		\$761 million
Jobs protected or created	(direct)	2,288 jobs
	(direct, indirect, induced)	7,230 jobs
GDP increase	(direct)	\$236 million
	(direct, indirect, induced)	\$800 million

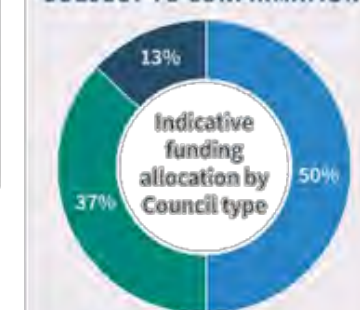
### ALLOCATION OF FUNDING

First tranche funding provided as a grant to Councils who opt-in to participate in the reform process.

Allocation is based on a simple formula applied on a nationally consistent basis.

Future additional funding will be subject to Government decision-making and reliant on progress against the reform objectives.

### INDICATIVE ALLOCATION SUBJECT TO CONFIRMATION



**LEGEND**  
 ● Metropolitan Councils (50%)  
 ● Provincial Councils (37%)  
 ● Rural Councils (13%)



## Hauraki Gulf Forum Meeting Report for March 2021

RM No.: 2416909

### Rāpopotonga Matua | Executive Summary

The Hauraki Gulf Forum meeting occurred on 22 March 2021. The minutes to that meeting are attached to this report.

The agenda can be downloaded on the following link:

[https://infocouncil.aucklandcouncil.govt.nz/Open/2021/03/HGF\\_20210322\\_AGN\\_10497\\_AT.PDF](https://infocouncil.aucklandcouncil.govt.nz/Open/2021/03/HGF_20210322_AGN_10497_AT.PDF)

### Tūtohunga | Recommendation

That:

1. The information be received.

### Ngā Tāpiritanga | Attachments

[A↓](#). Hauraki Gulf Forum Minutes 22 March 2021

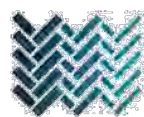
[B↓](#). Hauraki Gulf Forum Attachments to Minutes of 22 March 2021

### Ngā waitohu | Signatories

Author(s)	Tamara Kingi <b>Committee Secretary and Corporate Administration Officer</b>	
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Approved by	Sandra Harris <b>Corporate Strategy Team Leader</b>	
	Don McLeod <b>Chief Executive Officer</b>	





Hauraki Gulf Forum  
Tikapa Moana  
Te Moananui-a-Toi

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## Hauraki Gulf Forum

### OPEN MINUTES

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Minutes of a meeting of the Hauraki Gulf Forum held in the Silver Fern Farms Events Centre, 44 Stanley Avenue, Te Aroha on Monday, 22 March 2021 at 1.29pm.

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#### PRESENT

<b>Co-chairperson</b>	Cr Pippa Coom	Auckland Council
<b>Co-chairperson</b>	Mr Dean Ogilvie (Alt)	Tangata Whenua
<b>Tangata Whenua</b>		
<b>Members</b>	Cr Donna Arnold	Matamata-Piako District Council
	Mr Andrew Baucke	Department of Conservation
	Cr Phillip Buckthought	Hauraki District Council
	Mr Luke Coles (Alt)	Aotea / Great Barrier Local Board (Auckland Council)
	Mr Joe Davis	Tangata Whenua
	Cr Christine Fletcher	Auckland Council
	Until 3.51 pm – Item 8	
	Ms Cath Handley	Waiheke Local Board (Auckland Council)
	Mr Jacob Hore	Ministry for Primary Industries
	Mr Martin Mariassouce	Te Puni Kōkiri
	Cr Rob McGuire	Waikato District Council
	Cr Denis Tegg	Waikato Regional Council
	Cr Wayne Walker	Auckland Council
	Cr John Watson	Auckland Council

#### ABSENT

<b>Co-chairperson</b>	Ms Nicola MacDonald	Tangata Whenua
<b>Tangata Whenua</b>		
<b>Members</b>	Ms Charmaine Bailie	Tangata Whenua
	Mayor Sandra Goudie	Thames-Coromandel District Council
	Mr Terrence Hohneck	Tangata Whenua
	Mr Paul Majurey	Tangata Whenua
	Mr Scott Milne	Orakei Local Board (Auckland Council)
	Ms Valmaine Toki	Aotea / Great Barrier Local Board (Auckland Council)

#### ALSO PRESENT

Ms Kylee Matthews (Alt)	Waiheke Local Board (Auckland Council)
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Hauraki Gulf Forum  
22 March 2021



Mr Dean Ogilvie opened the meeting by making a few acknowledgements.

Co-Chairperson Cr Pippa Coom welcomed everyone to the meeting and introduced Mr Luke Coles, alternate member for Aotea / Great Barrier Local Board (Auckland Council). Cr Coom informed the meeting that Mr Dean Ogilvie would be acting as the Co-Chairperson Tangata Whenua in the absence of Ms Nicola MacDonald.

## 1 Apologies

Resolution number HGF/2021/1

MOVED by Co-Chairperson Cr P Coom, seconded by Cr C Fletcher:

**That the Hauraki Gulf Forum:**

- a) accept the apologies from Co-Chairperson Tangata Whenua N MacDonald, Members C Baillie, T Hohneck, P Majurey, S Milne and V Toki for absence.

**CARRIED**

## 2 Declaration of Interest

There were no declarations of interest.

## 3 Confirmation of Minutes

Resolution number HGF/2021/2

MOVED by Co-Chairperson Cr P Coom, seconded by Cr DA Arnold:

**That the Hauraki Gulf Forum:**

- a) confirm the ordinary minutes of its meeting, held on Monday, 30 November 2020, as a true and correct record.

**CARRIED**

## 4 Public Forum

### 4.1 Public Forum - Water Quality Issues in the Hauraki catchment

A PowerPoint presentation was given in support of the item. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number HGF/2021/3

MOVED by Cr C Fletcher, seconded by Member C Handley:

**That the Hauraki Gulf Forum:**

- a) thank Tau Ngaruhe, Lynette Hoey and Pauline Clarkin for their presentation.

**CARRIED**

#### Attachments

- A 22 March 2021, Hauraki Gulf Forum - Public Forum - Water Quality Issues in the Hauraki catchment - presentation

Hauraki Gulf Forum  
22 March 2021



#### 4.2 Public Forum - Motiti Decisions and Kaitiakitanga

A PowerPoint presentation was given in support of the item. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number HGF/2021/4

MOVED by Co-Chairperson Tangata Whenua (Alt) Mr D Ogilvie, seconded by Cr R McGuire:

**That the Hauraki Gulf Forum:**

- a) thank Te Atarangi Sayers for his presentation.

**CARRIED**

##### Attachments

- A 22 March 2021, Hauraki Gulf Forum - Public Forum - Motiti Decisions and Kaitiakitanga - presentation

#### 4.3 Public Forum - Blue carbon

A PowerPoint presentation was given in support of the item. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number HGF/2021/5

MOVED by Cr PB Buckthought, seconded by Member J Davis:

**That the Hauraki Gulf Forum:**

- a) thank Michael Townsend for his presentation.

**CARRIED**

##### Attachments

- A 22 March 2021, Hauraki Gulf Forum - Public Forum - Blue carbon - presentation

#### 5 Extraordinary Business

There was no extraordinary business.

#### 6 Co-Chairs' Report

Resolution number HGF/2021/6

MOVED by Cr C Fletcher, seconded by Cr DA Arnold:

**That the Hauraki Gulf Forum:**

- a) note the Co-Chairs' report.

**CARRIED**



Hauraki Gulf Forum  
22 March 2021



## 7 Update on Marine Protection and Shellfish Restoration

Herearoha Skipper (Trustee, Ngati Paoa Iwi Trust) provided a PowerPoint presentation on the rahui and subsequent s186a fishery closure request. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Cath Handley (Chair, Waiheke Local Board) provided a PowerPoint presentation on the Local Board's actions in support of the rahui. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Joe Davis (Chair, Ngati Hei) and Sam Woolford (Legasea Lead) provided a PowerPoint presentation on the rahui and subsequent s186a fishery closure request and the community's actions in support of the rahui. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Peter Miles (Program Director, Revive Our Gulf) and Peter Van Kampen (Shellfish Restoration Coordinator, The Nature Conservancy) provided a PowerPoint presentation on the successful consent application and the restoration effort ahead. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number HGF/2021/7

MOVED by Co-Chairperson Tangata Whenua (Alt) Mr D Ogilvie, seconded by Co-Chairperson Cr P Coom:

**That the Hauraki Gulf Forum:**

- a) thank Herearoha Skipper and Cath Handley for their presentations on the Waiheke rahui
- b) agree to submit Attachment H to MPI in full support of the s186a application from Ngāti Paoa
- c) thank Joe Davis and Sam Woolford for their presentations on the Ngāti Hei rahui
- d) encourage MPI to put the s186a application from Ngāti Hei out for consultation
- e) thank Peter Miles and Peter Van Kampen for their joint presentation on the shellfish restoration consent and future restoration work
- f) reaffirm the Forum's position that fishing methods which damage the seafloor should be removed from the Marine Park.

**CARRIED**

### **Attachments**

- A 22 March 2021, Hauraki Gulf Forum - Item 7 - Update on Marine Protection and Shellfish Restoration - Herearoha Skipper presentation
- B 22 March 2021, Hauraki Gulf Forum - Item 7 - Update on Marine Protection and Shellfish Restoration - Cath Handley presentation
- C 22 March 2021, Hauraki Gulf Forum - Item 7 - Update on Marine Protection and Shellfish Restoration - Joe Davis and Sam Woolford presentation
- D 22 March 2021, Hauraki Gulf Forum - Item 7 - Update on Marine Protection and Shellfish Restoration - Peter Miles and Peter Van Kampen presentation

Note: Pursuant to Standing Order 3.14.4 Member J Hore requested that his abstention be recorded in respect of resolutions b), d) and f).

The meeting adjourned at 3.42pm and reconvened at 3.51pm.



Hauraki Gulf Forum  
22 March 2021



Cr C Fletcher retired from the meeting at 3.51pm.

8 **Executive Officer's Report**

Resolution number HGF/2021/8  
MOVED by Member C Handley, seconded by Member J Davis:  
**That the Hauraki Gulf Forum:**  
a) note the report.  
**CARRIED**

9 **Any Other Business**

Cr W Walker questioned whether presentations could be recorded for the benefit of the public. The Executive Officer agreed to look into this.  
Cr W Walker referred to the National Policy Statement on Urban Development and the issue of sedimentation. It was noted that this could be taken up at a subsequent meeting.  
Member A Baucke referred to recent Department of Conservation successful communications on the Marine Park. Members welcomed this news.

Resolution number HGF/2021/9  
MOVED by Cr DA Arnold, seconded by Co-Chairperson Cr P Coom:  
**That the Hauraki Gulf Forum:**  
a) note the report and receive the verbal updates from members.  
**CARRIED**

10 **Consideration of Extraordinary Items**

There was no consideration of extraordinary items.

Maatai Ariki closed the meeting with a karakia.

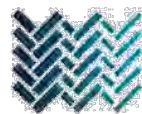
4.05pm The Co-Chairpersons thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD  
AT A MEETING OF THE HAURAKI GULF FORUM  
HELD ON

**DATE:**.....

**CO-CHAIRPERSON:**.....

**CO-CHAIRPERSON  
TANGATA WHENUA:**.....



**Hauraki Gulf Forum**  
Tikapa Moana  
Te Moananui-a-Toi

**Date:** Monday, 22 March 2021  
**Time:** 1.29pm  
**Meeting Room:** Silver Fern Farms Events Centre  
**Venue:** 44 Stanley Avenue  
Te Aroha

---

## Hauraki Gulf Forum

### OPEN MINUTE ITEM ATTACHMENTS

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**Note:** The attachments contained within this document are for consideration and should not be construed as Council policy unless and until adopted. Should Councillors require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.



# NGATI PAOA KAITIAKI PRESENTS 2021 TIAKI TUNA

## HAURAKI PUMP CATCHMENT PIAKO RIVER



Hauraki Gulf Forum  
22 March 2021



## Attachment A

## Item 4.1

Hauraki Gulf Forum  
22 March 2021



Hauraki Gulf Forum  
22 March 2021

Minute Attachments

### 2021 UPDATE

#### ▶ WAIKATO REGIONAL COUNCIL AND NGATI PAOA PUMP CATCHMENT ASSESSMENT

##### BACKGROUND:

OVER THE LAST 2 MONTHS WRC AND HAURAKI HAPU HAVE PARTICIPATED IN THE ECOLOGICAL ASSESSMENTS OF THE PUMP STATIONS WITHIN THE PIAKO RIVER TO PROVIDE DATA FOR PUMP REMEDIATION PURPOSES.

THERE ARE 41 PUMP/FLOOD GATE STRUCTURES THAT WERE ERECTED IN THE LATE 60s/70s AS PART OF A DRAINAGE PROGRAMME, TO PROTECT THE FARMLANDS WITHIN THE HAURAKI PLAINS. DUE TO THE VARIOUS LAWS IN PLACE

NATIONAL POLICY STATEMENT FOR FRESHWATER AND FRESH WATER FISH PASSAGE

##### REGULATIONS

ALL THOSE EXERCISING FUNCTIONS AND POWERS TO PROTECT MUST URGENTLY WORK COLLABORATIVELY WITH HAPU/IWI TO PROVIDE CLEAR DIRECTION OF A WAY FORWARD FOR OUR NZ NATIVE TAONGA SPECIES TO HAVE ANY CHANCE OF SURVIVAL IN OR OUT OF THESE DISASTER ZONES THAT OUR COUNCILS HAVE CREATED.



Page 4



## CULTURAL & ECOLOGICAL CRISIS OF THE PIAKO RIVER AND SURROUNDING ENVIRONMENTS AS IDENTIFIED BY NGATI PAOA KAITIAKI

- 1. 8 PUMP STATIONS FOR 2021 SURVEY HAVE BEEN ASSESSED
- 2. FISH AND TUNA MORTALITY HAS INCREASED TO UNACCEPTABLE LEVELS DUE TO PRESENT PUMP MANAGEMENT & DROUGHT AND THE LACK OF FISH PASSAGE
- 3. PEST FISH SPECIES CONTINUES TO HAVE SERIOUS IMPACT ON OUR NATIVE FISH SPECIES IN PARTICULAR OUR TAONGA TUNA, PEST FISH NEED TO BE REDUCED.



Attachment A

Item 4.1

Hauraki Gulf Forum  
22 March 2021

# DATA COLLECTED DURING 2021 SURVEYS

▶ PIAKO PUMP STATION



▶ PIAKO PUMP STATION



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Minute Attachments

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Item 7.3

Attachment B

# TUNA RESCUE AT PIAKO PUMP STATION SURVEYS

PUMP ENVIRONMENT



PUMP ENVIRONMENT





Attachment A

Item 4.1

Hauraki Gulf Forum  
22 March 2021

**NEXT STEPS:  
NGATIPAOA KAITIAKI SEEK SUPPORT FROM  
OUR COMMUNITIES IWI, LOCAL AND NATIONAL  
TO INITIATE A TIAKI TUNA PROJECT TO  
CONTINUE THE GATHERING OF REALTIME  
DATA, TO DEVELOP A TIAKI TUNA  
MANAGEMENT PLAN FOR DROUGHT RESCUE  
AND RESTORATION:**



Hauraki Gulf Forum  
Page 8 of 28  
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Item 7.3

Attachment B





Hauraki Gulf Forum  
22 March 2021



Attachment A

Item 4.2

Item 7.3

Attachment B

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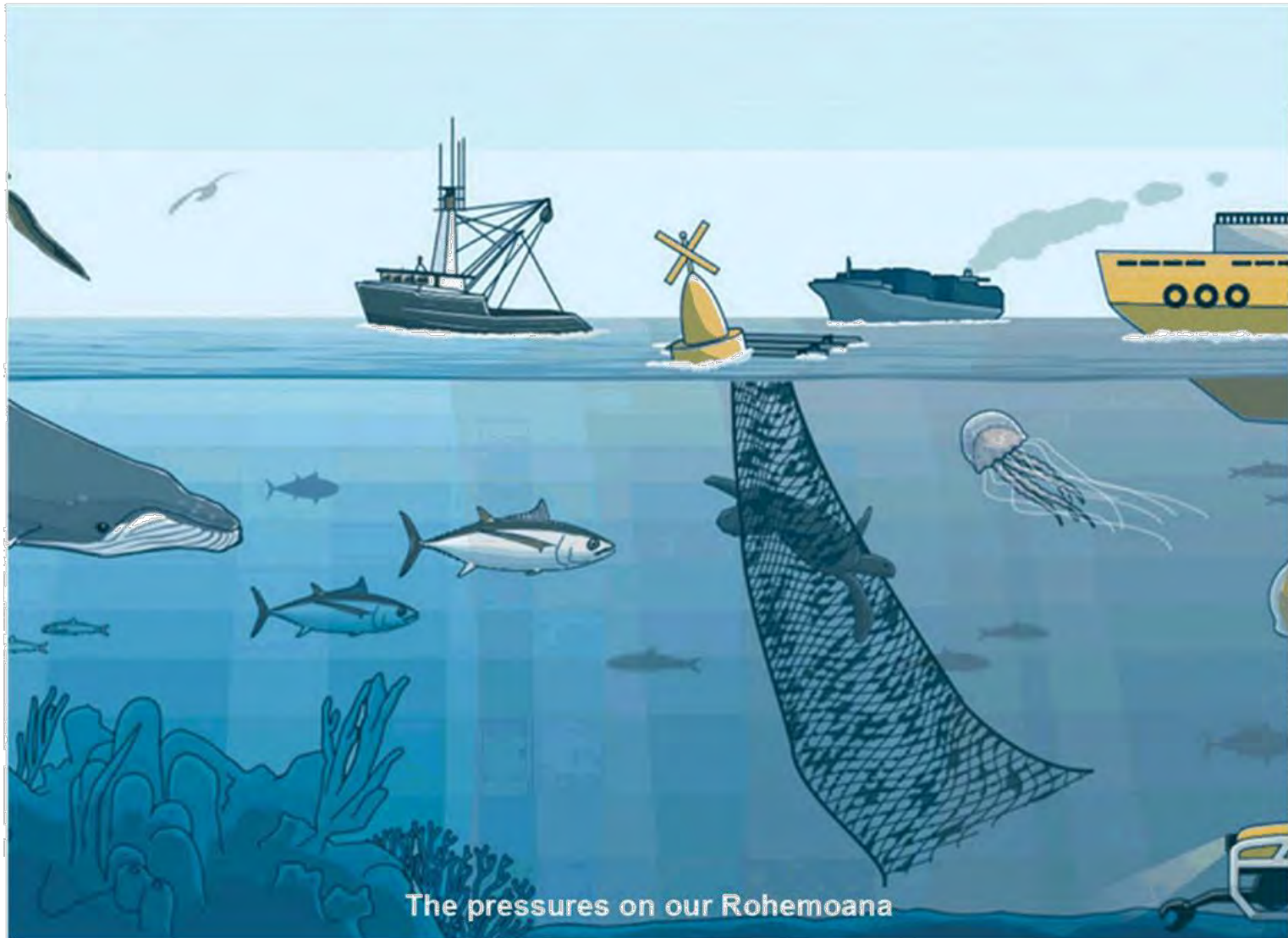
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Hauraki Gulf Forum  
22 March 2021







Attachment A

Item 4.2

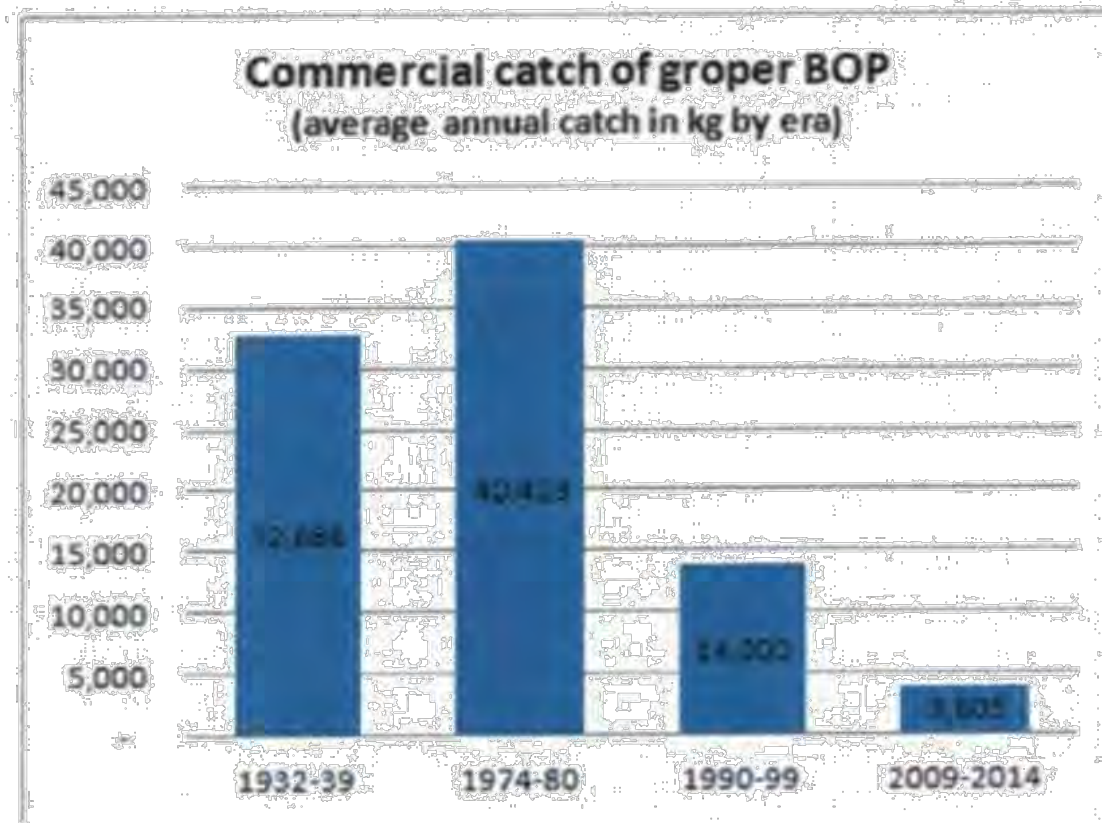
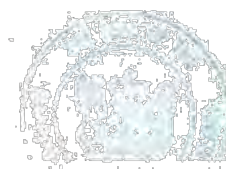
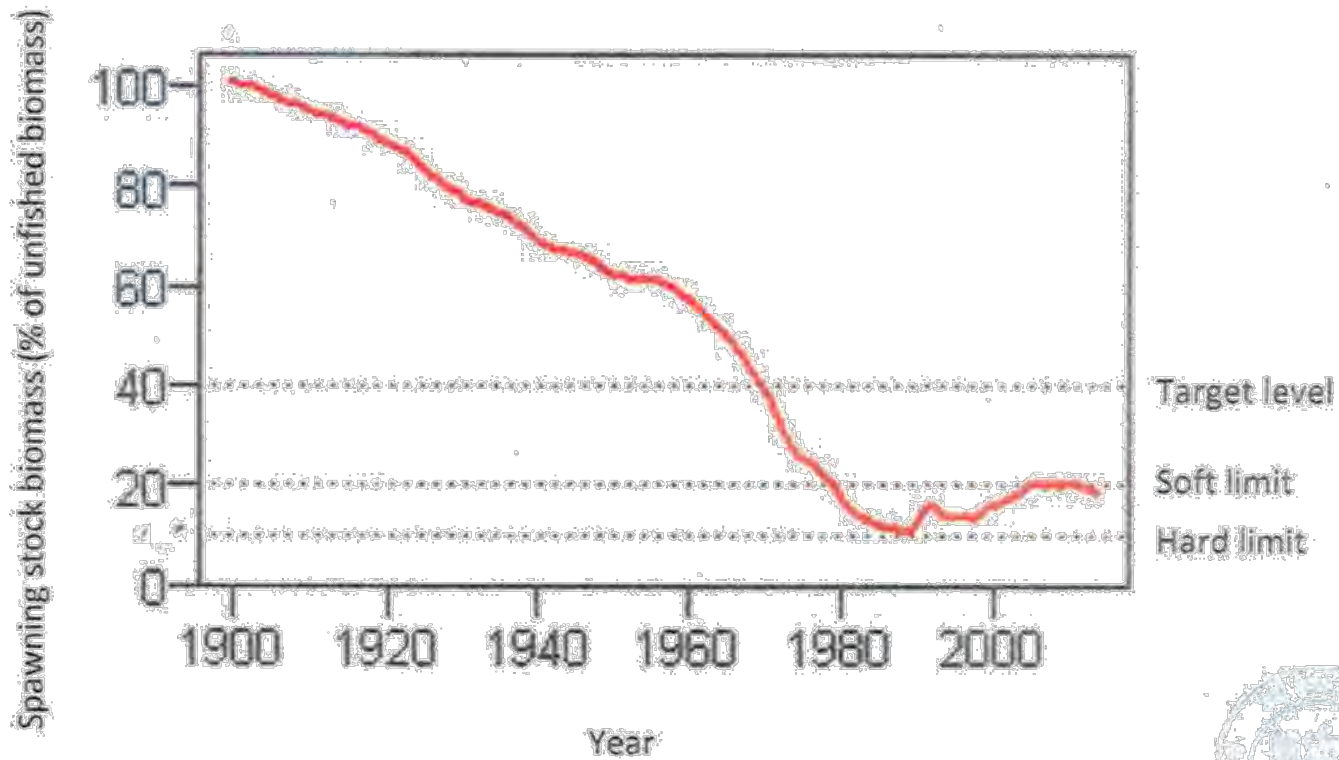


Figure B1. Groper (hapuku/bass) commercial landings at the Port of Tauranga (1930s & 1970s) and estimated catches from FSA009 (1990s onward) in the Bay of Plenty. Boyd, R (2014)



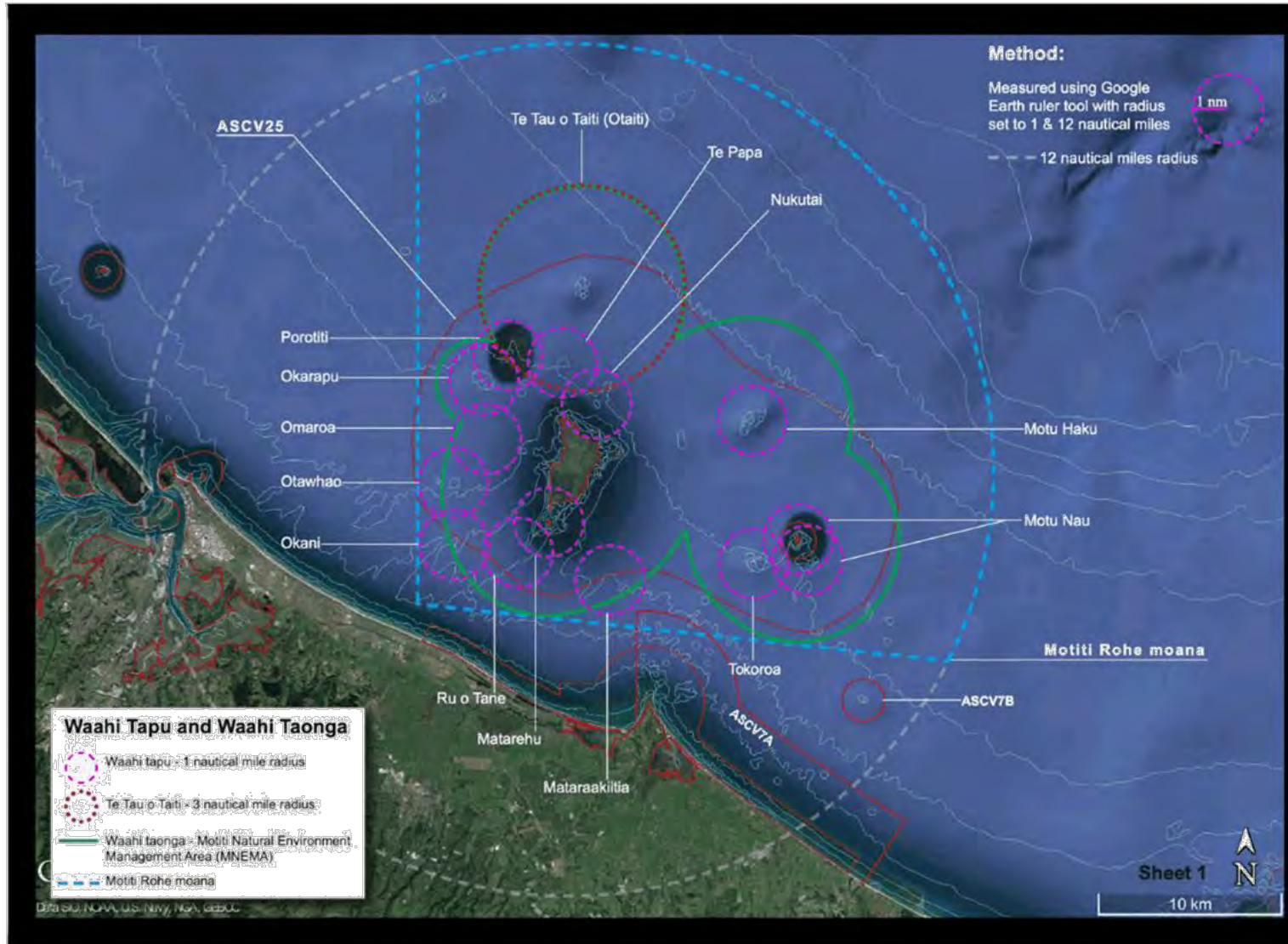
Figure 2: Trajectory of SNA1 abundance (1900- Present) from 2015 stock assessment model



Attachment A

Item 4.2

Hauraki Gulf Forum  
22 March 2021



Minute Attachments

Page 14

Item 7.3

Attachment B



**43d Motiti Protection Areas within Motiti Natural Environment Management Area**

**(2020)**



Attachment A

Item 4.2

Hauraki Gulf Forum  
22 March 2021



Hauraki Gulf Forum  
Te Taumata o Te Tau Otaiti





## Blue carbon ecosystems and their contribution to global climate change mitigation

Michael Townsend<sup>1</sup>, Hannah Jones<sup>1</sup>, Richard Bulmer<sup>2</sup>

<sup>1</sup>*Coastal and Marine Science – Waikato Regional Council*

<sup>2</sup>*National Institute of Water and Atmospheric Research*

*Hauraki Gulf Forum – March 2021*

Attachment A

Item 4.3



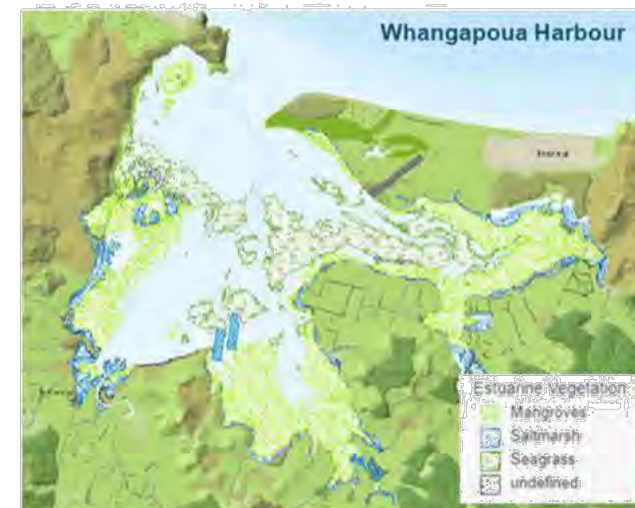
## Blue carbon in coastal habitats

- Recognise the role that coastal ecosystems can play in the capture, budgeting and off-setting of carbon.
- Globally, vegetated coastal habitats are recognised as valuable carbon sinks, accounting for 50% of the total carbon buried throughout the entire ocean (despite only covering 0.5% of the total area).
- But coastal habitats are also severely threatened and their destruction results in the loss of that carbon burial capacity AND the release of carbon buried in the sediments.





- Significant vegetated coastal habitats.
- Saltmarsh, mangroves and seagrass extensive in many of our estuaries.
- Mangrove habitat occupies over 11 km<sup>2</sup> in the southern Firth of Thames.
- Subtidal seagrass beds, e.g. South Bay (Slipper Island) Huruhi Harbour (Great Mercury Island) and Whangapoua Harbour.





Attachment A

Item 4.3



### Tairua Harbour study

- Study of blue carbon stocks in vegetated and unvegetated habitats in Tairua Harbour. Measured organic carbon in above ground vegetation and in the sediment (to 1m depth).
- Saltmarsh and mangrove contributed nearly 40% of stocks in total, despite only covering 12% of the estuary.
- Coastal vegetation provided cross-habitat carbon subsidies. 41% of organic carbon found within unvegetated sediment.
- Unvegetated habitats contained the majority of estuary carbon when adjusted for their large extent.

Bulmer, R.H., Stephenson, F., Jones, H.F.E., Townsend, M., Hillman, J.B., Schwendenmann, L. and Lundquist, C.J. (2020) Blue Carbon Stocks and Cross-Habitat Subsidies. *Front. Mar. Sci.* 7:380.







## Tairua Harbour and the Firth of Thames

- In Tairua, the majority of carbon was below ground in the estuarine sediments.
- Total carbon stored in the Firth of Thames mangrove forest to be c. 60,000 t C (roughly equivalent to 200ha of mature indigenous forest).

- Stock vs sequestration (capital vs interest), - Pérez et al. (2017), 0.5 to 0.8 t C ha<sup>-2</sup> yr<sup>-1</sup> in mangroves, 0.1 and 0.4 t C ha<sup>-2</sup> yr<sup>-1</sup> in saltmarsh.

- FoT Mangroves storing 900 tonnes per year.

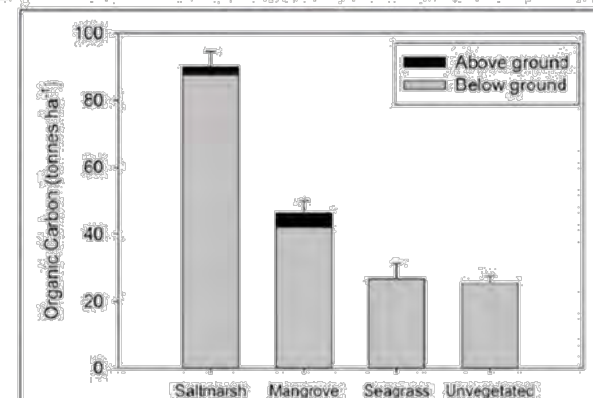
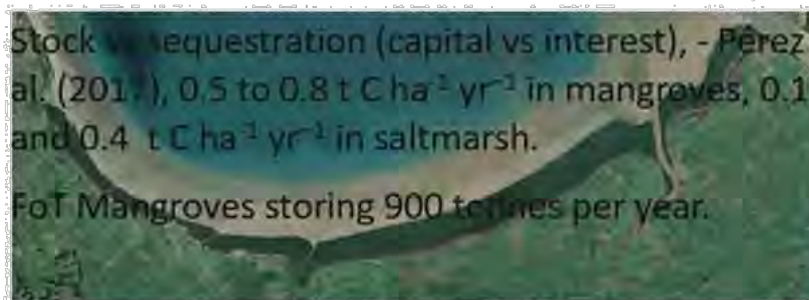


FIGURE 2 | Total organic carbon stocks (above ground plus sediment to 100 cm) at four estuarine habitats within Tairua estuary. Values are mean ± SE. Saltmarsh, n = 9; mangrove, n = 9; seagrass, n = 6; unvegetated, n = 15 cores. Bulmer et al. 2020.

Attachment A

Item 4.3



- Caution when scaling and comparing blue carbon stocks with other habitats due to limited data availability and potential for comparing 'apples with oranges'.
- MfE's Greenhouse Gas Inventory indicates carbon stocks in cropland and grassland are between 3 and 19 t C ha<sup>-1</sup>, much less than coastal vegetated habitats (between 27 and 90 t C ha<sup>-1</sup>), and less than unvegetated estuarine habitat (26 t C ha<sup>-1</sup>).
- Appears that coastal habitats are undervalued. From this report, for example, a reference carbon stock value of 0 t C ha<sup>-1</sup> for 'managed wetlands'.



- There are significant threats to coastal habitats.
- Loss of coastal habitats will result in loss of blue carbon stocks, but the health of the habitats can also affect their functioning (and therefore their ability to store and sequester blue carbon).
- Bulmer *et al.* (2016) estimated that the removal of one hectare of New Zealand mangroves can result in the loss of 79 tons of carbon and 8.3 tons of nitrogen.
- Mangrove removal, loss of saltmarsh (e.g., through reclamation) or seagrass can lead to carbon release from sediments as well as the loss of carbon sequestration potential.
- Poorly managed coastal ecosystems can therefore emit carbon, rather than store it.

Bulmer, R., Schwendenmann, L., & Lundquist, C. (2016). Carbon and Nitrogen Stocks and Below-Ground Allometry in Temperate Mangroves. *Frontiers in Marine Science*, 3.



Attachment A

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### Bottom trawling releases as much carbon as air travel, landmark study finds



Dragging heavy nets across seabed disturbs marine sediments, world's largest carbon sink, scientists report



▲ A view of the seabed disturbed by bottom trawling, which releases carbon stored in marine sediments.

Fishing boats that trawl the ocean floor release as much carbon dioxide as the entire aviation industry, according to a groundbreaking study.

Bottom trawling, a widespread practice in which heavy nets are dragged along the seabed, pumps out 1 gigaton of carbon every year, says the study, written by 26 marine biologists, climate experts and economists and published in Nature on Wednesday.

The carbon is released from the seabed sediment into the water, and can increase ocean acidification, as well as adversely affecting productivity and biodiversity, the study said. Marine sediments are the largest pool of carbon storage in the world.

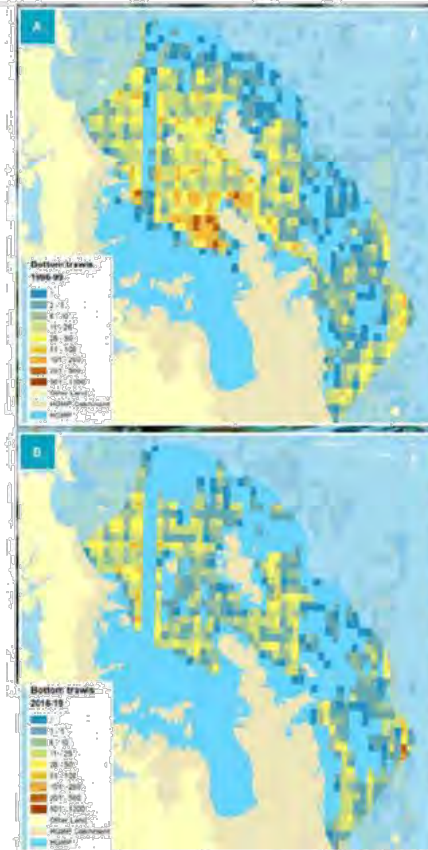
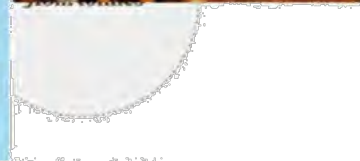


Figure 21  
CO2 emissions in 2019



Item 7.3

Attachment B





- Limited number of studies - Need to measure sequestration (rate of carbon uptake) vs. stocks in different estuarine habitats. Further work on shellfish beds and aquaculture.
- Improved environmental management of estuaries could increase blue carbon storage.
- We need Improved accounting, consideration & decision making with respect to blue carbon. More in-depth comparison with terrestrial habitats, to better understand how blue carbon could offset these.
- For coastal vegetation in the longer-term, we need to allow for the protection, restoration and creation of estuarine habitats as sea level rises.

Attachment A

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Hauraki Gulf Forum  
22 March 2021








**He taiao mauriora**      Healthy environment

**He ōhanga pakari**      Strong economy

**He hapori hihiri**      Vibrant communities

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Hauraki Gulf Forum  
22 March 2021



Hauraki Gulf Forum  
22 March 2021



TĪKAPAKAPA MOANA | NGĀTI PĀOA

# WAIHEKE RĀHUI HAURAKI GULF FORUM

Monday 22 March 2021, Te Aroha

Item 7

Attachment A

Item 7.3

Attachment B



# Rāhui

Rāhui - Temporary Closure

Te Motu-wai-heke

Rāhui Species

Protecting Taonga through Rāhui

Our Commitment

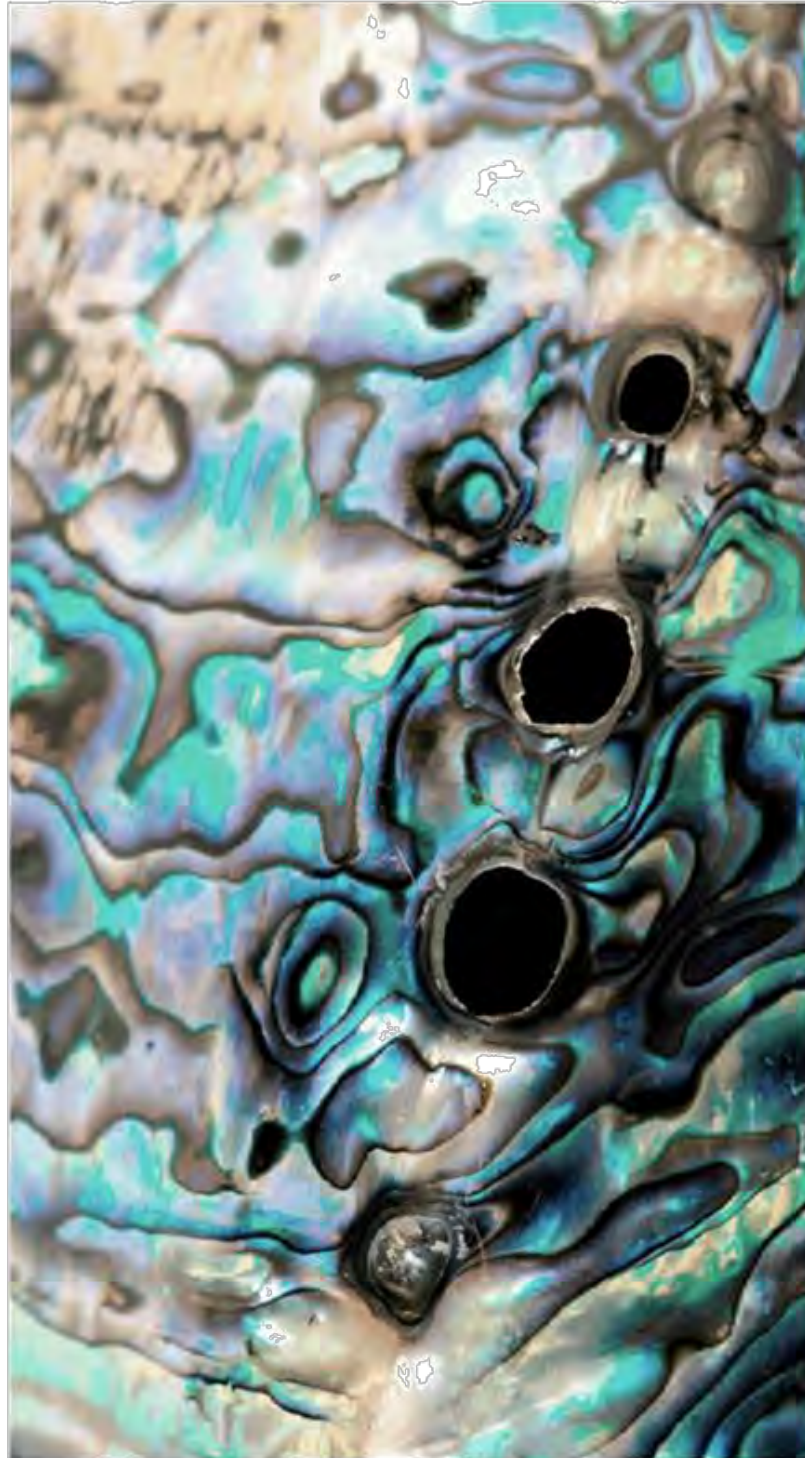
Communications - Pānui

Temporary Closure

Open Discussion







# RĀHUI

## How the use of rāhui for protecting taonga has evolved over time

Rāhui is a custom used by Māori to prohibit the use of a resource (K Maxwell & W Penetito, 2007). This discussion aims to highlight changes in the use of rāhui for protecting taonga (protected natural resource). Colonisation threatened this custom to the point where it was deemed to be obsolete (White, 1895).

In order to survive, Māori have adapted the custom to suit NZ's changing social environment. Consequently rāhui have evolved in purpose, method and even by the taonga they are used to protect. Today, rāhui are only used to protect a fraction of the original resources they were once employed to protect. Their use can either diminish further, stagnate or be revived.

Rāhui: temporary closures, to prohibit



# Te Motu-wai-heke

Protection & Restoration of Manaakitanga & Kaitiakitanga







Item 7

Attachment A

Item 7.3

Attachment B



# PROTECTING TAONGA THROUGH RĀHUI



## ESTABLISHING A RĀHUI

A sacred ritual performed by a Chief or Tohunga to the powers of the gods to protect taonga species



## ENFORCING A RĀHUI

Infringement of a rāhui was once punishable by death. Today an application is submitted to the Minister of Oceans & Fisheries - Fisheries Act Section 186A



## REPLENISHING

Rāhui is used to replenish the mauri of a resource.



# OUR COMMITMENT



## Ngāti Pāoa

Consultation with whānau, hapū, iwi, marae, and community of Waiheke. Establishing the Rāhui



## Hāpori - Community

Primary surveillance of rāhui & report to Fisheries Officers. With the support of the community the effect of the rāhui will be able to be monitored



## Education & Involvement

Detailed signage, boundary markings & regular features in local papers. Cultural marine monitoring programme through Waiheke education system



## Future Management Plan

A plan is developed so that the regeneration that takes place during the rāhui is not undone.

Item 7

Attachment A

Item 7.3

Attachment B





APPLICATION FOR  
TEMPORARY CLOSURE S186A

An application to the Minister of Ocean & Fisheries, Hon David Parker, for a Temporary Closure under the Fisheries Action Section 186A has been submitted. Fisheries NZ invites written submissions in response to the request. Ngāti Pāoa engaged whānau, hapū, iwi, marae, individuals, organisations and the community to write to MPI in support of this application.

The next process is outlined below:

- Due to the high degree of interest from both the media and community, and the statutory holidays observed (Auckland Anniversary day and Waitangi day) the consultation will run for six weeks. The closing date for submissions is 5pm on 22 March 2021.
- Email your submissions to [FMSubmissions@mfi.govt.nz](mailto:FMSubmissions@mfi.govt.nz)
- Once consultation closes, MPI will send copies of the submissions received for comment.
- Once that is completed, MPI will prepare advice for the Minister to assist him to make his decision on our request.

Ngāti Pāoa asks for your support to replenish the mauri of our combined resources.

View of the link for consultation details:  
<https://www.mpi.govt.nz/consultations/>

Kua takoto te rāhui  
A SACRED RITUAL

On Sunday 31 January 2021 Ngāti Pāoa placed a four shellfish species rāhui around Waiheke Island. The species included in the rāhui are tīpa (scallops), kūtai (mussels), kōpua (crayfish) and pāua (abalone). The rāhui is from the foreshore to 1 nautical mile offshore for a minimum 2-year period to allow these taonga species to restore and replenish. The rāhui was well attended by kaumātua, whānau, hapū, iwi, agencies, businesses, and the wider community.

SIGNAGE



Signage has been designed to provide clear communication to residents and visitors to Waiheke Island about the rāhui. Signage have all been proudly sponsored by local organisations to support the rāhui. Those who wish to sponsor signage can email [waihekerahui@gmail.com](mailto:waihekerahui@gmail.com) for further details.



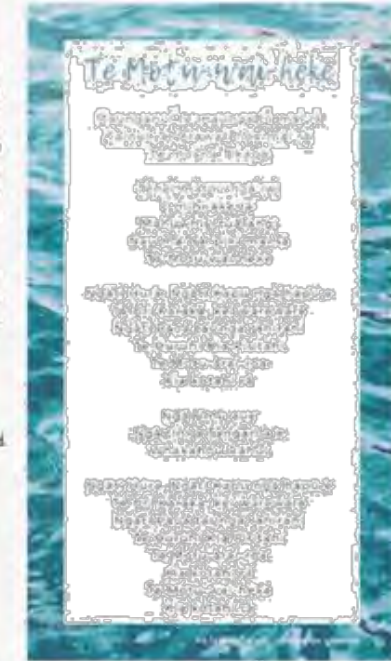
Tai Timu, Tai Pari  
CULTURAL MARINE MONITORING

Ngāti Pāoa rangatahi and tīwhi (5-18 years) gathered on Waiheke leading up to the rāhui to participate in cultural marine monitoring training with local kaiiaki and divers. This was an opportunity for our youth to explore the state of the moana and learn about the biodiversity within the moana, to enact 'manaakitanga' and 'kaitiakitanga' of our natural environment through mātauranga Māori. These wānanga are hosted by Te Kāhu Kōrako and taught through our Te Pōkerū total immersion reo programme for rangatahi.

The tamariki were able to check out the kina barriers and identify the issues of not having enough predators and the impacts of the tamaru (snapper) being reduced to about 20% of the population they were once at.

FUTURE MANAGEMENT PLAN

Further hui and wānanga to address the regeneration and restoration of our kaimoana will be advised in the near future.



Waiata composed in recognition of the rāhui

"Korāwhi te rangi pai, i hae waka wāroa, i ruku moana, i kite haki ētahi o ngā hua o te moana. Ahakoa kua pau te nuinga o ngā kaimoana, pai kōwhiri i ahau te kōwhiri."





# Temporary Closure S186A

CONSULTATION - 5PM 22 MARCH 2021  
Submissions must be made by 5pm today  
Email: [FMSubmissions@mpi.govt.nz](mailto:FMSubmissions@mpi.govt.nz)

## CONTACT DETAILS

Herearoa Skipper  
[herearoa@gmail.com](mailto:herearoa@gmail.com)  
027 2900 158



Item 7

Attachment A

Item 7.3

Attachment B



Hauraki Gulf Forum  
22 March 2021

Item 7

Attachment A



Item 7.3

Attachment B



## WAIHEKE LOCAL BOARD BUSINESS MEETING – 3 FEBRUARY 2021

### Waiheke Rāhui

- a) supports the Rāhui imposed for an initial two years by Ngati Paoa on Sunday 31 January 2021 for the entire coastline of Waiheke Island extending out for 1 (one) nautical mile, establishing a no-take order for four species: kōura/crayfish, tīpa/scallops, pāua and kūtai/mussels (excluding established mussel farms)
- b) commends to the Ministry of Primary Industries (MPI), Ngati Paoa's application for a Rāhui under s186a of the Fisheries Act that has been filed with MPI, for MPI to consider and to consult on the Rāhui as directed under that Act.
- c) seek further support and endorsement for Ngati Paoa's application for a Rāhui from the Hauraki Gulf Forum, the Governing Body of Auckland Council and the Mayor, Hon Phil Goff.

Attachment B

Item 7

Hauraki Gulf Forum  
22 March 2021



Hauraki Gulf Forum  
Te Manawhenua Forum

Minute Attachments

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WAIHEKE LOCAL BOARD BUSINESS MEETING – 3 FEBRUARY 2021

Waiheke Rāhui

- b) seek an assurance from the Minister of Oceans and Fisheries, Hon David Parker, that he will in 2021 prioritise:
  - i. creating draft legislation for significant further protections for the Hauraki Gulf, consistent with the recommendations of the Hauraki Gulf Forum (as attached), and those of Sea Change,
  - ii. to include protections for some scientifically strategic ocean areas of the Hauraki Gulf including within the Waiheke Local Board area, and to include a network of significant Marine Reserve Areas (MRAs) within a range of Marine Protected Areas (MPAs).



Waiheke  
Local Board  
Auckland Council

Item 7.3

Attachment B

# Coromandel Scallop Restoration Plan

Joe Davis, Ngāti Hei

Sam Woolford, LegaSea






## Attachment C

## Item 7

Hauraki Gulf Forum  
22 March 2021



Hauraki Gulf Forum  
22 March 2021

Minute Attachments

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### What's happening?

1. Local communities have noticed a significant decline in scallop populations.
1. For the last 36 months the local community have raised their concerns with MPI.  
In particular:
  - a. the declining scallop populations, and
  - b. destructive nature of scallop dredging

These efforts have been largely ignored.

1. This has led to the community joining forces to take action.

## Opito Bay Rāhui

17 December 2020. Ngāti Hei launched a voluntary rāhui on all scallop harvesting in Opito Bay.

This is supported by:

1. New Zealand Sport Fishing Council
2. Opito Bay Ratepayers Association
3. Kūaotunu Ratepayers Association
4. Mercury Bay Sport Fishing Club
5. Tairua-Pauanui Sport Fishing Club
6. Whangamata Ocean Sports Club
7. New Zealand Underwater Association
8. Spearfishing NZ
9. LegaSea



## Community support is crucial

1. The rahui has been invaluable bringing mana whenua and community together finding common ground
1. Local communities and fishing clubs have worked hard to let people know about the rahui.
1. By being open and inclusive we have seen wide acknowledgement and support of the need for the rahui. The community have respected it.





## Long Term Management

Rāhui is a powerful management intervention. It has allowed for:

1. **Establish a baseline.** Dive Zone Whitianga has had volunteer divers carry out the survey with the New Zealand Sport Fishing Council and Dave Guccione collating the data.
2. **Get the rebuild underway.** The rāhui will remain until scallop populations recover to a minimum of 50% biomass (B50).
3. **Initiate the removal of destructive harvest techniques.** Only hand gathering will be permitted in the future.



## Whats next?

1. The overwhelming support has seen the rāhui expanded to encompass the entire Ngati Hei rohe.
2. A 186a application has been lodged with MPI so the rāhui can become a bylaw.
3. Support for the removal of all mobile contact fishing techniques is growing. Support most welcome from:
  - a. Yachting New Zealand
  - b. Royal New Zealand Yacht Squadron
  - c. Te Atatu Boating Club
  - d. Outboard Boating Club (OBC)
  - e. Kawau Boating Club
  - f. New Zealand Casting and Angling



## He herenga waka he whitiwhiti whakaaro he whitiwhiti korero e u ko te marama

*Whenever canoes are tied up together, thoughts are exchanged,  
dialogue is exchanged and enlightenment comes forth.*







# Mussel Reef Restoration

Update to The Hauraki Gulf Forum

March 2021



**Peter Miles**  
*Kaiwhakahaere/Programme Director*  
The Mussel Reef Restoration Trust  
Revive Our Gulf project



**Peter van Kampen**  
*Kairuruku Whakahaumanu Kaimoana*  
Shellfish Restoration Coordinator  
The Nature Conservancy Aotearoa/NZ

## Attachment D

## Item 7

Hauraki Gulf Forum  
22 March 2021

### Progress update

- New Biosecurity NZ mussel reef restoration risk framework
- Auckland Council Resource Consent issued February
  - Mussel Reef Restoration Trust - 35yr consent
  - Adaptive management with annual work plans / 5yr long-term plans submitted / agreed annually
- Mussel washing up: "Adverse effect" vs. a sign of nature's abundance?
- The MRRT managing the risk - but in time there'll be the need to revisit philosophically
  - How do we educate residents of Tamaki Makaurau (+Waikato) that shellfish wash-ups are ok?
  - Who is responsible for that?



## Next steps

- Shellfish Restoration Coordination Group 3yr plan, 3x100 tonne sites
- Build the mussel reef restoration pipeline:
  - Pickup where we left off, Okahu Bay, East of Ponui Is.
  - Choosing locations where iwi/hapu ready for Partnership
  - Leverage other marine conservation efforts, e.g. Waiheke Marine Project.
- Grow operational capability and capacity
  - Continue our transition from a 100% volunteer org to a professionalised not-for-profit
  - Recruit the core kaimahi we need including *Head of Science* and *Head of Operations* FTES.
- Securing the backing and funding:
  - Jobs for Nature / Kaimahi for Nature
  - Auckland Foundation & The Nature Conservancy NZ partnerships - offshore/local philanthropy and institutional/corporate impact investment.
  - 3yr operating agreement with Auckland Council (via Healthy Waters) - fully articulates Council's commitment to the project.





Attachment D

Item 7

Hauraki Gulf Forum  
22 March 2021

## Asks

- Keep building awareness and support of this kaupapa - among your organisations, within your iwi / hapū.
- Contact us if you'd like us to present in more detail.



## TNC / Foundation North Challenge Fund

- Foundation North and The Nature Conservancy NZ have teamed up to develop the Hauraki Gulf Challenge Fund.
- The Hauraki Gulf Challenge Fund is a NZ\$6 million dollar match fund to support shellfish restoration in the Hauraki Gulf. Foundation North pledges \$3m and TNCNZ will raise \$3m. FN will match TNCNZ for every \$1 raised.
- The funds will be used to deliver the Hauraki Gulf Shellfish Restoration Coordination Groups 3-year Strategic Plan.



Attachment D

Item 7

Item 7.3

Attachment B

Minute Attachments

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Slide 5

- 
- 1      How is that @PM?  
         peter.vankampen@tnc.org 18/03/2021
  - 1      @peter.vankampen@tnc.org - want to add your stuff in here.  
         \_Reassigned to peter.vankampen@tnc.org\_  
         Peter V 18/03/2021
  - 2      Looks good mate. I'll get this off to Alex now.  
         Peter V 18/03/2021

Hauraki Gulf Forum  
22 March 2021





Hauraki Gulf Forum  
22 March 2021

Ngā mihi! He pātai tāu?



## Policies reviews 2021/22

CM No.: 2435438

### Rāpopotonga Matua | Executive Summary

Council is required to regularly review its policies and bylaws. All bylaws must be reviewed at least every 10 years, and review times for statutory policies are set out in the relevant legislation.

The purpose of this report is to provide the Forum with an update on which policies and bylaws are on Council's work programme for review in 2021/22, and to seek members' feedback on how iwi wish to engage with these reviews.

### Tūtohunga | Recommendation

That:

1. **The information is received.**
2. **The Forum provides feedback on how iwi wish to engage with Council on the policy and bylaw reviews scheduled for 2021/22.**

### Horopaki | Background

Council is required to regularly review its policies and bylaws. All bylaws must be reviewed at least every 10 years, and review times for statutory policies are set out in the relevant legislation.

Council's work programme for 2021/22 includes the review of the following policies and bylaws;

- Gambling Venue Policy
- TAB Venue Policy
- Local Easter Sunday Trading Policy

Council may also choose to review its Dog Control Policy and Bylaw dependent on the outcome of the Long Term Plan consultation process, which includes proposals for new dog exercise areas in Te Aroha and Matamata.

### Ngā Take | Issues / Kōrerorero | Discussion

Feedback is sought from Forum members and iwi on how meaningful engagement on this project can be achieved.

### Mōrearea | Risk

There is a risk that if iwi and the wider community are not engaged in the review of policies and bylaws, the relevant policies and bylaws may not be effective in achieving/supporting community wellbeing. Council is seeking early engagement with iwi and stakeholders to promote active and meaningful engagement/participation in the policy review.

## Ngā Whiringa | Options

Forum members may choose to provide feedback on how meaningful engagement on this project can be achieved.

## Ngā take ā-ture, ā-Kaupapahere hoki | Legal and policy considerations

### Gambling Venue Policy 2019

The Gambling Venue Policy is a requirement under the Gambling Act 2003 and it specifies whether class 4 venues (venues with gaming machines) are allowed to be established within the district, if so, where and how many machines may be operated. The current Policy was adopted in 2019, and must be reviewed within three years of adoption, being 2022.

### TAB Board Venue Policy 2019

The TAB Board Venue Policy is a requirement under the Racing Act 2003 and it specifies whether TAB Board Venues (stand alone TAB venues, not those within a licensed alcohol venue). The current Policy was adopted in 2019, and must be reviewed within three years of adoption, being 2022.

### Local Easter Sunday Shop Trading Policy 2017

This Policy is made under the Shop Trading Hours Act 1990 which provides Council with the ability to establish a local policy to permit shops to open on Easter Sunday. The Policy was adopted in 2017 and must be reviewed within five years of adoption, being 2022.

### Policy on Dogs and Dog Control Bylaw 2010 (amended 2016)

The Dog Control Act 1996 (“the Act”), requires all Council’s to have a Policy on Dogs. Council must give effect to such policy by making the necessary bylaws. The Dog Control Bylaw sets out the areas prohibited to dogs and areas that dogs are required to be on or off leash along with a variety of other dog rules. If Council resolves to review its Bylaw, it is also required to review its Policy on Dogs

## Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

This report is the first step in identifying the methods for engagement with iwi. This will then inform the project timeline.

All reviews of Policies and Bylaws are subject to the Local Government Act 2002 Special Consultative Procedure (SCP) or its principles.

The timeline for the SCP is outlined below;

What	When
Draft Policy and Statement of Proposal approved by Council for Consultation	By 9 March 2022
Consultation open	15 March to 17 April
Hearing	18 May (and 19 if req)
Adoption of policies and bylaws	22 or 29 June 2022

This timeline aims to align the consultation on policies and bylaws with that of the Annual Plan 2022/23, should the Annual Plan require consultation.

## Ngā take ā-lhinga | Consent issues

There are no consent issues.

**Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera |  
Contribution to Community Outcomes and consistency with Council Vision**

**Theme:** Healthy and Safe Communities

**Community Outcome:** Our community is safe, healthy and connected; and We encourage community engagement and provide sound and visionary decision making.

**Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source**

The reviews of policies and bylaws are funded from the Strategy and Policy operational budget.

**Ngā Tāpiritanga | Attachments**

There are no attachments for this report.

**Ngā waitohu | Signatories**

Author(s)	Ann-Jorun Hunter <b>Policy Planner</b>	
Approved by	Sandra Harris <b>Corporate Strategy Team Leader</b>	
	Don McLeod <b>Chief Executive Officer</b>	

## Te Manawhenua Forum Satisfaction Survey for 2020/21

CM No.: 2437404

### Rāpopotonga Matua | Executive Summary

Each year a survey is circulated to members of Te Manawhenua Forum Mo Matamata Piako to give members a chance to give their feedback to Council on a range of topics relating to satisfaction with the progress and work plans of Te Manawhenua Forum and Council. These results are collated and reported on in Council's Annual Report.

An electronic version of the survey was circulated to members during May. Thank you to those that have already completed this. For those who have not yet completed this, a copy is also included with this report to complete, please complete this based on information from July 2020 to June 2021 for reporting purposes.

### Tūtohunga | Recommendation

That:

- 1. The Survey be circulated and completed by Te Manawhenua Forum Mo Matamata Piako Members who have not already completed it electronically.**

### Horopaki | Background

Questions in this survey were developed in consultation with members of Te Manawhenua Forum at a workshop in November 2017 as part of the 2018-28 Long Term Planning Process. The survey is to be carried out annually and results will be used to monitor progress towards some of Matamata-Piako's Community Outcomes.

### Herenga kit e Rautakinga Tūroa / Rautakinga ā-Tau | Consistency with the Long Term Plan / Annual Plan

Council identified its strategic goals and direction at an early stage of the Long Term Plan process. Council developed a vision to make Matamata-Piako 'the place of choice'. This vision provides guidance and inspiration as to what we are focused on achieving in the next ten years, and beyond. In making this vision a reality, Council sees itself as enabling the community in five key areas, and has identified specific outcomes under each of these themes that it wants to achieve. Outcomes that relate more closely to Iwi are:

- We promote and protect our arts, culture, historic, and natural resources.
- Development occurs in a sustainable and respectful manner considering kawa/protocol and tikanga/customs.
- We value and encourage strong relationships with iwi and other cultures, recognising wāhi tapu and taonga/significant and treasured sites and whakapapa/ancestral heritage.
- Tāngata Whenua with Manawhenua status (those with authority over the land under Māori lore) have meaningful involvement in decision making.



### Ngā Tāpiritanga | Attachments

[A↓](#). Te Manawhenua Forum Survey - 2020/21 Annual Report

### Ngā waitohu | Signatories

Author(s)	Tamara Kingi <b>Committee Secretary and Corporate Administration Officer</b>	
Approved by	Sandra Harris <b>Corporate Strategy Team Leader</b>	
	Don McLeod <b>Chief Executive Officer</b>	

## Te Manawhenua Forum Satisfaction Survey



Questions in this survey were developed in consultation with members of Te Manawhenua Forum at a workshop in November 2017 as part of the 2018-28 Long Term Planning Process. The survey is to be carried out annually and results will be used to monitor progress towards some of Matamata-Piako's Community Outcomes.

### Matamata-Piako – The Place of Choice Lifestyle. Opportunities. Home.

Council identified its strategic goals or direction at an early stage of the LTP process. Council developed a vision to make Matamata-Piako 'the place of choice'. This vision provides guidance and inspiration as to what we are focused on achieving in the next ten years, and beyond. In making this vision a reality Council sees itself as enabling the community in five key areas, and has identified specific outcomes under each of these themes that it wants to achieve. Outcomes that relate more closely to Iwi are:

- We promote and protect our arts, culture, historic, and natural resources.
- Development occurs in a sustainable and respectful manner considering kawa/protocol and tikanga/customs.
- We value and encourage strong relationships with iwi and other cultures, recognising waahi tapu and taonga/significant and treasured sites and whakapapa/ ancestral heritage.
- Tangata Whenua with Manawhenua status (those with authority over the land under Maaori lore) have meaningful involvement in decision making.

**Considering the work plan approved by the Forum, how satisfied are you with progress made towards achieving the work streams that have been identified?**

(Using the scale where 0 equals very dissatisfied and 10 equals very satisfied)

0  1  2  3  4  5  6  7  8  9  10

Please add any thoughts or comments you have regarding this topic:

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35 Kenrick Street - PO Box 266 - Te Awahia 3342 - www.mpdcc.govt.nz  
Morrisonville & Te Archa 07 884 0060 - Matamata 07 881 8050 - Fax 07 864 8365

**How satisfied are you that tāngata whenua with manawhenua status are recognised and have meaningful involvement in decision making?**  
(Using the scale where 0 equals very dissatisfied and 10 equals very satisfied)

0  1  2  3  4  5  6  7  8  9  10

Please add any thoughts or comments you have regarding this topic:

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**How satisfied are you with Council's current role in promoting and protecting our arts, culture, historic, and natural resources.**

(Using the scale where 0 equals very dissatisfied and 10 equals very satisfied)  
Note: Organisations is a broad term and does not only relate to Council.

0  1  2  3  4  5  6  7  8  9  10

Please add any thoughts or comments you have regarding this topic:

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**How satisfied are you with Council's role in ensuring development occurs in a sustainable and respectful manner considering kawa/protocol and tikanga/customs?**

(Using the scale where 0 equals very dissatisfied and 10 equals very satisfied)

0  1  2  3  4  5  6  7  8  9  10

Please add any thoughts or comments you have regarding this topic:

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**How confident are you that Council values and encourages strong relationships with iwi, recognising wāhi tapu and taonga/significant and treasured sites and whakapapa/ancestral heritage?**  
(Using the scale where 0 equals very unconfident and 10 equals very confident)

0  1  2  3  4  5  6  7  8  9  10

Please add any thoughts or comments you have regarding this topic:

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**How satisfied are you with Councils recognition of Treaty of Waitangi settlement issues?**  
(Using the scale where 0 equals very dissatisfied and 10 equals very satisfied)

0  1  2  3  4  5  6  7  8  9  10

Please add any thoughts or comments you have regarding this topic:

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