Submission by

Hamilton City Council

ACTION FOR HEALTHY WATERWAYS: A DISCUSSION DOCUMENT ON NATIONAL DIRECTION FOR OUR ESSENTIAL FRESHWATER

31 October 2019

1.0 Introduction

1.1 Hamilton City Council (HCC) welcomes the opportunity to make a submission on the Action for Healthy Waterways discussion document (“the Discussion Document”), the Proposed National Environmental Standards for Freshwater, and the Draft National Policy Statement for Freshwater Management.

1.2 The following points and content have been developed using existing Council policies and strategies as well as previous HCC submissions relating to three waters made to the Ministry for the Environment, the Department of Internal Affairs and other key organisations.

1.3 A glossary of abbreviations and terms used in this submission is provided in Appendix 1.

1.4 In general, HCC supports the Government’s objectives of stopping further degradation of freshwater resources, reversing past damage to bring freshwater resources, waterways and ecosystems to a healthy state within a generation, and addressing water allocation issues.

1.5 HCC also supports a holistic approach to managing water “ki uta ki tai”.

1.6 In general, the proposals set out in Action for healthy waterways are consistent with or complement the current direction of existing requirements for management of freshwater in the Waikato River catchment in which Hamilton is located. This direction is prescribed in the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.

1.7 The overarching purpose of the settlement is to restore and protect the health and wellbeing of the Waikato River for future generations. This Act established co-management of the Waikato River and the Vision and Strategy for Waikato River - Te Ture Whaimana o te Awa o Waikato (“the Vision and Strategy”).

1.8 The Vision is “a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come”.

1.9 The Vision and Strategy is the primary direction-setting document for the Waikato River and activities within its catchment affecting the river. The provision of 3-waters services and all development within Hamilton City must give effect to the Vision and Strategy - to the extent the rules in the

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1 S.S(1) of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010
Waikato Regional Plan and Hamilton City District Plan require this.

1.10 HCC has work programmes, and the Hamilton City District Plan includes many provisions, to give effect to the Vision and Strategy. Consequently, HCC is already on a pathway to managing water holistically.

1.11 For instance, HCC has a programme to develop Integrated Catchment Management Plans (ICMPs) for all catchments in the City. Three ICMPs have been completed and four more are being developed\(^2\). In addition, the Hamilton City District Plan requires preparation of sub-catchment ICMPs\(^3\) or Water Impact Assessments\(^4\) for large developments. Furthermore, at least one water sensitive measure for stormwater is required to be included in any new development\(^5\).

1.12 The Sub-regional Three Waters Study is another example of effort in the Waikato to integrate management of land use and the three waters. HCC is working collaboratively on this study with iwi, the Waikato Regional Council, other territorial authorities and the New Zealand Transport Agency. The study is assessing the infrastructure required to accommodate the growth envisaged through the Hamilton to Auckland Corridor Plan and achieve the objectives of the Vision and Strategy and Proposed Waikato Regional Plan Change 1 - Waikato and Waipā River Catchments.

1.13 Through its ICMP work, Sub-regional Three Waters Study and other activities, HCC is very aware of the challenges involved in meeting the water quality targets of these documents, while also providing for urban growth to satisfy the requirements of the National Policy Statement for Urban Development Capacity.

1.14 Employment of current best-practice stormwater and wastewater management technologies will not always remove enough contaminants to achieve the desired water quality in the receiving environment.

1.15 HCC seeks to retain the ability to employ the best practicable option to manage the discharge of contaminants to land or water, to maximise flexibility regarding how it manages contaminants to achieve water quality targets, and to be allowed to offset any significant residual adverse effects of these discharges that cannot be avoided, remedied or mitigated.

1.16 Significant investment in infrastructure will be required to meet water quality targets. For example, HCC's existing Pukete Wastewater Treatment Plant was valued in 2018 at $77M\(^6\). HCC is currently implementing its “Pukete 3” project at a cost of about $24M. This project will expand the plant’s capacity to accommodate predicted urban growth and maintain compliance with the discharge consent until it expires in 2027. HCC’s 30-year Infrastructure Strategy\(^7\) identifies that, in the period 2029 to 2048, further expenditure on wastewater treatment plant upgrades is planned: $60M to ensure the treatment plant remains compliant with its discharge consent and $170M to accommodate population and business growth.

1.17 Government financial assistance with provision of the necessary three waters infrastructure would help achieve water quality targets.

1.18 While HCC respects the intent of the current proposals to materially improve freshwater quality within 5 years, it doubts that this can be achieved in urban areas. This is because of the time required to plan, arrange funding for and implement major infrastructure improvements required to achieve improved receiving environment water quality. For example, the Case Study presented in Appendix 2 shows that it is expected to take 7 years from initial investigation to achieve a major upgrading of Pukete Wastewater Treatment Plant in Hamilton. HCC seeks for reasonable and realistic time periods

\(^2\) See HCC’s website at: https://www.hamilton.govt.nz/our-council/ICMP/Pages/ICMP.aspx
\(^3\) Rule 25.13.4.1 b
\(^4\) Rule 25.13.4.6
\(^5\) Rule 25.13.4.5
\(^6\) 2018-28 10-Year Plan (Hamilton City Council, 2018a, p.37)
\(^7\) 2018-48 Infrastructure Strategy (Hamilton City Council, 2018, p.15)
to be allowed for achieving water quality targets.

1.19 While, achieving cleaner stormwater and wastewater discharges in greenfield development is hard enough, retrofitting stormwater treatment into existing urban development is even more challenging because of the limited space available.

1.20 There are other ways Government could help territorial authorities achieve better freshwater quality in lakes, streams and rivers.

1.21 Government could require all water users to contribute equitably to the protection and restoration of waterways in a catchment. Upstream users should have to manage their contaminant discharges to a similar extent as downstream users, even though, because of the relatively pristine nature of freshwater in upper catchments, the discharges upstream may not threaten to breach environmental bottom lines at the points of discharge. In other words, the assimilative capacity of a water body needs to be allocated equitably throughout the catchment.

1.22 The Government could also establish a national programme, or regulate, to reduce or eliminate discharge of toxic substances into the receiving environment. For example, if feasible, regulations to eliminate or reduce the use of heavy metals in the manufacture of motor vehicle tyres and brake linings or exposed zinc and copper in roofing and spouting. This would be similar in nature to the Government’s regulation in 2019 of single-use plastic bags.

1.23 HCC would like the Government to recognise the significance of three waters infrastructure and the challenges associated with retrofitting upgrades to these networks in existing developed areas to achieve better freshwater quality outcomes. These networks are complex and capital-intensive. They cannot be turned off, other than for a few hours. The infrastructure and upgrades take time to plan, fund, design and construct.

1.24 The kinds of recognition the Government could provide includes:

(1) Providing realistic time periods for territorial authorities to achieve new freshwater quality standards;

(2) Supporting the training of people needed to run the country’s three waters networks. This could include supporting the development of a national qualifications’ framework for the three waters workforce, covering design, construction, operation, monitoring and regulation of these networks; and

(3) Leading the development of good practice guidelines for three waters infrastructure design, construction, operation, monitoring and regulation.

1.25 The Government could also provide national standards or guidelines on how management of stormwater contaminants should be integrated with road design, operation and maintenance. The road network is a major source of contaminants. Rain gardens or other devices are needed to minimise the quantity of contaminants being washed from roads into the receiving environment. Currently there is a lack of guidance focused on achieving the dual objectives of managing contaminants to protect waterways and maximising the safety and efficiency of the road corridor.

1.26 Local Government does not have the resources to develop a qualifications’ framework or prepare best-practice guidelines. Smaller territorial authorities find it difficult to attract suitably skilled people to operate and maintain three waters systems.

2.0 Questions

Question 1. Do you think the proposals set out in this document will stop further degradation of New Zealand’s freshwater resources, with water quality materially improving within five years?

2.1 HCC considers the proposals are moving in the right direction, but material improvement in waterways in urban areas within five years is unlikely. It will take significant capital investment, time
and human resources for territorial authorities to amend planning documents and investigate, design, build and commission the infrastructure necessary to better manage contaminants discharged from existing developed areas.

2.2 The speed of water quality improvements will also depend on the ability of regional councils to change, monitor and enforce their plans. The proposals place significant additional workloads on regional councils.

2.3 The proposals’ effectiveness will also depend on iwi involvement in the various processes. Currently, iwi participation in these activities is not well resourced.

**Question 2.** Do you think the proposals will bring New Zealand’s freshwater resources, waterways and ecosystems to a healthy state within a generation?

2.4 HCC considers that, while improvements will be made to ecosystems under these proposals, legacy contaminants from the primary sector, urban growth and challenges associated with retrofitting contaminant removal in existing development may mean that some targets will be difficult to achieve.

**Question 3.** What difference do you think these proposals would make to your local waterways, and your contact with them?

2.5 HCC considers that the proposals will promote improved waterways and community relationships with them. However, two significant impediments to improving freshwater quality in existing urban areas will remain: difficulties involved in retrofitting stormwater treatment devices, because of a lack of available space, and managing faecal contamination of urban stormwater by animals and birds.

**Question 5.** What support or information could the Government provide to help you, your business, or your organisation to implement the proposals?

2.6 Government could:

1. Provide financial assistance to territorial authorities and/or property owners to support provision, operation and maintenance of the necessary stormwater and wastewater infrastructure, including that associated with roads;

2. Provide guidance on how to incentivise actions to improve freshwater quality;

3. Make whatever statutory provision(s) are necessary, if any, to enable territorial authorities to require property owners in existing urban areas to retrofit stormwater management devices on their property, for example, by:
   a. Installing rainwater tanks to enable reuse of the water on site - for toilets, laundry or irrigation; or
   b. Disposing stormwater to ground soakage when soil and groundwater levels make this practicable; or
   c. Treatment, detention and gradual release to a watercourse; or
   d. Treatment, detention and gradual release to a piped stormwater system.

**Question 7: Do you think it would be a good idea to have an independent national body to provide oversight of freshwater management implementation, as recommended by KWM and FLG?**

2.7 Yes, HCC supports an independent national body providing oversight of freshwater management implementation. This would provide dedicated/focused technical competency and expertise. It could improve information sharing and accelerate adoption of best practice.
Te Mana o te Wai

Question 9: Do you support the Te Mana o te Wai hierarchy of obligations, that the first priority is the health of the water, the second priority is providing for essential human health needs, such as drinking water, and third is other consumption and use?

2.8 Yes, HCC supports this hierarchy.

Question 10: Do you think the proposals will have the desired effect of putting the health of the water first?

2.9 Yes, because they are clear. However, it will probably take some years for them to take effect.

Question 11: Is it clear what regional councils have to do to manage freshwater in a way consistent with Te Mana o te Wai?

2.10 In HCC’s opinion, it is not yet clear to all what “Te Mana o Te Wai”, “mauri” and “maatauranga” mean in the context of freshwater management; they are complex, many faceted concepts. Additional guidance, including case studies of how they have been recognized and provided for could help improve practitioners’ understanding and accelerate recognition of, and provision for, Te Mana o Te Wai.

Question 12: Will creating a long-term vision change how councils and communities manage freshwater and contribute to upholding Te Mana o te Wai?

2.11 Yes, but it is likely to take years, possibly a decade or more, before significant improvement in freshwater quality is observed in urban areas.

New Māori Value

Question 13: Do you think either or both of these proposals will be effective in improving the incorporation of Māori values in regional freshwater planning?

2.12 HCC supports the inclusion of Māori values in regional freshwater planning and supports both proposals.

2.13 Restoring water quality within the Waikato River, so that it is safe to take food from over its entire length, including all its tributaries, is one of the objectives of the Vision and Strategy⁸. Waikato Regional Council’s Proposed Regional Plan Change 1 – Waikato and Waipa River Catchments, for which the Regional Council hearing has recently concluded, will help to achieve this objective. Both proposals in the Discussion Document will support achievement of this objective.

Question 14: Do you foresee any implementation issues associated with either approach?

2.14 Both proposals will require resourcing, including provision of funding and personnel for both Regional Council and Māori.

2.15 Some Māori may be reluctant to identify mahinga kai in fear that doing so may make their location common knowledge resulting in over-use. Restoring and protecting mahinga kai catchment-wide in large catchments, such as the Waikato River catchment, could help overcome such reluctance.

Question 15: What are the benefits and impacts of either of these approaches?

2.16 Making mahinga kai a compulsory value would be providing active protection of a Māori treaty right.

2.17 Both proposals should help restore and protect mahinga kai.

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⁸ Objective 1(3)(k) in Schedule 2 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010
**Question 16:** What implementation support will need to be provided?

2.18 See paragraph 2.14 above.

2.19 Government could augment Proposal 2 by supporting regional councils and iwi to jointly develop Mauri Models for the receiving environments in their areas. Bay of Plenty Regional Council has identified Mauri Model development as a method in the Bay of Plenty Regional Policy Statement. Resourcing and time will be required to develop these models and achieve good collaborative outcomes.

**More Integrated Management of Freshwater**

**Question 18:** Does the proposal make the roles and responsibilities between regional councils and territorial authorities sufficiently clear?

2.20 Yes.

2.21 HCC’s primary approach to achieving integrated management of land use and three waters infrastructure is to prepare and implement ICMPs. These identify the measures that need to be implemented at source (on lot) and at sub-catchment and catchment-wide levels to appropriately manage the cumulative adverse effects of Maximum Probable Development in the catchment.

2.22 Without appropriately prepared ICMPs, it is difficult for regional councils to identify and include on the discharge consents they grant appropriate conditions to manage cumulative adverse effects. Because ICMPs are tools that enable the regional council to fulfil its functions, the regional council should co-fund their preparation. Currently, there is no requirement for them to do so, and they don’t.

**Exceptions for Major Hydro Schemes**

**Question 19:** Does the proposal to allow exceptions for the six largest hydro-electricity schemes effectively balance New Zealand’s freshwater health needs and climate change obligations, as well as ensuring a secure supply of affordable electricity?

2.23 HCC supports renewable energy and accepts the need to maintain generation capacity, storage and operational flexibility of a scheme.

2.24 However, HCC considers the effects of hydro schemes should not be ignored. These effects include changes to the stability of river-beds, river-banks and stormwater and wastewater outfall structures, and warming of the dammed water, which promotes algal growth and affects water quality.

2.25 The hydro schemes are commercial operations generating revenue and profit. Notwithstanding their nationally significant roles, hydro schemes should be required to remedy or offset the significant adverse effects that cannot be avoided or mitigated, and to compensate where offsetting is not achievable.

**Attributes**

**Question 20:** Do you think the proposed attributes and management approach will contribute to improving ecosystem health? Why/why not?

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9 See p.32 of *Healthy Action for Waterways*

10 Method 44 (Bay of Plenty Regional Council, 201, p.224)

11 Between Karapiro and Ngaarauawaahia, the bed of the Waikato River is slowly degrading, because the Karapiro Dam prevents the natural replenishment of riverbed sediments in this reach. The falling bed level destabilises the river banks and sometimes threatens the stability of riverside properties. The river bed is predicted to be lowered by 1.5m at Hamilton within the next 50 years. See the *Central Waikato River Stability Management Strategy 2008-2058* at: [https://www.waikatoregion.govt.nz/Council/Policy-and-plans/Hazard-and-catchment-management/Central-Waikato-River-Stability-Management-Strategy/](https://www.waikatoregion.govt.nz/Council/Policy-and-plans/Hazard-and-catchment-management/Central-Waikato-River-Stability-Management-Strategy/)
2.26 Yes, because they represent a more holistic approach to managing the effects of land-use on ecosystems.

**Threatened Indigenous Species**

**Question 22: Do you support the new compulsory national value? Why/why not?**

2.27 Yes, because the new compulsory national value for threatened indigenous species will align with other central, regional and local direction on biodiversity and the Vision and Strategy for Waikato River.

**Fish Passage**

**Question 23: Do you support the proposed fish passage requirements? Why/why not?**

2.28 Yes, because they will increase the biodiversity of the waterways.

**Question 24: Should fish passage requirements also apply to existing instream structures that are potentially barriers to fish passage, and if so, how long would it take for these to structures to be modified and/or consented?**

2.29 Yes.

2.30 Recognising the time required to investigate, consult affected stakeholders (including structure owners), plan, fund, consent and construct works and the potential numbers of existing barriers to be addressed in a Region, HCC considers that a period between 5 and 10 years would be a reasonable time within which to require fish barriers to be remedied.

**Wetlands**

**Question 25: Do you support the proposal to protect remaining wetlands? Why/why not?**

2.31 Yes, because wetlands provide multiple environmental benefits and support biodiversity. Furthermore, the proposals provide appropriate flexibility for the ongoing operation and maintenance of built wetlands.

**Streams**

**Question 27: Do you support the proposal to limit stream loss? Why/why not?**

2.32 While HCC supports the principle of limiting stream loss, to avoid loss of habitat and impact on the mana of the stream, HCC considers the proposal is too restrictive.

2.33 Provision for infilling of river or stream beds should be extended to “regionally significant infrastructure” and “regionally significant industry” on the same basis as it is proposed to apply to “nationally significant infrastructure”: consent applicants would be required to demonstrate they have considered options to avoid, remedy or mitigate any proposed stream loss through infilling, and they would be required to offset or compensate for any stream loss.

2.34 Extending the provision for infilling of river or stream beds to “regionally significant infrastructure” and “regionally significant industry” would recognise the important and vital roles such facilities serve and that their size and nature often makes it difficult to locate them in the landscape in a manner that doesn’t impact on river or stream beds.

2.35 “Nationally significant infrastructure”, “regionally significant infrastructure” and “regionally significant industry” are not defined in the Resource Management Act 1981 or the Draft NPS-FM. Definitions of these terms should be included in the NPS-FM.

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12 See Paragraph 1.18
2.36 HCC suggests the following definition of “regionally significant infrastructure” and “regionally significant industry” from the *Waikato Regional Policy Statement*, or similar, be included in the NPS-FM:

**Regionally significant infrastructure** – includes:

- a) pipelines for the distribution or transmission of natural or manufactured gas or petroleum;
- b) infrastructure required to permit telecommunication as defined in the Telecommunications Act 2001;
- c) radio apparatus as defined in section 2(1) of the Radio Communications Act 1989;
- d) the national electricity grid, as defined by the Electricity Industry Act 2010;
- e) a network (as defined in the Electricity Industry Act 2010);
- f) infrastructure for the generation and/or conveyance of electricity that is fed into the national grid or a network (as defined in the Electricity Industry Act 2010);
- g) lifeline utilities, as defined in the Civil Defence and Emergency Management Act 2002, and their associated essential infrastructure and services;
- h) public transport corridors as defined in Map 6.1 and 6.1A;
- i) significant transport corridors as defined in Map 6.1 and 6.1A;
- j) flood and drainage infrastructure managed by Waikato Regional Council;
- k) Hamilton City bus terminal and Hamilton Railway Station terminus; and
- l) Hamilton International Airport.

**Regionally significant industry** - means an economic activity based on the use of natural and physical resources in the region and is identified in regional or district plans, which has been shown to have benefits that are significant at a regional or national scale. These may include social, economic or cultural benefits.

**Question 29:** Do the “offsetting” components adequately make up for habitat loss?

2.37 Yes, in principle, application of the “effects management hierarchy” should ensure the any habitat loss is offset.

2.38 In some cases, offsetting may best be served by “daylighting” other piped areas or naturalising artificial drains that have potential for supporting ecological habitat.

**New Bottom Line for Nutrient Pollution**

**Question 30:** Do you support introducing new bottom lines for nitrogen and phosphorus? Why/why not?

2.39 HCC seeks for any proposed new bottom lines for nitrogen to recognise the effects seasonal climatic conditions have on the performance of biological wastewater treatment plants and the contaminant assimilative capacity of water bodies. This may require different bottom lines for nitrogen to be set for summer and winter conditions.

2.40 For example, the conditions of HCC’s current discharge consent for its Wastewater Treatment Plant set water quality standards for summer months that are different from those set for winter months. The total nitrogen summer mass load is 500kg/day, whereas the total nitrogen winter mass load is 1,700kg/day. The different standards reflect that the capacity of the Waikato River to assimilate nitrogen without adverse environmental effects is much higher in the cooler winter months than in summer.

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13 Resource consent number AUTH114674.01.02, Condition 7
Higher Standard for Swimming

Question 36: Do you agree with the recommended approach to improving water quality at swimming sites using action plans that can be targeted at specific sources of faecal contamination? Why/why not?

2.41 Yes, HCC supports in principle the preparation of action plans to improve water quality at swimming sites, because these could identify and prioritise measures that could be taken to minimise health risks to people using the sites. For example, it might be possible to divert an existing stormwater discharge to downstream of the swimming site, or prioritise reduction or elimination of any upstream wastewater network overflows. This would be consistent with an objective of the Vision and Strategy for the Waikato River.\(^{14}\)

2.42 However, HCC anticipates it may often prove difficult to determine the source of any faecal contamination, particularly in a large river such as the Waikato River.

2.43 HCC expects that managing faecal contamination of swimming sites by birds and water fowl will be an ongoing challenge.

Better Managing Stormwater and Wastewater

Question 46: Does the proposed Wastewater NES address all the matters that are important when consenting discharges from wastewater networks? Will it lead to better environmental performance, improve and standardise practices, and provide greater certainty when consenting and investing?

2.44 HCC’s comments of the proposed requirements are as follows:

1. “Minimum treatment standards or “limits” for nationally-applicable wastewater quality parameters, including biochemical oxygen demand, suspended solids and bacteria”: These seem appropriate; they would help councils to forward-plan funding and design.

2. “Targets or limits on the volume and frequency of wet weather overflows”: Setting “Limits” seems inappropriate given there are differing catchments, treatment plants and network capacities and ages, regional rainfall variability and receiving environment sensitivity. Setting “targets” would be more appropriate, in association with the national bottom lines. This would provide territorial authorities time to plan, fund, collaborate with iwi and other stakeholders, design and provide solutions to meet the water quality aspirations of iwi and the community.

3. “Methods for monitoring compliance with standards or limits and reporting breaches to regional councils and the public”: This seems appropriate.

4. “Approaches for incorporating culturally-acceptable wastewater treatment processes”: This seems appropriate and helpful, but ultimately it will be up to collaborative effort to determine this.

Question 47: Do you agree with the scope of the proposed risk management plans for wastewater and stormwater operators? Are there other aspects that should be included in these plans?

2.45 HCC already has multiple documents that focus on management of three water risks. They include, for example: Activity Management Plans and Master Plans for each of the stormwater, wastewater and potable water networks, Integrated Catchment Management Plans, Water Safety Management Plans, Contingency Plans and Business Continuity Plans.

2.46 HCC seeks for the Wastewater NES to accept any existing documents that fulfil the NES’ risk

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\(^{14}\) Objective 1(3)(k) in Schedule 2 of *Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010*
management requirements. This would avoid unnecessary duplication and burdening of territorial authorities.

2.47 In addition to this, it would be helpful if central government were to provide risk management templates and guidance on their use.

**Question 48: What specific national level guidance would be useful for supporting best practice in stormwater policy and planning and/or the use of green infrastructure and water sensitive design in stormwater network design and operation?**

2.48 Any best practice guidance on how to retrofit water management devices into existing developed areas would be helpful. Improving stormwater management in existing urban areas is possibly territorial authorities’ biggest stormwater management challenge.

**Question 49: What are the most effective metrics for measuring and benchmarking the environmental performance of stormwater and wastewater networks? What measures are most important, relevant and useful to network operators, regional councils, communities, and iwi?**

2.49 To avoid imposing unnecessary reporting burden on territorial authorities, existing reporting requirements should be reviewed, rationalised and streamlined. HCC already carries out the following reporting: Non-financial Performance Measure Rules, National Performance Review, three waters resource consent annual reporting, and monitoring reporting.

2.50 Cultural indicator reporting would be useful for iwi. HCC has yet to work with iwi to identify cultural indicators for the urban area.

**Excluding Stock from Waterways**

**Question 65: Do you support excluding stock from waterways? Why/why not?**

2.51 HCC supports excluding stock from waterways, especially where this will impact on drinking water and swimming.

2.52 However, HCC is concerned that the requirement to keep stock out of waterways could apply to animals at Hamilton Zoo. Such a requirement would be contrary to the purposes and functions of the Zoo, which include providing an opportunity for the public to view exotic animals in an approximation of their natural environment where the animals are able to demonstrate natural behaviours.

2.53 Currently, the following animals at Hamilton Zoo have access to surface water: fishing cats, waterfowl, siamang gibbons, zebra, antelope, and giraffe. Although not traditional farm animals, they could fall within the definition of “stock”. Some zoo species, such as the fishing cats require access to water in which to swim or submerge on welfare grounds as it forms part of their natural behaviours.

2.54 HCC seeks for the NPS-FM to exempt zoo animals from requirements to exclude animals from waterways.

2.55 HCC accepts that such exemption should not exempt zoo operators from a requirement to remedy or mitigate the effects of the zoo animal’s access to water.

**3.0 Comment on the Proposed National Environmental Standards for Freshwater**

3.1 HCC seeks for Regulations 12 and 13 to be amended so they apply only to drainage works that are within the surface water catchment of the wetland and within 100m of the wetland. These amendments would exclude any drainage works that are within 100m of the wetland, but outside the wetland’s surface water catchment. This would avoid the need for consents for works that won’t affect the wetland – because they are outside its catchment.
3.2 The amendments sought are as follows:

12 Earth disturbance for drainage – discretionary activities
(1) Engaging in earth disturbance for drainage in, or within the surface water catchment and within 100 m of any part of, a natural wetland is a discretionary activity if it is undertaken for the purpose of restoring the natural wetland to its natural hydrological regime. ....

13 Earth disturbance for drainage – non-complying activity
Engaging in earth disturbance for drainage within the surface water catchment, and within 100 m, of any part of a natural wetland is a non-complying activity if: ....

4.0 Further Information
4.1 Should the Ministry for the Environment require clarification of the above, or additional information, please contact [Personal details removed] Senior Planner, City Waters. Phone: [Personal details removed] Email: [Personal details removed]

Yours faithfully
[Personal details removed]

[CHIEF EXECUTIVE]
### Glossary

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<td>Discussion Document</td>
<td><em>Actions for healthy waterways: A discussion document on national direction for our essential waterways</em> (Ministry for the Environment and Ministry for Primary Industries, 2019)</td>
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<td>HCC</td>
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<td>Pukete 3</td>
<td>A project to upgrade the Pukete Wastewater Treatment Plant in Hamilton. See Paragraph A2.4 below.</td>
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<td>Vision and Strategy</td>
<td>The Vision and Strategy for the Waikato River. This is set out in Schedule 2 to <em>Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010</em>.</td>
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APPENDIX 2

Case Study: Pukete 3 Wastewater Treatment Plant Upgrading Project

A2.1 Anyone seeking a new or renewed consent for a point source discharge which could have significant
effects on the receiving environment, for example, for a wastewater treatment plant, must go
through extensive and lengthy processes before the new or upgraded facility can become operational.
This process is likely to include the following stages:

(1) Procurement for the options assessment;
(2) Engineering, specialist environmental and planning assessments of options for achieving
desired outcomes resulting in identification of a preferred option;
(3) Procurement for preliminary design and consenting;
(4) Preliminary design and specialist environmental and planning assessments to support resource
consent application for the preferred option;
(5) Consenting, which may include resolving any appeals to the Environment Court;
(6) Procurement for detailed design;
(7) Detailed design and contract documentation;
(8) Procurement/tendering for construction of the facility;
(9) Construction; and
(10) Commissioning.

A2.2 In addition, territorial authorities must follow processes set out in the Local Government Act 2002
(LGA 2002) to secure the funding for all stages of the project. Need for the facility must first be
identified in the Council’s 30-year Infrastructure Strategy\textsuperscript{15}, which informs preparation of Council’s
Long-Term Plan\textsuperscript{16}. The 30-year Infrastructure Plan and the Long Term Plan are reviewed every 3 years,
usually in the first year of a new Council. Before any expenditure can be committed on any part of the
project, financial provision for it must also be made in the Council’s Annual Plan, which is prepared
each year\textsuperscript{17}. The Long Term Plan and the Annual Plan are each subject to public consultation
processes\textsuperscript{18}.

A2.3 Figure 1 below illustrates the processes and timeframes involved in completing the Pukete 3 project,
which is an example of a typical major upgrade of a municipal wastewater treatment plant, which is
costing about $24M. It shows a total project duration of 7 years. This could possibly have been
reduced by some 18 months, if more people had been engaged on the “option assessment, design,
and contract preparation” phase.

A2.4 The project began with the investigation of the need to expand the treatment plant’s capacity to
accommodate predicted urban growth and maintain compliance with the discharge consent until it
expires in 2027. The project will conclude with completion of the construction and commissioning of
the new works. The main components of the Pukete 3 works are: Pukete chemical storage and dosing
facility, a new aeration basin using new technology, a new clarifier, a new inter-stage pump station, a
new returned activated sludge pump station, and a new power supply and motor control centre
room.

\textsuperscript{15} Required by s.101B of the LGA 2002
\textsuperscript{16} Required by s.93 of the LGA 2002
\textsuperscript{17} Required by s.95 of the LGA 2002
\textsuperscript{18} Required by s.93(2) and 95(2) of the LGA 2002 respectively
Figure 1: Planning and funding process for a municipal wastewater plant upgrade
APPENDIX 3

References


Statutes

Local Government Act 2002
Resource Management Act 1991
Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010