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Economic regulation for Tiaki Wai

Final decision summary on additional information disclosure requirements

12 August 2026

Associated documents

Publication date	Reference	Title
12 February 2025	ISBN 978-1-99-133225-7	Economic Regulation of Water Services - Information Disclosure – Discussion Paper
12 February 2025	ISBN 978-1-99-133228-8	Economic Regulation of Water Services – Information Disclosure – Technical Working Paper on the Accounting Basis for Regulatory Reporting
28 May 2025	ISBN 978-1-99-133251-6	Economic Regulation of Water Services – Information Disclosure – Discussion Paper – Summary of Responses
12 August 2025	ISBN 978-1-99-133286-8	Wellington Water Foundational Information Disclosure – Final Decision
12 August 2025	ISSN: 1178-2560	Wellington Water Foundational Information Disclosure Determination 2025
11 September 2025	ISBN 978-1-99-133297-4	Information Disclosure for Water Services – Explanatory Paper: Supporting Information for Draft Information Disclosure Decisions
24 February 2026	2026 NZCC 3	Water Services Information Disclosure Determination 2026
24 February 2026	ISBN 978-1-99-133299-8	Information Disclosure for Water Services – Regulatory Framework Paper
24 February 2026	ISBN 978-1-991414-64-9	Information Disclosure for Water Services – Final Decision Summary Paper
7 May 2026	ISBN 978-1-997321-07-1	Economic regulation for Tiaki Wai – Consultation on recommending performance requirement regulation
7 May 2026	ISBN 978-1-997321-06-4	Economic regulation for Tiaki Wai – Consultation on additional information disclosure requirements
7 May 2026	ISBN 978-1-997321-05-7	Draft Tiaki Wai Economic Regulation Determination 2026
7 May 2026	ISBN 978-1-997321-04-0	Draft Water Services Information Disclosure (Tiaki Wai) Amendment Determination 2026
12 August 2026	2026 NZCC27	Water Services Information Disclosure (Tiaki Wai) Amendment Determination 2026
12 August 2026	2026 NZCC28	Tiaki Wai Economic Regulation Determination 2026

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Executive Summary

Whakarāpopotonga Matua

X1 Wellington's water infrastructure is under increasing pressure from ageing assets, increasing service disruptions, and a legacy of underinvestment. Addressing these issues will require sustained investment, improved management, and increased transparency and accountability over time.

X2 On 1 July 2026, Tiaki Wai Limited (**Tiaki Wai**) assumed responsibility for delivering Wellington's water services. It inherited assets in poor condition and incomplete information. This has created a need to rapidly improve the quality, consistency, and availability of information to support its decision-making and prioritisation of investment.

X3 This paper sets out our final decision on additional information disclosure (**ID**) requirements for Tiaki Wai. It explains where we have made changes after considering submissions and where we have retained our approach proposed in our consultation paper.[1]

A shared interest in the long-term success of Tiaki Wai

X4 The Commerce Commission is one of many organisations with an interest and a role in facilitating the long-term success of Tiaki Wai. The five council owners— Hutt City Council, Porirua City Council, Upper Hutt City Council, Wellington City Council, and Greater Wellington Regional Council (the **councils**)—and the independent Directors of Tiaki Wai have pivotal roles.

X5 The agreement for the financial starting point for the new organisation was finalised on 16 June 2026. This included the transfer of around $9 billion in water assets and $1.6 billion in debt. Alongside this is up to $400 million in callable capital committed by shareholding councils as a last-resort funding arrangement.[2]

X6 These decisions will irreversibly affect the prices consumers of water services pay in the longer-term. Prices will inevitably go up as Tiaki Wai addresses historic underinvestment and returns services to the level of quality that consumers demand.

[1] Commerce Commission "Economic regulation for Tiaki Wai – Consultation on additional information disclosure requirements" (7 May 2026).
[2] Tiaki Wai "Tiaki Wai shareholding councils confirm commitment to Tiaki Wai" (29 May 2026).

X7 Tiaki Wai finalised its first Water Services Strategy following consultation, and engagement with its shareholding councils.[3] It included changes to its financial strategy and investment programme. For example, compared to the Tiaki Wai draft Water Services Strategy price increases in 2026/27 are more moderate, and prices are forecast to ramp up more gradually in future years.[4]

X8 To maintain oversight of Tiaki Wai, the councils have established the Partners' Committee. It includes Ngāti Toa Rangatira and Taranaki Whānui ki Te Upoko o Te Ika as mana whenua representatives, alongside the organisation's shareholding councils' representatives. It has outlined clear expectations for Tiaki Wai and will continue this oversight role.

X9 The Local Government Funding Agency lending arrangements include financial and non-financial reporting requirements. The Water Services Authority has an interest in drinking water quality, and Greater Wellington Regional Council an environmental protection role.

X10 Our interest is in protecting the interests of consumers now, and in the long-term. We consider that there are foundational matters that need to be addressed by Tiaki Wai to enable it to develop the capacity and capability to improve delivery and restore confidence to Wellingtonians, as quickly as possible. Our focus is in ensuring that there is enough information readily available for us and other interested persons to assess whether these activities are happening.

X11 In February this year, we published ID requirements setting out key information to be published by all regulated suppliers.[5] Those requirements are phased in over time, in recognition of the change that the wider sector is experiencing. We aim to apply a risk-based and proportionate approach to regulation. We consider that there is evidence that the risks to consumer outcomes are higher for Tiaki Wai than for other regulated suppliers. Therefore, additional regulation is required for Tiaki Wai now.

Information enables oversight

X12 In reaching our final decision, we have considered feedback from councils, sector participants, and other stakeholders on our consultation proposal. This input has led to targeted refinements, particularly to better align disclosure requirements with the Tiaki Wai Water Services Strategy.

X13 ID will play a central role in confirming whether Tiaki Wai is delivering its commitments. It will enable us to establish a credible foundation for ongoing regulatory oversight. Over time, the insights gained through these disclosures will also inform future regulatory decisions, including whether other additional regulatory tools are needed.

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[3] Tiaki Wai "Water Services Strategy 2026-27" (12 June 2026).
[4] We note that Tiaki Wai is expected to update its price projections from 2027/28 onwards in light of new information. The updated projections will be incorporated into the next Tiaki Wai Water Services Strategy to be published by 1 July 2027.
[5] Water Services Information Disclosure Determination 2026 [2026] NZCC 3.

X14 This paper focuses on summarising submissions and explaining the changes we have made in our final additional ID determinations. It also explains matters raised in submissions where we have retained our approach from our proposal.

Additional regulatory tools

X15 With the steep price increases signalled in the Tiaki Wai Water Services Strategy, it is natural to ask whether we should step in to directly regulate pricing in Wellington. That may happen in the future but making good decisions about pricing needs good information. Developing that information is a key focus of the package of additional economic regulation for Tiaki Wai.

X16 We want Tiaki Wai to succeed and to establish itself in a way that supports better outcomes for consumers over the long-term. There is a lot of work ahead to get Wellington's water infrastructure back to an acceptable standard, and effective regulation is a big part of that work programme.

X17 The Commerce Commission has access to a broad regulatory toolkit, and we will not hesitate to consider recommending that stronger measures be imposed by the Minister, if we see the need.

Next steps

X18 The disclosure requirements are designed to support greater scrutiny and accountability during a period of transition. By improving the quality and accessibility of information, these requirements will help interested persons assess whether service performance, investment delivery, and organisational capability are improving over time.

X19 These actions will not by themselves resolve the risks and challenges facing Tiaki Wai. We will closely monitor Tiaki Wai's performance, capability, and progress in improving outcomes for consumers.

X20 We will also work with Tiaki Wai to appoint independent experts to assess key plans and expenditure forecasts that will support future investment decisions.

Chapter 1 Introduction

Kupu whakataki

Purpose of this paper

Te pūtake o tēnei pepa

1.1 This paper sets out our final decision for the additional information disclosure (**ID**) requirements for Tiaki Wai Limited (**Tiaki Wai**), which will apply from 12 August 2026.

1.2 This decision relates to the application of economic regulation under Part 4 of the Commerce Act 1986 (**Commerce Act**) to Tiaki Wai. Under the Commerce Act, only regulated water services are subject to economic regulation. Currently, regulated water services are water supply and wastewater services supplied by a decision-making local government water service supplier.[6]

1.3 In May 2026 the Commerce Commission (**Commission**) published a consultation paper on additional ID requirements for Tiaki Wai,[7] setting out our proposal. This final decision paper should be read alongside that consultation paper. It summarises the key differences between our draft and final decision and explains the reasons for those changes.

1.4 We have taken feedback on our consultation into account in reaching our final decision. The changes from our consultation proposal reflect submission feedback and demonstrates the importance of stakeholders' views to our regulatory processes.

1.5 Our final decision is largely unchanged from the proposal we consulted on. We have made some refinements and outline these in Chapter 3.

This paper is part of a package of documents

He wāhanga tēnei pepa nō tētahi mōkī tuhinga

1.6 This paper is part of a larger package that also includes the following documents:

1.6.1 **Water Services Information Disclosure (Tiaki Wai) Amendment Determination 2026**—amends the enduring ID requirements applying to all regulated water service suppliers published on 24 February 2026. It brings forward or strengthens certain disclosure requirements for Tiaki Wai.[8]

[6] Commerce Act, s 57D (1) and (2).
[7] Commerce Commission "Economic regulation for Tiaki Wai – Consultation paper on additional information disclosure requirements" (7 May 2026).
[8] Water Services Information Disclosure Determination 2026 [2026] NZCC 3.

1.6.2 **Tiaki Wai Economic Regulation Determination 2026**—sets out new disclosure requirements (that are not amendments to the enduring ID requirements). These include some requirements similar in nature to the requirements in the Wellington Water foundational ID determination.[9]

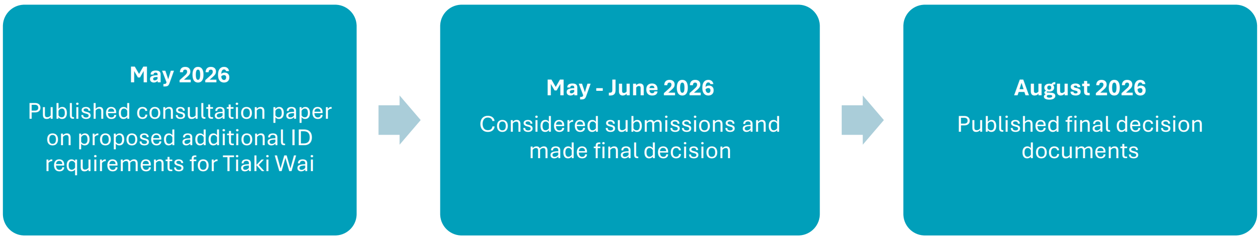
1.6.3 **Factsheet**—sets out the key information consumers may want to know about the additional ID requirements for Tiaki Wai.

Approach to making our final decision

Te huarahi whakatau i whāia

1.7 In finalising the additional ID requirements, we applied the decision-making criteria set out in our ID Regulatory Framework Paper.[10] Figure 1.1 illustrates the steps we followed.

Figure 1.1 Process for finalising additional ID requirements



1.8 We undertook a public consultation on our proposal. Chapter 2 includes a summary of the submissions we received in response to our consultation. We made changes to our proposal based on feedback from these submissions.

Summary of changes

1.9 Our final decisions are reflected in the determinations.

1.10 Table 1.1 summarises the key changes detailed further in Chapter 3. Where we have not amended our decision since the consultation proposal, our final decision is based on the same reasons as set out in the consultation paper.

[9] Wellington Water Foundational Information Disclosure Determination 2025 [2025] NZCC 18.
[10] Commerce Commission "Information Disclosure for Water Services – Regulatory Framework Paper" (24 February 2026), para 57-76.

Table 1.1 Summary of key changes

Item	Description of change
Definition of 'water supply urgent faults'	Threshold standardised across the councils to faults exceeding 5 hours (consultation proposal reflected Wellington Water Limited's (**Wellington Water**) thresholds which were bespoke for each council).
Definition of 'water supply non-urgent faults'	Threshold standardised to faults across the councils exceeding 11 days (consultation proposal reflected Wellington Water's thresholds which were bespoke for each council).
Definition of 'wastewater faults'	Threshold standardised to faults exceeding 8 hours (consultation proposal reflected Wellington Water's thresholds which were bespoke for each council).
Operations report disclosure timing	Amended reporting timing to be no later than 60 working days after 30 September 2026, and then no later than 60 working days after each quarter thereafter (consultation proposal was within 30 working days after each Partners' Committee meeting).
Commission feedback on draft documents	Clarified the targeted scope of our feedback on material projects or programmes to be a one-off event and removed the feedback requirements for the Strategic Asset Management Plan (**SAMP**) and Investment and Delivery Plan (**IDP**).

Our final decision

1.11 Our final decision is largely consistent with our consultation.

1.12 In summary, our final decision includes:

1.12.1 Accelerating key asset management disclosure requirements compared to other regulated suppliers. These will support improved asset management and investment planning, delivering the service quality outcomes that consumers want more efficiently.

1.12.2 Requiring Tiaki Wai to publish a baseline asset management maturity and capability assessment, to better understand how certain, or uncertain, its expenditure plans are.

1.12.3 Requiring Tiaki Wai to publish asset management and delivery improvement plans to set out the steps it will take to improve and when this will happen.

1.12.4 Requiring independent expert review, or verification, of improvement plans, and of the capital and operating expenditure in the next Tiaki Wai Water Services Strategy – due for publication on 30 June 2027. This will demonstrate whether the planned expenditure is correctly directed, efficient, and deliverable.

1.12.5 Ongoing reporting of key performance information by council area, including operating expenditure, the number of faults, and the time for fault resolution. This is so Wellingtonians can see what is happening in their area over time.

Structure of this paper

Te hanga o tēnei pepa

1.13 This paper is organised into the following chapters:

1.13.1 Chapter 2 provides a summary of the submissions we received on our consultation on additional ID requirements for Tiaki Wai.

1.13.2 Chapter 3 outlines key changes to our proposal for additional ID requirements and our reasons for these changes.

1.13.3 Chapter 4 outlines key matters that we considered where our final decision was to retain our proposal, including the reasons for the decision.

Next steps for Tiaki Wai

Ā muri atu mahi mā Tiaki Wai

1.14 The determinations come into force on 12 August 2026. Table 1.2 summarises when Tiaki Wai is required to publish information and how often. The table only includes disclosures required under Part 4 of the Commerce Act, so excludes other key accountability documents such as the publication of the next Water Services Strategy,[11] which Tiaki Wai is required to publish by 1 July 2027.

[11] Required under the Local Government (Water Services) Act 2025.

Table 1.2 Disclosure timeline for Tiaki Wai

Start date	Frequency	Requirements
2026		
Immediate	When the requirement applies	**Enduring ID:** • Transfer agreement • Value of assets and liabilities transferred • Date of becoming or ceasing to be a regulated supplier • Date of taking over the drinking water supply of another regulated supplier • Dividends policy • Policy for funding growth • Information about charges **Tiaki Wai specific ID:** • Service Delivery Performance Dashboard
30 September	Quarterly	**Tiaki Wai specific ID:** • Delivery reporting • Fault information • Network Performance Dashboard
30 November	One-off[12]	**Tiaki Wai specific ID:** • Previous financial year actual operating expenditure on maintenance by shareholding council
	Annually	**Tiaki Wai specific ID:** • Previous financial year network length by shareholding council
2027		
31 March	A second assessment is due after two years	**Tiaki Wai specific ID:** • Asset management maturity and capability assessment
31 July	Annually	**Enduring ID:** • 'Basic' 10-year forecast financial information • 30-year forecast capital expenditure • Asset management plan (AMP) **Tiaki Wai specific ID:** • IDP • SAMP • Consumer related AMP
	One-off	**Tiaki Wai specific ID:** • Operating and capital expenditure deliverability assessment • Asset management improvement plan
30 September	Quarterly	**Tiaki Wai specific ID:** • Progress reporting on asset management improvement plan
30 November	Annually	**Enduring ID:** • 'Basic' previous financial year actual information
2028		
31 July	Annually	**Enduring ID:** • 'Full' (basic and additional) 10-year forecast financial information
30 November	Annually	**Enduring ID:** • 'Full' (basic and additional) previous financial year actual information **Tiaki Wai specific ID:** • Annual delivery report (ADR)

[12] From the 2027 disclosure year, operating expenditure on maintenance will form part of the enduring ID requirement for 'basic' previous financial year actual information. This first disclosure is due 30 November 2027.

Chapter 2 Summary of submissions

Whakarāpopotonga Tāpaetanga

2.1 This chapter provides a summary of submissions received on our consultation for additional ID requirements for Tiaki Wai.

We received seven submissions

E whitu ngā tāpaetanga mai

2.2 We invited submissions on our proposal to introduce additional ID requirements for Tiaki Wai. Our consultation ran from 7 May to 28 May 2026. We received seven submissions from:[13]

2.2.1 Tiaki Wai,

2.2.2 Wellington City Council (**WCC**),

2.2.3 sector groups, and

2.2.4 individuals.

What we heard in submissions

Tā mātou i rongo ai i ngā tāpaetanga

2.3 Submissions were broadly supportive of the proposed ID requirements. Submitters generally focused on suggesting specific refinements such as changes to timing, definitions, and adding or strengthening disclosure requirements.

2.4 We considered all matters raised in submissions. The main themes raised include:

2.4.1 **Strengthening requirements**—while submitters supported the intent of improving transparency and accountability, several advocated for stronger, earlier, or more frequent disclosure requirements.

[13] Commerce Commission "Submissions on additional economic regulation for Tiaki Wai – Consultation papers".

2.4.2 **Asset management maturity and reporting**—some submitters suggested that the asset management maturity and capability assessment should extend beyond the technical review of systems. This was to cover governance, organisational capability, incentives, and organisation-wide adoption of asset management practices. Some also considered that quarterly self-assessment reporting may be overly optimistic given Tiaki Wai asset management immaturity. These submitters suggested requiring clearer disclosures of supporting evidence, methodology, and progress against outcomes.[14]

2.4.3 **Independent verification for material investment plans**—several submitters suggested that the material investment plans Tiaki Wai inherits from Wellington Water should be appropriately tested to mitigate risks to consumers. They raised concerns about the absence of any published options analyses for material investments, such as a metering programme, and limited evidence of any independent re-evaluation. Suggestions included independent verification requirements for material programmes.[15]

2.4.4 **Transparency, cost, and regulatory boundaries**—Water New Zealand (**Water NZ**) raised concerns about the transparency of our residual risk assessment in the consultation proposal. Additionally, it stated concern around the timing of some requirements and the need to maintain a clear boundary between regulatory oversight and operational involvement.[16]

2.4.5 **Alignment with the Tiaki Wai strategy**—Tiaki Wai suggested changes to some requirements to better align with its planned business operations.[17]

2.4.6 **Consumer related information**—Utilities Disputes Limited supported our proposal to require earlier disclosure of consumer related information. It also emphasised the need to clearly distinguish between complaints, customer service issues, and leaks. Utilities Disputes Limited suggested adding additional disclosure requirements for complaint information.[18]

2.4.7 **Other services and regulatory tools**—some submitters sought economic regulation for stormwater or suggested price-quality regulation for Tiaki Wai.

2.5 Feedback from submissions has informed our final decision and meant refinements to the determinations. These changes are explained in Chapter 3.

[14] Andrew Stevenson "Submission on Additional ID for Tiaki Wai" (28 May 2026), p. 3.
[15] Bernard Jennings "Submission on Additional regulation for Tiaki Wai" (23 May 2026), para 9.1.
[16] Water NZ "Submission on Additional ID for Tiaki Wai" (28 May 2026), p. 3.
[17] Tiaki Wai "Submission on Additional ID for Tiaki Wai" (28 May 2026), pp. 2 -11.
[18] Utilities Disputes "Submission on Additional Regulation for Tiaki Wai" (28 May 2026), p. 8.

Chapter 3 Changes to our consultation proposal

Ngā panonitanga ki te tūtohu whakawhiti kōrero

3.1 This chapter outlines the changes made to our consultation proposal in finalising the additional ID requirements for Tiaki Wai and our reasons for making these changes.

Changes to non-financial performance measures

Ngā panonitanga ki ngā inenga tutukinga ahumoni-kore

Fault information

3.2 We have aligned the median response time thresholds for fault information disclosures with Tiaki Wai business practices for performance targets, as follows:

3.2.1 The water supply urgent faults threshold has been standardised to faults exceeding 5 hours (consultation proposal was 4 hours for WCC and Upper Hutt City Council (**UHCC**), and 8 hours for Greater Wellington Regional Council (**GWRC**), Hutt City Council (**HCC**), and Porirua City Council (**PCC**)).

3.2.2 The water supply non-urgent faults threshold has been standardised to faults exceeding 11 days (consultation proposal was 5 days for WCC, 15 days for UHCC, 20 days for GWRC, and 20 working days for HCC and PCC).

3.2.3 The wastewater faults threshold has been standardised to faults exceeding 8 hours (consultation proposal was 6 hours for PCC, UHCC, and WCC, and 8 hours for HCC).

3.3 Tiaki Wai submitted that it will establish a single performance standard against each fault measure. And that it has signalled this to customers through publication of its Water Services Strategy. This would be a change from our consultation proposal, and from the previous practice by Wellington Water. The disclosure requirements now reflect this expected change, to ensure disclosure requirements align with Tiaki Wai business practices.

Performance dashboards

3.4 We have decided to make changes to the performance dashboards. These changes include renaming and defining:

3.4.1 the 'Operations and maintenance dashboard' to the 'Service Delivery Performance Dashboard'. This means the dashboard produced by Tiaki Wai that tracks its performance against measures of customer experience and delivery performance; and

3.4.2 the 'Operations report' to the 'Network Performance Dashboard'. This means the dashboard produced by Tiaki Wai that tracks the performance of its water supply network and wastewater network against measures.

3.5 We also made changes to the timing and frequency of disclosing the 'operations report', now called the 'network performance dashboard'. In our proposal it was required to be disclosed within one month after each Partners' Committee meeting. It is now required to be disclosed on a quarterly basis starting from no later than 60 working days after 30 September 2026, to align with the fault ID reporting.

3.6 The updated requirements better align with Tiaki Wai business practices.

Commission feedback on draft reports

Tā te Kōmihana whakahokinga kōrero mō ngā pūrongo hukihuki

3.7 One submitter raised concerns that requiring Tiaki Wai to seek Commission feedback on draft reports prior to publication risks blurring the boundary between regulatory oversight and operational involvement.[19] The submitter noted that the purpose, scope, and limits of the proposed feedback process were not clearly articulated in the consultation document.

3.8 After considering this feedback, we have clarified the scope of our feedback by:

3.8.1 removing the requirement for Tiaki Wai to provide draft reports for the SAMP and IDP to us for feedback (noting the key contents of these reports, such as expenditure forecasts, will be subject to independent verification).

3.8.2 changing the frequency of Commission feedback on material projects or programmes to be a one-off event (not every time Tiaki Wai produces a quarterly report).

3.9 The intent of us providing feedback on a draft quarterly report is to ensure the form of disclosures is appropriate. This is also to support the development of clear and effective disclosures in alignment with the purpose of ID. We do not intend to comment on the substantive content of reports (draft or otherwise).

[19] Water NZ "Submission on Additional ID for Tiaki Wai" (28 May 2026), p. 7.

3.10 We intend to take a similar approach to providing feedback as we did with Watercare Services Limited (**Watercare)** on its infrastructure delivery and asset management improvement plan.[20] [21] Our experience, is that early feedback helps guide water service suppliers with bespoke reporting requirements, particularly in the early stages of implementation. This is our experience both as Crown monitor for Watercare and in implementing foundational ID for Wellington Water.

[20] As required under the Local Government (Water Services Preliminary Arrangements) (Watercare Charter) Order 2025, cl 24(3).

[21] Watercare "Watercare Infrastructure Delivery and Asset Management Improvement Plan (2025-2028)" (December 2025), Appendix 4.

Chapter 4 Requirements where our consultation proposal was retained

Ngā herenga i puritia ai tā mātou tūtohu whakawhiti kōrero

4.1 This chapter outlines where we considered changes in response to submissions, but our final decision is to retain the requirements in our consultation proposal.

Retaining our approach to an asset management maturity and capability assessment, and quarterly reporting

Te pupuri i ā mātou tikanga whakahaere rawa, aromatawai āheinga me ngā pūrongo ā-toru marama

4.2 Our proposal was to require Tiaki Wai to publish an asset management maturity and capability assessment. This is to provide a structured view of its current asset management systems, processes, and capability. This assessment would then inform an asset management improvement plan, setting out actions to address identified gaps, with ongoing quarterly reporting on progress against that plan.

4.3 We received submissions on these requirements. Some submitters suggested further extending and clarifying the scope of the asset management maturity and capability assessment. This included more explicit coverage of governance, organisational capability, incentives, and organisation-wide adoption of asset management practices.[22]

4.4 Some submitters also raised concerns that the proposed quarterly reporting may be overly optimistic given the current level of asset management maturity. They suggested requiring more detailed disclosures of supporting evidence, methodology, and progress against outcomes.[23]

4.5 We have decided to retain the level of specificity covered in asset management maturity and capability assessments, and quarterly reporting requirements as detailed in our consultation proposal. We have considered stakeholders' views and find that the Tiaki Wai ID determination can achieve our intended purpose as proposed. In our view, it will result in sufficient information being disclosed to enable interested persons to assess whether Tiaki Wai is improving its asset management capability and to assess whether this is supporting better long-term outcomes for consumers.

[22] Andrew Stevenson "Submission on Additional ID for Tiaki Wai " (28 May 2026), p. 3.
[23] Andrew Stevenson "Submission on Additional ID for Tiaki Wai" (28 May 2026), p. 3.

4.6 Prescribing a more detailed scope at this stage may reduce our flexibility to tailor implementation. We intend to do this as our understanding of Tiaki Wai develops through ongoing monitoring. It may also constrain the ability of Tiaki Wai to determine and evolve its own approach to building asset management maturity over time.

4.7 One submission suggested increasing the frequency of maturity assessments.[24] We consider that a two-year frequency is appropriate to allow interested persons to assess whether Tiaki Wai is improving its asset management capability and delivering better outcomes for consumers. This is especially the case given the current stage of regulatory development. Increasing frequency would likely impose additional costs on Tiaki Wai that are likely to outweigh the benefits. We consider that requiring Tiaki Wai to complete a further assessment after only one year would be unlikely to be cost effective. Given its current level of asset management maturity, insufficient time is likely to have passed for the assessment to identify sufficient change.

4.8 We note Tiaki Wai will be subject to other reporting requirements, including asset management improvement plans and disclosures relating to investment and delivery planning. This reporting will also assist interested persons to assess whether Tiaki Wai is improving performance and delivering better outcomes for consumers. This is in addition to creating strong incentives for Tiaki Wai to deliver on its commitments.

Retaining our approach to independent verification

Te pupuri i ā mātou tikanga whakamana motuhake

4.9 Submissions supported the use of independent verification. Some submissions raised concerns about material investment plans inherited by Wellington Water (eg, a metering programme) and the need to ensure these are appropriately tested to mitigate risks to consumers. In particular, submitters noted the absence of any published options analyses for some material programmes. They suggested enhancing disclosures or independent verification to mitigate these risks.[25]

4.10 We have decided to retain our consultation proposal, which provides for the independent verification of the Tiaki Wai forecast expenditure intended for its next Water Services Strategy. We consider this approach sufficient to promote the long-term benefit of consumers by providing assurance that forecast expenditure is prudent, efficient, and deliverable. This can enable interested persons to assess how effectively Tiaki Wai is planning and prioritising its investments.

[24] Andrew Stevenson "Submission on Additional ID for Tiaki Wai" (28 May 2026), p. 6.
[25] Bernard Jennings "Submission on Additional regulation for Tiaki Wai" (23 May 2026), para 9.1.

4.11 We consider that focusing on forecast expenditure appropriately balances improving transparency and accountability with avoiding unnecessary cost and complexity. We intend to follow a similar process to the approach we follow when applying independent verification in other contexts, including Watercare's expenditure planned for its price-quality path for 2028.[26]

4.12 Independent verification processes involve agreeing a terms of reference with an independent expert. The aim of this is to ensure that proportionate scrutiny is applied. This is to understand whether forecast expenditure is expected to be prudent and efficient, and whether it is expected to be deliverable. Identifying key material programmes and ensuring they are appropriately scrutinised is part of the process for determining the terms of reference. Given the potentially heightened interest by stakeholders, we will consider whether, as part of implementation, we should seek feedback from stakeholders (eg, via a consultation on the independent verifier's scope).

4.13 Given the significant interest in the metering programme, we have engaged with Tiaki Wai to understand the context for the metering business case reported about in the media.[27] Tiaki Wai advised us that:

4.13.1 the strategic business case previously presented to its Board required significant further work to validate the economic case, procurement model, and estimated costs to deliver meters; and

4.13.2 the next stage is to fully develop a robust business case that addresses the matters identified by its Board, including testing key implementation through pilots where appropriate, and demonstrates value for money, efficiency, and prudency.

4.14 One submission requested publication of the full independent verification report.[28] The determination provides that Tiaki Wai must disclose the independent verification report on or before 31 July 2027. The requirement to publicly disclose the report aligns with common practice for independent verification reports in other sectors we regulate.

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[26] Commerce Commission "Price quality path for Watercare – Approach Paper" (26 November 2025), para 5.9.2.
[27] Tiaki Wai "Tiaki Wai planning carefully for water meters rollout" (14 May 2026). RNZ "Wellington residents facing slightly lower water bills after Tiaki Wai backs down" (29 May 2026).
[28] Andrew Stevenson "Submission on Additional ID for Tiaki Wai" (28 May 2026), p. 4.

Key non-financial performance disclosure requirement matters we have retained

Ngā tino take ā-herenga ahumoni-kore kua puritia

Scope of non-financial performance disclosure requirements

4.15 We received submissions suggesting additional or expanded disclosure requirements. These included a suggestion to include complaint definitions, categorisation, reporting of resolution times, and outcomes.[29] There was also a suggestion to expand definitions of network assets used for fault reporting to include treated effluent pipes, raw water pipes, and pipes within a treatment plant.[30]

4.16 We have decided to retain our consultation proposal. We consider that these matters are of industry-wide relevance rather than specific to Tiaki Wai. Instead, we intend to consider these matters as part of any future industry-wide updates to ID, which we will consult on separately.

Use of standard industry practice in non-financial disclosures

4.17 One submission raised concerns about the drafting in the Tiaki Wai economic regulation determination. The submission states that, unless the context otherwise requires, non-financial information must be measured and disclosed 'in accordance with standard industry practice unless otherwise required'.[31]

4.18 The submission noted this could reduce consistency and comparability over time if different approaches are taken. It suggested that suppliers should be required to disclose the methodologies, assumptions, classifications, and interpretive choices used, and explain any material changes between reporting periods.

4.19 The Tiaki Wai economic regulation determination is a standalone determination but is intended, where appropriate, to align with the Water Services ID determination.[32] Accordingly, clause 1.4 of the Tiaki Wai economic regulation determination includes a general interpretation provision that is similar to clause 1.5 of the Water Services ID determination. This includes a reference to standard industry practice.

4.20 At an early stage of economic regulation, it is appropriate to provide more flexibility to avoid undue cost. However, that flexibility is bound by the requirement to follow standard industry practice.

4.21 We consider that the Tiaki Wai economic regulation determination provides sufficient clarity in the definitions provided.

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[29] Utilities Disputes "Submission on Additional Regulation for Tiaki Wai" (28 May 2026), p. 3.
[30] Andrew Stevenson "Submission on Additional ID for Tiaki Wai" (28 May 2026), p. 4.
[31] Andrew Stevenson "Submission on Additional ID for Tiaki Wai" (28 May 2026), p. 5.
[32] Water Services Information Disclosure Determination 2026 [2026] NZCC 3.

Retaining timing of key disclosures

Te pupuri i ngā wā puakanga

4.22 We received mixed views on the timing of disclosure requirements. Some submitters supported earlier disclosures to improve timeliness and transparency. One submitter suggested that certain timeframes should be extended, noting implementation constraints, cumulative compliance demands during establishment, and concerns about the sequencing of some accelerated enduring information disclosures.[33]

4.23 We have decided to retain our consultation proposal. We consider the proposed timings, with the adjustments outlined in Chapter 3, balance providing timely information to consumers and other stakeholders, with allowing sufficient time for Tiaki Wai to disclose the required information.

Other services and other regulatory tools

Ētahi atu ratonga, rauemi whakature hoki

4.24 We received submissions relating to other types of regulation and to services that are not currently subject to economic regulation.

Price-quality regulation for Tiaki Wai

4.25 We received one submission from WCC and one individual submission that suggested a price-quality path would be more appropriate for Tiaki Wai.[34] We do not consider that new evidence has been provided to support recommending this type of regulation at this stage, and our position remains unchanged.

4.26 We do not consider that imposing price-quality regulation at this time would better promote the Part 4 purpose of the Commerce Act. Promotion of the Part 4 purpose is one of the matters we must consider before making a recommendation to the Minister to activate another type of regulation via Order in Council. Our current priority is to establish robust and reliable ID to improve transparency and accountability. Revenue or pricing regulation may happen in the future, but making good decisions about revenue and pricing requires a sufficiently robust information base.

[33] Water NZ "Submission on Additional ID for Tiaki Wai" (28 May 2026), pp. 4-6.
[34] WCC "Submission on Additional ID for Tiaki Wai" (28 May 2026), p. 3.

Regulation of stormwater services

4.27 WCC submitted that stormwater services should be included within the regulatory framework.[35] It noted concerns that these services may fall behind without regulatory oversight and highlighted the costs arising from recent storm events. The Commerce Act does not specify stormwater as something regulate by default, but there is a mechanism for us to include additional services, including stormwater services, in the future.[36]

4.28 Tiaki Wai is a newly established organisation with a new Board and has acknowledged its capability and capacity challenges. Imposing requirements on stormwater at this stage could divert resources and attention away from the foundational improvements we consider most critical for the successful establishment of Tiaki Wai. This includes capability, asset management, systems, planning, and investment delivery.

4.29 Given the significant risks associated with the transition, we also consider it important to act now to improve transparency and accountability for regulated water supply and wastewater services. Extending economic regulation to stormwater would require a significant amount of additional work and cost. Delaying our decision to consider stormwater in more detail would likely reduce the positive impact of our additional ID requirements. Many requirements, such as independent verification, have a longer lead time and cannot wait if Tiaki Wai is to meet the timeframes.

4.30 We note that, to the extent the additional ID requirements result in general continuous improvements for the organisation, these would also apply to stormwater (to the extent Tiaki Wai applies similar processes). For example, capability improvements are likely to benefit stormwater services in areas such as: asset management planning, performance measurement, risk management, levels of service frameworks, asset information systems, and long-term investment planning.

[35] WCC "Submission on Additional ID for Tiaki Wai" (28 May 2026), p. 3.
[36] Commerce Act, ss 57G – 57M.

Attachment A Glossary

Term/Abbreviation	Definition
ADR	Annual delivery report
AMP	Asset management plan
Commerce Act	Commerce Act 1986
Commission	Commerce Commission
Councils	The five Council owners—Greater Wellington Regional Council, Upper Hutt City Council, Hutt City Council, Porirua City Council, and Wellington City Council
Enduring ID	Means a longer-term form of information disclosure under Part 4 of the Commerce Act that applies to all regulated water service suppliers
Foundational ID	Means an early form of information disclosure under the Local Government (Water Services Preliminary Arrangements) Act 2024
GWRC	Greater Wellington Regional Council
HCC	Hutt City Council
ID	Information disclosure
IDP	Investment and delivery plan
PCC	Porirua City Council
Regulated water services	Under the Commerce Act 1986, only regulated water services are subject to economic regulation. Currently, regulated water services are water supply and wastewater services supplied by a decision-making local government water service supplier
SAMP	Strategic asset management plan
Tiaki Wai	Means Tiaki Wai Limited, a water organisation jointly owned by the metropolitan Wellington councils, established under the Local Government (Water Services) Act 2025
The Minister	The Minister of Commerce and Consumer Affairs
UHCC	Upper Hutt City Council
Watercare	Watercare Services Limited
Water NZ	Water New Zealand
WCC	Wellington City Council
Wellington Water	Wellington Water Limited