



KAIKŌURA
DISTRICT COUNCIL

WEB UPDATE 3 December 2021

On Wednesday 27 October 2021 the Minister for Local Government announced that the three waters reform process would become mandatory for all Councils. The Government intends to introduce legislation into the House before Christmas which would in effect force Councils to hand over control and effective ownership of their water assets to one of the four new water entities.

Government had previously promised that, as part of a signed Memorandum of Understanding (MoU), Councils would have an option whether to join (opt-in/opt-out). Many Councils have objected strongly to the Government's decision to remove the ability of Councils to opt out.

The Kaikōura District Council, as part of its feedback to the Government on 29 September, questioned the reliability of underlying data, and reiterated the results of community feedback which showed strong feeling against the proposed reform as it currently stood.

The announcement by central government to mandate the three waters service delivery reform has not been received well across the country. Central government has set up a working group to consider the main issues that were raised in the feedback from Councils. However, there is strong view that they are still not listening and that the decision to mandate the reforms and remove local authority decision making ability goes beyond the reforms and affects local democracy in general. Various options to get the government to listen have been discussed at both a regional and national level.

Normally this sort of process would be run by Local Government New Zealand. However, LGNZ, although not supportive of making the reforms mandatory, are still of a view of continuing to work alongside central government to leverage the best outcomes possible. They are also hamstrung through the signed Heads of Agreement (HOA) with Central Government that prevents them opposing a mandatory approach. Our view is that LGNZ did not have a mandate from its membership to sign this HOA and we do not consider LGNZ has acted in the interests of its member in this situation.

We are working alongside a number of other like-minded Council's to convince the Government to alter its intention to proceed with legislation that will compel

Councils to transfer their 3 Waters assets into the ownership and/or operational control of another legal entity without the agreement of an affected Council to that transfer. As part of that we have signed a letter with 29 other Mayors requesting a direct meeting with the Prime Minister to voice our concerns. In short Councils across New Zealand are joining forces in hope that our joint voices will get traction and we won't need to escalate things further.

Ends