



REPORT

Date : 5 October 2021

To : Ordinary Council Meeting, 5 October 2021

From : Chief Executive Officer, Aileen Lawrie

Subject : **CHIEF EXECUTIVE OFFICER'S UPDATE**

File ID : A262058

THREE WATERS REFORM

At the time of agenda close staff were working on a response on the Three Waters reforms to government.

Within the last two weeks a two hour workshop, with Whakatōhea and Te Whānau a Apanui, has been held with DIA staff, the first one on one engagement with Ōpōtiki District Council by Government through the course of the reforms.

A second workshop between staff and Councillors on Monday, 27 September, has provided direction for the drafting of the response.

It is anticipated that the response will be made available on our website as soon as it is completed and signed off, and retrospectively resolved at this Council meeting.

LGOIMA REQUESTS

LGOIMA Report (04/08/2021-24/09/2021)

Month	Submitter	Subject	Due
August 2021	Kevey	Required before 23 August - Correspondence regarding BC3094 from A Templer or HFC	07/09/2021
	N Podgorodnichenko	Human Resource strategy and Resource policies	Completed
	Atkins Holm Majurey	URGENT REQUEST - Ratings valuations for gold kiwifruit orchards	Completed
	3Waters	Professional Services Panels	Completed
	Joakim Hassel	List payments to external suppliers for purchases of goods and services 2020	Completed
	Farrah	Breaches of any District or Regional Plan	Completed
	New Zealand Taxpayers	Three Waters Position	17/09/2021
	Tetra Pak Oceania	Cost of water - Raw, treated and disposal	Completed
	R Stokes	Infringement notice fees	Completed
September 2021	Charlie O'Mannin	Illegal Vegetation Clearance	Completed
	Brian Warburton	Monitoring the Exercise of Resource Consents	04/10/2021
	University of Otago (Tim Chambers)	Drinking water quality data	11/10/2021

MEETINGS / EVENTS ATTENDED BY CEO – 7 AUGUST 2021 – 24 SEPTEMBER 2021

9 AUGUST 2021

Ōpōtiki Harbour Development Project Steering Group meeting, via Zoom

LGNZ Three Waters webinar - Mayors, Chairs, Chief Executives and Elected Members, via Zoom

10 AUGUST 2021

Met with Bay of Plenty Regional Council Deputy Chair, Jane Nees; Councillors Bill Clark and Toi Iti and CEO Fiona McTavish

Catch up with Coast Community Board

12 AUGUST 2021

Council workshop – Housing Acceleration Fund application

13 AUGUST 2021

ODC Tenders Sub-Committee meeting

16 AUGUST 2021

ODC Risk and Assurance Committee meeting

17 AUGUST 2021

Seventh Local Government Forum – Resource Management system reform, via Zoom

Covid-19 Response – From 11.59pm on 17 August 2021, New Zealand was at Level 4

20 AUGUST 2021

Bay of Plenty CEs meeting re Civil Defence Emergency Management, via Zoom

Meeting with iwi and various agencies re locally led solutions during Covid-19 lockdown times, via Zoom

30 AUGUST 2021

Ordinary Council meeting, via Zoom

Three Waters transition forward thinking discussion with DIA, via Zoom

31 AUGUST 2021

Bay of Plenty Mayoral Forum – informal catch-up with Hon Dr Megan Woods, Minister of Housing and Urban Development.

1 SEPTEMBER 2021

Mayors Taskforce For Jobs-MSD Community Recovery Programme Group 1 meeting, via Zoom

2 SEPTEMBER 2021

LGNZ Three Waters Update - Mayors, Chairs and Chief Executives, via Zoom

3 SEPTEMBER 2021

LGNZ Three Waters webinar – Mayors, Chairs, Chief Executives and Elected Members, via Zoom

Covid-19 Response – From 11.59pm on 7 September 2021, our region was at Alert Level 2

10 SEPTEMBER 2021

Eighth Local Government Forum – Resource Management system reform, via Zoom

13 SEPTEMBER 2021

Toi-EDA Board meeting, via Zoom

Three Waters transition forward thinking discussion with DIA, via Zoom

ODC Tenders Sub-Committee meeting, via Zoom

14 SEPTEMBER 2021

Met with Toi-EDA General Managers, Ian Morton and Karl Gradon

Ōpōtiki Harbour Steering Group meeting, via Zoom

15 SEPTEMBER 2021

Councillor/CEO catch up meeting, via Zoom

16 SEPTEMBER 2021

Eastern Bay of Plenty CEs meeting, via Zoom

Resource Management Reform – Local Government Steering Group introductory meeting, via Zoom

20 SEPTEMBER 2021

Three Waters Workshop (Council and iwi representatives) with DIA, via Zoom

23 SEPTEMBER 2021

Moana Project regional stakeholder meeting, via Teams

24 SEPTEMBER 2021

BOPLASS Board meeting and BOPLASS Shareholders' meeting, via Zoom

Bay of Plenty CEs Forum, via Zoom

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT**Assessment of significance**

On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be.

Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.

The level of significance related to the decision in this report is considered to be low. Because the decision is determined to have low significance in accordance with the policy, the corresponding level of engagement required is Inform.

Assessment of engagement

As the level of significance has been determined to be low, the level of engagement required is Inform according to the Engagement Framework of the Significance and Engagement Policy:



Inform

To provide balanced and objective information to assist understanding about something that is going to happen.

The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

Q40 -

RECOMMENDATIONS:

1. That the report titled "Chief Executive Officer's Update" be received.
2. That Council retrospectively approve the response on the Three Waters Reform that was submitted to DIA, LGNZ and Minister Mahuta on Friday, 1 October 2021.
3. That Council note the receipt of the Minister's letter at 4.45pm on 1 October 2021 in response to a letter from Ōpōtiki District Council dated 17 August 2021 was too late to inform our response on the reforms.
4. That a letter is sent to Minister Mahuta from the Mayor that conveys the following concerns:
 - That it is disappointing that after seven weeks to consider our questions, a response was provided 15 minutes from the close of the comments period and two hours after we provided our comments.
 - That the MOU we signed with Government in August 2020 committed us to two way conversations in good faith. We note that other than a Zoom meeting a week ago, that there has been no conversation at all between the Government and Ōpōtiki District Council.
 - That we raised a number of concerns in a letter dated 27 August 2020, to which your Chief Executive made a number of commitments (letter dated 4 September 2020).

- **Neither the commitments in the MOU nor those made subsequently by DIA staff have been met in practice.**
- **That the response to the question of residual viability of Councils post reform as “out of scope” is inconsiderate and suggests a lack of regard for local leadership and democracy.**
- **Any technical matters identified by staff for discussion at the meeting.**

Aileen Lawrie

CHIEF EXECUTIVE OFFICER