



**FROM THE MAYOR'S OFFICE**

**Our Ref:** A262245

5 October 2021

Tēnā koe Minister Mahuta

**PROPOSED THREE WATERS REFORMS**

Opotiki District Council has resolved that I should write to you to express our concerns in relation to Government's lack of engagement with us or the iwi of our District during the course of the Three Waters conversation, and the failure of the Government to meet a number of obligations and commitments made.

In August 2020 Council signed a MOU with the Department of internal Affairs that 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 Opotiki District Council or the iwi of our District, who were signatories to our response to you last week on the Three Waters proposal.

We had significant reservations when we signed the MOU in August of last year and these were expressed by way of a letter dated 27 August 2020 that accompanied our signed MOU. The Chief Executive of DIA responded by way of letter dated 4 September 2020 giving us a number of assurances and committing to engaging directly with us. Both letters are attached.

It is the view of Council that neither the commitments in the MOU nor those made subsequently by DIA staff have been met in practice.

In August we wrote to you asking a number of questions to allow us to better understand the Three Waters proposal with reference to the effects on the community of the Opotiki District. It is disappointing that after seven weeks the response arrived 15 minutes before the close of the comments period and two hours after we provided our comments.

Our staff have spent the weekend reviewing the response and find the content lacks the granularity we would have expected to better understand the impacts in the Opotiki District. Council therefore advise that the responses do not change our feedback provided on Friday.

We do wish to raise two additional matters of concern arising from that letter:

- The response to Question 12 that seems to imply that the MOU that LGNZ have with Government is somehow relevant to, and supersedes the engagement commitments outlined above. We are not of that view and at no stage have indicated a third party could speak on behalf of Opotiki District Council, and certainly not the iwi of our District.
- That the response to Question 31(a) about what consideration has been given to the residual viability of Councils post-reform as "out of scope" is inconsiderate and suggests a lack of regard for local leadership and democracy. In a district that has suffered over decades from the effects of

centralisation (in the name of overall efficiencies) and seen service after service become unviable to the detriment of the community, this is incredibly worrying and we believe that Government has the reforms in the wrong order – Future For Local Government should come first or at least go hand in hand with the Three Waters conversation.

The changes from this proposal are likely to be beyond the tenure of most of us around the Council table, however we are charged with considering the long term impacts for our community and currently we do not see an overall positive impact. We encourage Government to take a broader view of the reforms it is proposing and support local leadership and local democracy by undertaking a bottom-up approach, as proposed in last week's feedback, to ensure that such a legacy decision is based on accurate data, and that details the real issues facing each Council.

Ngā mihi

A handwritten signature in blue ink, appearing to read 'Lyn Riesterer', with a long horizontal flourish extending to the right.

Lyn Riesterer

**MAYOR**

Encls