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LGOIMA

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Information requested by the media, lobby groups, public sector organisations and MPs will always be published, while information specific to an individual or their property will not generally be published.

Request from:	Groundswell NZ
Information requested:	Council's position on 3 Waters and Communities 4 Local Democracy
Response by:	Simon Bastion, Chief Executive

01 June 2022

Groundswell NZ

Via Email:

Dear

Official information request for Council's position on Three Waters and Communities 4 Local Democracy

I refer to your official information request dated 05 May 2022 for Council's position on Three Waters and Communities 4 Local Democracy.

You have asked for the following information:

1. Has the Council adopted a position on the Three Waters policy?

Yes.

a. If so, what motion or motions were agreed to?

Please find enclosed extracted minutes from 09 December 2021 Council meeting, 30 September 2021 Council meeting and 11 November 2021 Extraordinary Council meeting.

b. If so, how did each member of the Council vote on the motion or motions?

This information is not recorded, therefore we are refusing this part of your requested under section 17(e) that the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.

2. Has the Council voted on whether to join the Communities 4 Local Democracy?

Yes.

a. If so, what motion or motions were voted on?

Please find enclosed extracted minutes from the 11 November 2021 Extraordinary Council meeting.

b. If so, how did each member of the Council vote on the motion or motions?

This information is not recorded (however an obtaining vote has been recorded), therefore we are refusing this part of your requested under section 17(e) that the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.

You can find further information on our Council's involvement with C4LD on our website here: <https://www.westlanddc.govt.nz/3waters>

You can find the agenda and minutes from the meetings referenced here on our website: <https://www.westlanddc.govt.nz/your-council/meeting-calendar-agendas-and-minutes/>

There is no charge in supplying this information to you.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Council has adopted a Proactive Release Policy and accordingly may publish LGOIMA responses on the Council Website at <https://www.westlanddc.govt.nz/lgoima-responses>.

The collection and use of personal information by the Westland District Council is regulated by the Privacy Act 2020. Westland District Council's Privacy Statement is available on our website [here](#)

If you wish to discuss this decision with us, please feel free to contact Mary-anne Bell, Senior Administration Officer at LGOIMA@westlanddc.govt.nz, 03 756 9091.

Sincerely,

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Simon Bastion | Chief Executive

SB/MB

Attachments: 21.22.70 Three Waters – Extracted Information from Minutes

Extracted Information from Minutes

Three Waters

Council Minutes:

Thursday 9 December 2021

9. MAYOR'S REPORTS AND STATEMENTS

- **Three Waters Campaign - Briefing to Plenary Councils**

His Worship the Mayor spoke to this update on the Three Waters Campaign and that Westland District Council has joined this group of Councils that are opposing the Three Waters Reform. His Worship the Mayor confirmed that there are now 23 Councils within the group with the potential for 8 – 10 more, equating to approx. 33% of the Councils in New Zealand joining the group representing 1.4 million ratepayers.

The purpose of the group is to convince Government to alter its intention to proceed with legislation that would compel Councils to transfer their Three Waters Asset ownership and operational control to another entity without the agreement of the affected Councils.

Moved Cr Hartshorne, seconded Cr Nisale and **Resolved** that the Three Waters Campaign - Briefing to Plenary Councils presented by His Worship the Mayor be received.

WDC 21.22.70 Released under LGOIMA

Extraordinary Council Minutes

Thursday 11 November 2021

PŪRONGO KAIMAHI STAFF REPORTS

- **Three Water Reform – Three Waters Campaign**

Cr Keogan joined the meeting via zoom at 3.35pm.

Cr Martin joined the meeting via zoom at 3.36pm.

The Chief Executive (CE) spoke to this item and advised the purpose of this report is for Council to consider the next steps regarding the Three Waters Reform program now that Central Government has mandated that all Councils must be part of the reform.

The CE spoke to the background of the Three Waters Reform and advised that council staff are evaluating the impacts to the Westland District now the reform has been mandated. Main areas of impact are:

- The balance sheet has been reduced by 17%
- Significant net asset reduction of \$83.7 m
- Future rates increases to cover council stranded assets, an increase over the current LTP first year of 2.4%, with an average of 9% thereafter.
- A large transition process within council due to the mandated reforms which will have huge impacts for Council held portfolios.

Westland District Council has been invited to join a group of councils, the 'Three Waters Campaign' to create a larger voice to Central Government against the decision to mandate the reform. A Memorandum of Understanding for this group has been finalised with a financial contribution of \$10,000 towards legal advice being requested from each council involved.

His Worship the Mayor made a statement attached as appendix 1.

Cr Neale joined the meeting via zoom at 3.46pm.

Moved His Worship the Mayor, seconded Cr Davidson and **Resolved** that:

- A) Council receive the report.
- B) Council resolves to become a Campaign Partner in the Three Waters Campaign.
- C) Council resolves to sign the Three Waters Campaign Memorandum of Understanding.
- D) Council resolves to contribute \$10,000 towards the Three Waters Campaign program of works.
- E) Council resolves to appoint His Worship Mayor Smith as the representative of the Three Waters Campaign both as a Plenary member (with voting rights) and as a member of the Oversight Group.

Cr Martin, although in attendance at the meeting via zoom, abstained from voting.

Report to Council



DATE: 11 November 2021

TO: Mayor and Councillors

FROM: Chief Executive

THREE WATERS REFORM

1. Summary

- 1.1. The purpose of this report is for Council to consider the next steps regarding the Three Waters Reform program.
- 1.2. This issue arises from the announcement made by Minister Nanaia Mahuta, that Three Waters Reforms will be mandatory for councils.
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2021, which are set out in the Long Term Plan 2021-31. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that that Council resolves to become a Campaign Partner in the Three Waters Campaign and sign the memorandum of understanding (MOU), contributes \$10,000 towards the Three Waters Campaign program of works, and appoints his Worship the Mayor Smith as the Council representative of the Three Waters Campaign both as a Plenary member (with voting rights) and as a member of the Oversight Group.

2. Background

- 2.1. Currently about 85 percent of storm water, drinking water and wastewater is managed by Councils. Some smaller and rural populations, including marae, also get their water through private or community-based providers.
- 2.2. The proposed reforms would move the management of those water assets out of the hands of the country's 67 councils, to four large water entities, with the aim of providing better

water services around the country at a lower cost. Those entities would have boards jointly elected by a group set up by councils and Māori, and have responsibilities to them, but would be run independently.

2.3. During August and September 2021 Council undertook an engagement process regarding the Three Waters Reforms with its community and received 371 submissions.

Option	Percentage
Opt Out	91.6%
Opt In	5.9%
Undecided	2.4%

**Percentage for each option based on all responses received. Note results only to one decimal place.*

The outcome of the reports was the following resolution:

*Moved Cr Martin, seconded His Worship the Mayor and **Resolved** that Council:*

- A) Receive the report from the Group Manager: District Assets regarding the Three Waters Statement of Proposal report from Chris Purchas at Tonkin and Taylor.*
- B) Receives the results of the Three Waters Reform community engagement and survey responses, noting that Council has taken the opportunity to survey its community, and this has resulted in a total of 370 responses of which 92% [rounded] of respondents indicated they want the Council to 'opt-out' of the proposed reforms.*
- C) Opposes the New Zealand Government's proposed model to establish four large water entities and remove the three waters assets and services from local councils. To date the Council is not convinced that this proposal provides the best governance and financial outcomes for our District. As a result, based on the information available at present, Westland District Council would seek to opt-out of the reform should this decision be required. This position is backed by our Community and is reflected in the feedback collected during the community engagement that was undertaken.*
- D) Informs the Government that the Council will strongly and actively oppose the Government mandating the proposed entity-based model for water services delivery.*

E) *Request a pause in the Three Waters Reform.*

F) *Approves a letter being provided to the Minister of Local Government, with a copy sent to Local Government New Zealand and the Department of Internal Affairs by the Mayor and signed by each councillor, stating that **Westland District Council (WDC) opposes the New Zealand Government's proposed model to establish four large water entities and remove the three waters assets and services from local councils**, this decision was made based on the following reasons:*

- *Feedback from the Westland District Council Community Engagement process.*
- *Council has significant concerns about the current Government proposal, which it does not believe can be mitigated within the constraints of the proposed structural model.*
- *The loss of local decision-making is a major issue for our community, and cannot be compensated by 'fine-tuning' the proposal.*
- *The outcome of the Government proposed structure means that the Council loses all of the normal benefits of ownership of the assets.*
- *The accelerated timeframe, lack of true consultation, and lack of real alternative options has resulted in a flawed process.*
- *The lack of integration with other major Local Government reforms will lead to a sub-optimal outcome.*
- *The financial case in support of the proposal, taken from Scotland, is based on information that does not reflect the New Zealand situation.*
- *The supporting information greatly exaggerates the efficiency gains expected, given the advances already made as a district.*
- *The case for lower borrowing costs under the new entity is questionable; it relies on Government backing, and in fact the proposal may lead to increased averaged borrowing costs when both the councils and the water entities are considered in relation to each other.*
- *The proposal would be detrimental to the wellbeing of the Westland Community, with particular regard to the provision of three waters infrastructure and growth as an enabler of economic development.*
- *Council agrees that the Three Waters sector faces many challenges and the status quo in some areas may not be sustainable, but believes that changes should be aligned and integrated with other Local Government reforms (Future for Local Government & Resource Management Act Reform). Importantly with the establishment of Taumata Arowai and the economic regulator, this should be given time to become embedded before major reform as is proposed is undertaken.*
- *The options considered need to be assessed against the wider needs of Local Government reform, engagement with the sector needs to be*

considerably improved, and the process needs to allow for appropriate community consultation.

- *Council has given consideration to Part 6 of the Local Government Act 2002 for the purpose of providing feedback to Government on the current model. The Council however is not able to support the current model on the basis that sufficient information and analysis that is proportionate to such a decision is not available.*
- *That Local Government is best-placed to engage with its community both through existing policies and procedures, and the requirements of the Local Government Act 2002.*

G) Advises Local Government New Zealand (LGNZ) that Council does not support the Heads of Agreement between LGNZ and the Crown signed in June 2021 and request LGNZ rescind the agreement to better reflect the views of its diverse membership and this Council.

H) Requests that the Chief Executive report back to Council once additional information and guidance from the Government, the Minister of Local Government, Department of Internal Affairs and LGNZ has been received on what the next steps will look like and how these should be managed.

A letter was sent to Minister Mahuta (see **appendix 3**) and acknowledgement correspondence was received.

2.4. The outcomes of the feedback from other Councils highlighted that a vast majority of councils have expressed some opposition to the reforms and Councils' opposition ranged from concerns about the management model of the entities and calls for the reforms to be delayed, through to total opposition to the legislative changes.

2.5. Having considered the feedback, Minister Mahuta confirmed the reforms will be mandated to Councils, with all entities to be operational by 1 July 2024. Minister Mahuta: "This is an all-in approach that will require legislation and it will require every council to be a part of a quantum shift in the way that water services are delivered. The legislation is a mandated decision."

3. Current Situation

3.1. Council staff have evaluated the impacts of the Three Waters Reform and have completed pro-forma on the financial impacts, attached as **appendices 1 & 2**. The outcomes of the reform on our finances can be summarised as follows:

- 3.1.1. Balance Sheet reduced by 17%.
- 3.1.2. Net assets reduced by \$83,722,000.
- 3.1.3. Rates increase over the current LTP first year 2.4%, average of 9% thereafter.
- 3.2. Council staff have reviewed the latest information provided in regard to the potential new standards provided by Taumata Arowai relating to the drink water standards. A gap analysis is underway to determine any shortcomings from both an operational perspective but also any further capital enhancements required.
- 3.3. There is a significant amount of work involved with transition if the “Mandate” decision is upheld.

The Government will set up a number of small working groups to define the next level of information requirements, and develop clear and actionable guidance to Council staff across the following areas:

- Workforce and staff
- Assets
- Operations
- Customer
- Financial (including charging and pricing)
- Information systems and data
- Stakeholders including community, business and industry
- Iwi/Māori
- Transition preparation/planning

- 3.4. Many councils around New Zealand are not comfortable with the decision to “Mandate” and a group of them has formed to jointly find a way forward. Westland District Council has been invited to join this group based on Council’s current stance on the matter (see point 2.3). A Memorandum of Understanding for this group has been finalised (**see appendix 4**) and a financial contribution of \$10,000 to cover legal advice is requested.

4. Options

- 4.1. Option 1: Receive the report and resolve that Westland District Council joins other Councils from around New Zealand to challenge Government’s position on a mandated reform, the ‘Three Waters Campaign’.
- 4.2. Option 2: Receive the report but do not join the collective group opposing the mandated reform feedback to the Government.

5. Risk Analysis

- 5.1. Risk has been considered and the following risks have been identified:

- 5.1.1. The effort in trying to challenge the Government's position will come with a lot of resource time and capacity. This may see their other commitments compromised.
- 5.1.2. The transition process for this significant change will be extremely complex and challenging – any delays in progressing this process will see the potential for additional expense and resources compromised.
- 5.1.3. Reputational risk – if the group of councils is linked to any other political movements or organisations that detract from its primary purpose the Government may not take them seriously.
- 5.1.4. Not challenging the mandated decision via Local Government NZ may see the LGNZ feeling undermined and further damaging LGNZ to achieve Council's political goals particularly when further proposed changes are currently on us i.e. RMA and the model of Local Government.

6. Health and Safety

- 6.1. Health and Safety has been considered and no items have been identified.

7. Significance and Engagement

- 7.1. The level of significance has been assessed as being high. The three water assets are Strategic Assets under Council's Significance and Engagement Policy. They are important to the community for continued community wellbeing and have been funded by rates.
- 7.2. The Council has engaged with the community through a series of structured on line sessions, notifications on the radio and articles in the local media. The purpose of the engagement was to understand the community's position on the three waters reform and it highlighted a significant majority against the reform.

The Government has decided to mandate without consulting with our communities or requesting a council undertake a special consultative process. Council has already formed a position following the previous engagement to opt out.

8. Assessment of Options (including Financial Considerations)

- 8.1. **Option 1** – Receive the report and resolve that Westland District Council joins the Three Waters Campaign.
- 8.1.1. The signatory councils ("Partner Councils") to this Memorandum of Understanding ("MoU") oppose the Government's intention and have agreed to work cooperatively together to campaign to convince the Government to reconsider its position in favour of other options that better deliver a set of reform proposals that meet the needs of Communities, Councils and Government ("the Campaign").

- 8.1.2. The basis of the group is highlighted in the MoU but the primary purpose is to convince the Government to alter its intention to proceed with legislation that will compel Councils to transfer their Three Waters assets into the ownership and/or operational control of another legal entity without the agreement of an affected Council to that transfer.
- 8.1.3. Westland District Council have a genuine difference of opinion with the Government on the structural solution of the Three Waters Reform. The group includes a broad range of political views and is not aligned to any political organisation.
- 8.1.4. Partner Mayors will front the campaign with their communities as the democratically elected leaders of those communities. They have a remit to do so and there is strong community support for our stance.
- 8.1.5. The group's aim is to constructively debate the policy issue at hand and acknowledge where they have common ground and provide alternatives where they do not.
- 8.1.6. For Westland District Council the financial contribution equates to \$10,000 to be funded from the democracy budget.

8.2. Option 2: Receive the report but do not join the Three Waters Campaign.

- 8.2.1. Council has already sent a clear indication to the Government that it is not supportive of the current proposal as outlined in 2.3. The level of influence of a lone council trying change the Government's decision on the reform has very little chance of success.
- 8.2.2. Based on this the only course of action as a standalone entity is to work with the proposed working groups to shape the Government's decision before the final solution is legislated. This in itself would require council staff to be heavily involved in the working groups – it is unlikely that we would be invited to be included due to the size of Westland's water assets and level of impact on the overall scheme.
- 8.2.3. There would be costs Council will likely to incur through any transition process but these are yet to be defined and also have no clear guidance from Government whether Council will be compensated for costs.

9. Preferred Option(s) and Reasons

- 9.1. The preferred option is Option 1.
- 9.2. The reason that Option 1 has been identified as the preferred option as it aligns with Council's stance on the Three waters reform. It also has a higher likelihood of success due to the greater number of Councils being involved provided better leverage.

10. Recommendation(s)

- 10.1. That the report be received.
- 10.2. That Council resolves to become a Campaign Partner in the Three Waters Campaign.
- 10.3. That Council resolves to sign the Three Waters Campaign Memorandum of Understanding.
- 10.4. That Council resolves to contribute \$10,000 towards the Three Waters Campaign program of works.
- 10.5. That Council resolves to appoint his Worship Mayor Smith as the representative of the Three Waters Campaign both as a Plenary member (with voting rights) and as a member of the Oversight Group.

Simon Bastion

Chief Executive

Appendix 1: LTP Statement of Financial Position (ex 3W)

Appendix 2: Statement of Comprehensive Revenue and Expense (Ex 3W) Comparison

Appendix 3: Mayor's Letter to Minister of Local Government

Appendix 4: 3 Waters MoU between Partner Councils November 2021

Ordinary Council Minutes

30 September 2021

- **Three Waters Reform – Statement of Proposal**

The Group Manager: District Assets spoke to this item and advised the purpose of this report is to present the Tonkin and Taylor Statement of Proposal report. This issue arises from The Government's Three Waters proposal and the Council's commissioning of Tonkin and Taylor to provide a report to aid the Council in its response.

The Group Manager: District Assets then invited Chris Purchas from Tonkin and Taylor to speak to his report and advise the elected members on the impacts of Central Government's Three Waters Reform on the Westland District. The report covered:

- Introduction
- Background
- Proposed structure for the 3 Waters service delivery
- Anticipated impacts
- Key points to feedback to government.
- Comparing Council delivery with new water services entity
- Council's preferred approach/The proposal
- Applicability

Moved Cr Neale, seconded Cr Davidson and Resolved that Three Waters Reform – Statement of Proposal Report from the Group Manager: District Assets and Chris Purchas from Tonkin and Taylor be received.

9. **NOTICE OF MOTION**

Cr Latham Martin, Hokitika Ward Councillor

The Elected members discussed the Notice of Motion put forward by Cr Martin regarding Central Government's Three Waters Reform proposal. Westland District Council (WDC) must decide to opt in or opt out of the Three Waters Reform. If WDC decided to opt in, this would be a permanent decision with no room for recourse. Should the Council decide to opt-out at this stage of the process, there may be an option for further discussion in the future once more information has been made available to the local councils.

Council believes that there has been a lack of information from central government to be able to make an informed decision on the proposed reform. There has not been a detailed analysis or framework provided.

The discussion took into consideration the feedback received from the community engagement process, with 92% of responses voting to “opt-out” of the proposed reforms. During the engagement process the key reasons the community wanted to opt out were:

- Removal of democratic control over the Westland District (WD) Three Waters assets.
- Removal of democratic control over the elected representatives of the Westland District Council (WDC) who govern the WD assets.
- No control or say over setting of fees and charges for water assets throughout the Westland District.
- No control or say over water treatment options, e.g. to fluoridate or not.
- Lack of clarity around central versus local control of three waters assets.
- Perceived lack of caring, responsibility and ownership of the assets if they were centralised. The community want to be involved and care about the management of their assets for the good of the community.

Moved Cr Martin, seconded His Worship the Mayor and **Resolved** that Council:

- I) Receive the report from the Group Manager, District Assets regarding the Three Waters Statement of Proposal report from Chris Purchas at Tonkin and Taylor.
- J) Receives the results of the Three Waters Reform community engagement and survey responses, noting that Council has taken the opportunity to survey its community, and this has resulted in a total of 370 responses of which 92% of respondents indicated they want the Council to ‘opt-out’ of the proposed reforms.
- K) Opposes the New Zealand Government’s proposed model to establish four large water entities and remove the three waters assets and services from local councils. To date the Council is not convinced that this proposal provides the best governance and financial outcomes for our District. As a result, based on the information available at present, Westland District Council would seek to opt-out of the reform should this decision be required. This position is backed by our Community and is reflected in the feedback collected during the community engagement that was undertaken.
- L) Informs the Government that the Council will strongly and actively oppose the Government mandating the proposed entity-based model for water services delivery.
- M) Request a pause in the Three Waters Reform.
- N) Approves a letter being provided to the Minister of Local Government, with a copy sent to Local Government New Zealand and the Department of Internal Affairs by the Mayor and signed by each councillor, stating that **Westland District Council opposes the New Zealand Government’s proposed model to establish four large water entities and remove the three waters assets and services from local councils**, this decision was made based on the following reasons:
 - Feedback from the Westland District Council Community Engagement process.
 - Council has significant concerns about the current government proposal, which it does not believe can be mitigated within the constraints of the proposed structural model.
 - The loss of local decision-making is a major issue for our community, and cannot be compensated by ‘fine-tuning’ the proposal.
 - The outcome of the government proposed structure means that the Council loses all of the normal benefits of ownership of the assets.
 - The accelerated timeframe, lack of true consultation, and lack of real alternative options has resulted in a flawed process.

- The lack of integration with other major local government reforms will lead to a sub-optimal outcome.
 - The financial case in support of the proposal, taken from Scotland, is based on information that does not reflect the New Zealand situation.
 - The supporting information greatly exaggerates the efficiency gains expected, given the advances already made as a district.
 - The case for lower borrowing costs under the new entity is questionable; it relies on government backing, and in fact the proposal may lead to increased averaged borrowing costs when both the councils and the water entities are considered in relation to each other.
 - The proposal would be detrimental to the wellbeing of the Westland Community, with particular regard to the provision of three waters infrastructure and growth as an enabler of economic development.
 - Council agrees that the Three Waters sector faces many challenges and the status quo in some areas may not be sustainable, but believes that changes should be aligned and integrated with other local government reforms (Future for Local Government & Resource Management Act Reform). Importantly with the establishment of Taumata Arowai and the economic regulator, this should be given time to become imbedded before major reform as is proposed is undertaken.
 - The options considered need to be assessed against the wider needs of local government reform, engagement with the sector needs to be considerably improved, and the process needs to allow for appropriate community consultation.
 - Council has given consideration to Part 6 of the Local Government Act 2002 for the purpose of providing feedback to Government on the current model. The Council however is not able to support the current model on the basis that sufficient information and analysis that is proportionate to such a decision is not available.
 - That local government is best-placed to engage with its community both through existing policies and procedures, and the requirements of the Local Government Act 2002.
- O) Advises Local Government New Zealand (LGNZ) that Council does not support the Heads of Agreement between LGNZ and the Crown signed in June 2021 and request LGNZ rescind the agreement to better reflect the views of its diverse membership and this Council.
- P) Requests that the Chief Executive report back to Council once additional information and guidance from the Government, the Minister of Local Government, Department of Internal Affairs and LGNZ has been received on what the next steps will look like and how these should be managed.

At the time the motion was moved, under Standing Orders section 27.4 Alteration of a Notice of Motion, Cr Martin who requested the Notice of Motion amended the motion as above which differed from the Notice of Motion stated in the Agenda. The motion was unanimously carried by all elected members.

Report to Council



DATE: 30 September 2021

TO: Mayor and Councillors

FROM: Group Manager: District Assets

THREE WATERS REFORM – STATEMENT OF PROPOSAL

11. Summary

- 1.5. The purpose of this report is to present the Tonkin and Taylor Statement of Proposal report.
- 1.6. This issue arises from The Government's Three Waters proposal and the Council's commissioning of Tonkin and Taylor to provide a report to aid the Council in its response.
- 1.7. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2021, which are set out in the Long Term Plan 2021 - 31. Refer page 2 of the agenda.
- 1.8. This report concludes by recommending that Council receive this report and the Tonkin and Taylor statement of proposal report and use the information to develop their response to the Government.

12. Background

- 12.1. The reason the report has come before the Council is due to the commissioning of Tonkin and Taylor to provide a statement of proposal report in response to the Government's Three Waters proposals.

13. Current Situation

- 3.1 The Council commissioned Tonkin and Taylor to provide a report to help the Council feedback views on the Government's Three Waters proposals.

14. Options

- 14.1. Option 1: Receive the report and resolve to provide feedback to the Government.
- 14.2. Option 2: Receive the report but do not provide feedback to the Government.

15. Risk Analysis

- 15.1. Risk has been considered and the following risks have been identified:
 - 15.1.1. See Tonkin and Taylor Report.

16. Health and Safety

- 16.1. Health and Safety has been considered and no items have been identified.

17. Significance and Engagement

- 17.1. The level of significance has been assessed as being high. The three water assets are Strategic Assets under Council's Significance and Engagement Policy. They are important to the community for continued community wellbeing and have been funded by rates.
- 17.2. The Council has engaged with the community during lockdown through a series of structured on line sessions, notifications on the radio and articles in the local media. The purpose of the engagement was to understand the community's position on the three waters reform. Formal consultation under the Local Government Act may take place at a later date, depending on the outcome of the Government's consultation with Councils.

18. Assessment of Options (including Financial Considerations)

- 18.1. Option 1 – Receive the report and resolve to provide feedback to the Government.
- 18.2. If Council decides not to share this feedback with the Government it will reduce the Council's voice on the three waters proposal.
- 18.3. There are no financial implications to this option;
- 18.4. Option 2: Receive the report but do not provide feedback to the Government.
- 18.5. If Council decides not to share this feedback with the Government it will reduce the Council's voice on the three waters proposal.
- 18.6. There are no financial implications to this option.

19. Preferred Option(s) and Reasons

- 19.1. The preferred option is Option 1.
- 19.2. The reason that Option 1 has been identified as the preferred option is that it provides solid evidence to support Council's response to the Government.

20. Recommendation(s)

- 20.1. That the report be received.
- 20.2. That Council resolves to provide feedback to the Government on their Three Waters proposals.

Scott Baxendale

Group Manager: District Assets

Appendix 1: Tabulation of all responses

Appendix 2: Analysis of Community Feedback

Appendix 3: Three Waters Reform – Draft Statement of Proposal

WDC 21.22.70 Released under LGOIMA