

**MINUTES OF WAIROA DISTRICT COUNCIL  
EXTRAORDINARY COUNCIL MEETING  
HELD AT THE VIA ZOOM  
ON TUESDAY, 9 NOVEMBER 2021 AT 10.30AM**

**PRESENT:** His Worship the Mayor Craig Little, Cr Denise Eaglesome-Karekare, Cr Hine Flood (Deputy Mayor), Cr Danika Goldsack (via zoom), Cr Jeremy Harker, Cr Melissa Kaimoana, Cr Chaans Tumataroa-Clarke

**IN ATTENDANCE:** Chris Olsen (Independent Member – Infrastructure Committee) Kitea Tipuna (Tumu Whakarae | Chief Executive), Kimberley Tuapawa (Pouwhakarae – Pārongo/Wheako Kiritaki | Group Manager Information and Customer Experience), Gary Borg (Pouwhakarae – Pūtea/Tautāwhi Rangapū | Group Manager Finance and Corporate Support), Stephen Heath (Pouwhakarae – Hua Pūmau Hapori/Ratonga | Group Manager Community Assets and Services), Simon Mutohori (Pouwhakarae-Whakamahere me te Waeture | Group Manager-Planning & Regulatory Services) Courtney Hayward (Kaiwhakahaere Kaupapa Here, Mana Ārahi me te Whakawhanake Ōhanga | Policy, Governance and Economic Development Manager )

**1 KARAKIA**

Karakia was given by Cr Tumataroa-Clarke

**2 APOLOGIES FOR ABSENCE**

Nil

**3 DECLARATIONS OF CONFLICT OF INTEREST**

Nil

**4 PUBLIC PARTICIPATION**

A maximum of 30 minutes has been set aside for members of the public to speak on any item on the agenda. Up to 5 minutes per person is allowed. As per Standing Order 14.14 requests to speak must be made to the meeting secretary at least one clear day before the meeting; however this requirement may be waived by the Chairperson.

## 5 GENERAL ITEMS

### 5.1 THREE WATERS - NEXT STEPS

#### RESOLUTION 2021/30

Moved: His Worship the Mayor Craig Little

Seconded: Cr Hine Flood

The Kaiurungi Matua Kaupapa Here me te Mana Ārahi | Senior Policy and Governance Advisor  
RECOMMENDS that Council

- a) Re-endorse the position of Council as outlined in appendix 3: Wairoa District Council Submission to Government's Three Waters Reform Proposal
- b) Delegate to the Mayor and CE the ability to continue to advocate for the Wairoa community by engaging in relevant forum and making any submissions on aspects of the Three Waters reforms, based on information in and discussion around the initial submission (appendix 3)
- c) Delegate to the CE to begin undertaking necessary steps for transition (as outlined in 6. Transition and Change Management)

#### CARRIED

The Chief Executive spoke to the report – specifically focusing on recommendation C –Council must be prepared for changes coming. More detail is required to understand some specific aspects such as the “Better Off Funding”. Looking at Council positioning ourselves as best as possible in the event that Government's proposal is implemented. This involves looking at change processes

Elected members have received feedback from community which has asked elected members to advocate on behalf of the community.

The Mayor noted he hasn't come across anybody who supports the proposal in its present form. The last submission wasn't listened to and no answers were provided to the 28 questions Wairoa District Council raised. The Mayor was disappointed it was pushed through with pace, especially within the Covid environment.

Cr Eaglesome-Karekare stated that Entity C is not our preferred option but there are ways that it could work if it was broken into regions - ie the Hawkes Bay option. Status quo not an option but there are alternatives to Entity C that will still meet govt objectives. Cr Eaglesome-Karekare supports Craig being on a group to advocate for Covid-19. A question was raised regarding the Better off funding and the ability to support Private Water suppliers. This was noted that the GM Community Assets and Services would answer.

Cr Tumataroa-Clarke agreed status quo not an option but Entity C cannot be the best solution to the issues presented of water quality, affordability and upgrade of infrastructure. Fully supports whatever is best for Wairoa. He noted that nothing much has changed since Council submissions, except the governemnt mandating. There is still a lot of information we don't know and things we don't undestand around tangible delivery of water to Wairoa. There is concern that Wairoa's priorities could be neglected by a larger entity - such as getting wastewater out of river. This raises concerns about a model being mandated without necessarily the right solutions. Council

has concerns with assumptions that underpin the model. No meaningful conversation with communities, governance arrangements and local voice – transfer of local assets. Cr Tumataroa-Clarke supports the recommendation and agrees that we need to set Wairoa up in best position for whatever reform have in store for us. The biggest disappointment is a whole lot of ideas have been put out and 99% haven't been listened to. There are better options out there than what we've been given.

His Worship the Mayor stated that if Entity C is only the option it is important for Wairoa to capture a list of requests – including removal of wastewater out of river. The Mayor informed the committee he has been invited to a group of partner councils group formed as response to LGNZ heads of agreement and their failure to represent appropriately for Council, to appropriately represent Councils.

Cr Harker stated that we need to be part of that group to advocate for Wairoa. It has been a disappointing process to put effort into a submission to government that has been ignored. Cr Harker has no confidence in the ability of government due to policy failures of past and centralisation is not the solution. He agrees that New Zealand requires a statutory body looking at water quality and holding Councils accountable. But the reform at the least doesn't offer any viable solutions for Wairoa and has been gone about the wrong way. He supports challenging the judicial process as it was forced upon us. Councils need to look at solutions and the government need to engage meaningfully. NZTA is currently set up well, HB approach is good solution. Proof we have engaged and tried to provide solutions.

Cr Goldsack doesn't believe that Wairoa District Council's submission was considered and that decisions were made on our behalf. The Councillor stated she is backing the Mayor to advocate. It is a shame that Council invested time and resources into a submission that wasn't considered when staff time could have been spent doing other activities.

Cr Tumataroa-Clarke noted we now have information to support our best interests.

Cr Kaimoana expressed that we are not opposed to change, however change needs to be in line with what Wairoa needs and that fit with our priorities. The way this has been forced on our country can be likened to the way the Crown treated our tipuna years ago. Hasn't been meaningful, gave us a say and then whacked us with hammer and took away engagement. Not in a position to protest as decisions have been mandated but Government should listen. Assets were paid for by communities not the crown. Communities deserve to be part of the process.

Cr Flood noted that we are at the grace of central government. She is absolutely opposed to Entity C – due to loss of local voice as a result of being swallowed up by 21 other councils who have to consider their own communities and Mana whenua who focus on te mana o te wai. Cr Flood expressed disappointment at the Minister's statement that assets will stay with Councils. In her mind this is theft by stealth. There is no assurance on assumptions let alone financial implications. Cr Flood agreed that Council need to find a method to engage on behalf of community to ensure assets remain the assets of this entire community. Our community can stand up and make their voices heard. We encourage our community to be informed on where we are at and speak out. Cr Flood hopes we can find something more palatable. The Group formed as a response to Three Waters might be the answer. There has been burden placed on our communities and councils. \$18 mil is an insult to our community and the quality work that we put in front of our communities. We need clarity of local voice. Cr Flood absolutely endorse recommendations for what needs to occur on part of community

The Mayor noted that you can't leave those who created the problem in charge of the solution. Historically Council's have tried to improve the state of infrastructure by increasing rates, however

the government hasn't supported councils in this. Instead they are taking a sledge hammer to a nut.

The Infrastructure Committee Independent Member Chris Olsen agreed with the statements made – status quo not an option, it is important to try to find a win win that suits central and local govt. Difficult working with someone that has let you down – this is a big hurdle to overcome. It could be beneficial to look into an independent mediator or facilitator to regain trust. Mr Olsen agreed that Wairoa will get lost in this big entity. The size of the entity may be because of efficiencies noted in Scottish model however you can separate procurement and governance. This means that a HB regional entity at a governance level but for procurement and carrying out work you co-procure with other regional entities – still get scale. This is not an unusual model – still at risk of missing out again.

The Group Manager Community Assets and Services raised concerns around unanswered questions. When do you get the Better Off funding and what can you spend it on. Responsibility to private water supplier – compliance within 5 years. We have started this process but why would we do this if we don't have responsibility of three waters? These are critical steps to understand.

The Mayor noted Council signed an MOU for first tranche, and the Government breached good faith re opt in opt out. We need to keep holding them to account.

The Group Manager Planning and Regulatory Services noted that it is important to look at logistics of infrastructure and other overheads. A lot to be done to understand especially regarding development and infrastructure. Council needs to keep engaging around these questions.

The Group Manager Information and Customer Experience supports elected member comments, especially around lack of engagement. Discussions demonstrates Council is solutions focussed.

The Group Manager Finance and Corporate Support supported the concept of shared procurement model. Shared capacity as challenge for nation. The Group Manager noted that Council is prudently set up.

The Mayor noted that he and the CE has talked to staff, felt sadness and concern. It is important that these staff have Statement of intent with guarantees for staff.

The Chief Executive summarised a sense and feeling that Elected Members want to be able to legitimately tell the community that we have represented their views to the best of their ability.

It was suggested that a letter be sent to the government to understand if the relationship is irreparably damaged due to the Government's lack of goodwill. Wairoa doesn't want a legacy of grievance.

Another discussion was raised around private water suppliers. This is another angle that Govt needs to consider.

Councillor Tumataroa-Clarke noted that any engagement with government around Three Waters sets the stage for coming reforms

The Meeting closed at 11.45 with a karakia from Cr Chaans Tumataroa Clarke.

The minutes of this meeting were confirmed at the Extraordinary Council Meeting held on 30 November 2021.

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CHAIRPERSON