



TIMARU DISTRICT COUNCIL Office of the Mayor

4 October 2021

Mr. Stuart Crosby ONZM
President
New Zealand Local Government Association Inc
By email: president@lgnz.co.nz

Tēnā koe Stuart

Re: Timaru District Council's membership of the New Zealand Local Government Association Inc

- 1 At a meeting of the Timaru District Council (Council) on Tuesday 28 September 2021, the Mayor and Councillors unanimously resolved to withdraw Council's membership of Local Government New Zealand (LGNZ). Please take this as written notice, as required under the LGNZ Rules, of Timaru District Council's resignation as a member of LGNZ.
- 2 The Council believes it is appropriate to provide a summary of its reasons for withdrawing from LGNZ. We preface our comments noting that we share a common goal with LGNZ and the Crown in that we are all committed to ensuring our communities get safe, reliable and affordable 3 Waters services that support good public health and improved environmental outcomes. Additionally, we are fully supportive of a strong regulatory regime to lift standards across the 3 Waters. Council believes that to deliver these services and outcomes successfully and sustainably we need to enable local communities to participate meaningfully in discussions about the issues that directly affect them.
- 3 Council's decision was made after consideration of LGNZ's stance regarding the 3 Waters reform. Council believes that the terms on which LGNZ entered into the Heads of Agreement (HoA) with the Crown in July of this year constitutes a serious abrogation of its duties to Council as a member. The HoA, while nominally preserving a council's right to reach its own position, makes it clear that LGNZ is wholly supportive of the proposed reform and the case for change. It reached this position, in Council's view, without appropriate regard or consultation with its

members. Council as a member of LGNZ had a reasonable expectation it would be consulted on a matter of such importance.

- 4 LGNZ through the HoA with the Crown has committed to a number of contestable statements in such a manner as to undermine a proper and informed debate on an issue of unprecedented importance to the Timaru District community and the whole of New Zealand. The issues being addressed in the 3 Waters kaupapa is fundamental to all communities' wellbeing and prosperity. Council's view is that LGNZ's near wholesale acquiescence to the Government's promoted case for change and perceived benefits, based on an inadequate and error ridden analysis, constitutes a grave disregard for its obligations to Council. That this occurred in the absence of a thorough and independently tested analysis of the case for change serves only to further aggravate LGNZ's departure from its obligations of good faith to consult with Council as a member.
- 5 After LGNZ entered into the HoA, Council listened as LGNZ promoted the urgent need for councils to navigate and negotiate the best arrangement possible with the Crown, while the opportunity existed. This does not speak to a spirit of partnership as specified in the HoA and in no way represents a principled approach for a constructive korero to elicit the optimal solution for our communities. An issue of such national and enduring importance as the 3 Waters reform requires a genuine partnership. In such a partnership LGNZ will support fully its members as they engage with the Government for the best outcomes for our local communities.
- 6 Council's view is that the Government's proposal and case for change is based on a flawed analysis and will be seriously and permanently detrimental to the wellbeing of the Timaru District community. This has led Council to the position it must contest the Crown's reform proposal as it stands and insist that any proposal put forward be more reflective of our communities' aspirations and needs. LGNZ's position as stated in the HoA is at complete divergence to both our and many other councils' position on the Government's proposal for resolving the challenges presented by the current state of the 3 Waters.
- 7 Given the above, Council has regrettably concluded that LGNZ is unable to advocate as a partner for promoting the position that the Timaru community, as represented by Council, holds. Democracies and communities thrive because ideas are debated and permitted to be contested in environments that seek an optimal solution for the community good. Council's view is that LGNZ's role was to provide the sector with a platform for open and informed debate to address the identified issues across the 3 Waters domains. The HoA is the antithesis of a democratic process and has had a significantly chilling effect on any discussion. It is most regrettable that LGNZ, as a body purporting to represent democracy in action at a local level, should without consultation and through the HoA concede so much without even a nod to its members.
- 8 Council has come to this decision reluctantly. Council firmly supports and commends the voice LGNZ has given to promoting localism along with supporting a raft of wellbeing policy domains as part of its commitment and aspiration to

address serious social issues blighting too many of our communities. Considering these matters, it is all the more bewildering why LGNZ would not consult widely with its members prior to reaching an arrangement with the Crown. This is particularly so where LGNZ has demonstrably relinquished its right to an open and robust contest of ideas on how best to advance improvements across all domains of the 3 Waters.

- 9 Council believes that the current LGNZ leadership has betrayed the spirit of localism that forms the core of the organisation and so is no longer fit to represent our community's interests.

Ngā mihi,



Nigel Bowen
Mayor of Timaru District