

Name: Sheryl Bainbridge

Subdivision: Doubtless Bay

Date: 26.03.2023

Meetings Attended

Date	Meeting	Comment
14.03.23	Te Hiku CB	

Community Issues

Issue name	Comment
Events	Mangonui Waterfront Festival and the Snapper Bonanza were both hugely successful events. Congratulations to John, Dave and the team for their commitment to the latter.
Use of reserve land adjoining Hihi Holiday Park	<p>At the concept plan meeting in Hihi held in January, we heard that there is general support for the Holiday Park owners to continue using the adjoining reserve, which they have maintained at no cost to the council for many years. No formal arrangement is in place and should be remedied. Community members present at the meeting did not see any value in public use of this space due to access and contour difficulties.</p> <p>Recommendation: That the Te Hiku Community Board recommends to the Chief Executive that the Council investigate ways to formalise the use of the public reserve adjoining the Hihi Holiday Park by the park operators at a peppercorn rent provided that the transaction does not incur costs to the Council.</p>
Submissions	<p>Submissions on the council's annual plan close on 24 April. The council seeks feedback on two issues – partnership with the Turner Centre and a rates remission policy to enable housing development on Maori freehold land. Does the Board wish to make a submission? I intend to have a look at the document in case they've missed anything else that is relevant to our ward.</p> <p>Submissions to the Water Services Legalisation Bill and the Future of Local Government are attached to this report.</p> <p>Note that the Board's submission on the latter reflect views that have been expressed within our communities and do not necessarily align with the submission by LGNZ.</p>

Taemaro matters	Following the Hihi meeting, requests for a bus shelter on Hihi Road opposite the end of Taemaro Road, relocation of the rubbish pick up point and tsunami warning signs are being investigated.
Rubbish Kohumaru Road	Now that the community have taken steps to prevent rubbish bags being dumped at the end of Kohumaru Road, lazy, dirty people have taken to dumping bags at the end of Oruru Road instead. I have mentioned this to the Solid Waste Engineer.
Coopers Beach bridge	Contractors are working on the bridge. Hopefully they intend to remedy the footpath that has been a concern for some years at the same time.

Requests for Service (RFS)

RFS number	Date	Comment
4115220	ongoing	Pothole in Coopers Beach car park. Has been repaired several times and just keeps recurring. It would be good to see the job done properly once and for all.

Committee Secretariat
Finance and Expenditure Committee
Parliament Buildings
Wellington

Phone: 04 817 9520
fe@parliament.govt.nz

Submission on Water Services Legalisation Bill

The Te Hiku Community Board represents the local Far North communities of North Cape, Doubtless Bay, Kaitaia and Awanui. Under the Local Government Act 2002, the Board is mandated to represent and act as advocate for its communities. The Board does not consider that the Water Services Legalisation Bill respects council property rights, nor is it mandated to make the proposed changes, nor does the Bill acknowledge the local voice of our communities. Having received significant feedback from our communities, who widely oppose the Government's Three Waters policy, I wish, on behalf of the Board, to make a submission on the Water Services Legislation Bill in my capacity as Te Hiku Community Board representative. In making this submission the full support of my fellow Board members has been confirmed in writing.

The Far North District Council's Te Hiku ward is within an extremely low socio-economic area. I cannot stress strongly enough that to potentially put its ratepayers at risk of becoming responsible for a third party (Water Services Entity) debt repayment will be far too much of a burden for many of them to shoulder. To distance our vulnerable communities even further from its water providers is also unacceptable.

The focus of this submission is on three matters – security for the debt of each of the four entities offered, pricing to consumers, and billing and price setting from 1 July 2024.

Security on debt – New section 137 A:

This section has essentially followed Section 115 of the Local Government Act 2002. The Bill proposes that lenders will secure their debt through a property rating mechanism. Should a water entity get into financial difficulty and a receiver be appointed, the receiver would be able directly to bill local authority ratepayers a uniform charge to recover the entity's debt. Presently, charges on rateable properties are subject to democratic accountability at the local government level. Granting such a power to a receiver without any form of democratic accountability for that charge is not acceptable.

The Board finds it outrageous that ratepayers, who have no ownership in this service, or these entities could potentially be exposed to debt recovery by receivers. There is no clarity about where the entities will seek funding, or whether the debt can be on-sold in the future. Also, there is no reference to the security interest being limited to those property owners who are the recipients of water services. Perhaps a security interest is meant to be limited only to properties serviced, but this is not clearly stated in the Bill. The WSE (i.e. the Crown) should be responsible for its own debt given that it is expropriating the Three Waters assets from councils. There is no assurance that WSE will make good investment decisions, thereby putting our communities at risk of having to repay debt that they were not responsible for in the first place.

The Far North District Council's Te Hiku ward is within an extremely low socio-economic area. I cannot stress strongly enough that to potentially put its ratepayers at risk of becoming responsible for a third party (Water Services Entity) debt repayment will be far too much of a burden for many of them to shoulder. To distance our vulnerable communities even further from its water providers is also unacceptable.

Charging principles – New section 331:

This section outlines the way water services will be priced. Charging principles are spelt out. Pricing decisions are left to the water services entities to make. The Bill directs them to promote "the efficient

use of resources” – 331 (1) (a) (i), and to charge groups of consumers differently only if “the costs of providing services to those groups is different.” - 331 (1) (a) (ii). These provisions should leave the entities in no doubt that their pricing of water services to consumers should be on a beneficiary pays basis.

This direction is then followed by an enabling provision to “remedy inequities” – 331 (2), and an enabling provision to allow average pricing, stating that the entities may charge geographically averaged prices for water services – 331(3).

The Water Services Entities Bill implies that these reforms would deliver a more equitable and affordable pricing regime to consumers, leading the public to believe that the Government intended that those in areas where water services were most costly to deliver will benefit as consumers in the lower cost of service urban areas will cross-subsidise those in the higher cost of service rural areas.

The Department of Internal Affairs had made similar claims on its website: “Three Waters Reform represents a multi-generational opportunity to address long-term affordability challenges, equity of access to services, and meet quality expectations of our communities in the delivery of drinking water, stormwater and wastewater services.” This Bill imposes no requirement on the water entities to partly or completely make costs across communities in their service areas more equitable. At present the Far North District Council determines the water rates and makes allowances for the potential cost to members of our rural communities. There is no assurance that this legislation requires the Water Services Entities to consider this. In fact, it may impose more inequities if council policies are replaced by the principles in sections 331 (1) (a) (i) and 331 (1) (a) (ii) of this Bill.

Billing and price setting from 1 July 2024:

The new Section 336 enables the Water Services Entities to “authorise” Local Authorities to collect charges made to consumers. The use of the word “authorise” indicates that there is an option for Local Authorities to decline. This is not the intent of this section, rather it appears that the Entities may require the Local Authorities to collect charges. For clarity “authorise” should be replaced by “require”. But in any event, it looks like one entity is requiring another (i.e. the council) to collect charges from consumers. In other words, Councils, who will no longer be responsible for Three Waters services are expected to undertake the function that is most likely to create disputes and disharmony with water consumers.

Secondly, it is not clear how the Water Service Entities will set prices to consumers from 1 July 2024. It appears from Section 331 (5) (b) that prices will not be subject to the charging principles of Section 331 (1) until 1 July 2027 or later. The way the Bill is written, it implies that it is the expectation that the prices set by Local Authorities for the year ending 30 June 2024 will remain for the next three years, or longer. We seek clarity on this matter.

Recommendations:

Primary Recommendation:

That the Water Services Legalisation Bill does not proceed until after the outcome of the 2023 General Election set for 14 October 2023

Secondary Recommendations:

Section 137A - Delete

Section 331 - Review so that it is more in line with current council policies to ensure that there are fewer inequities, or increased costs to lower socio-economic communities.

Section 336 – Amend. Councils should not be obliged to carry out Water Services Entity’s billing functions. Also the Crown should compensate councils for assets that it has taken over.

The Board wishes to be heard in support of its submission.

Te Hiku Community Board's response to the Future for Local Government Review Panel's draft report

The Far North District Council's Te Hiku Community Board represents and acts as advocate for communities in the northernmost part of New Zealand. The Board's subdivisions are Ahipara/Kaitaia, Doubtless Bay, North Cape and Whatuwhiwhi. This submission has been written by Sheryl Bainbridge, Doubtless Bay representative with the knowledge and consent of all Board members and focusses mainly on five matters.

Overview:

Both the draft report and Local Government NZ's submission have too much emphasis on bureaucracy and theory rather than finding practical solutions to the problems that communities currently face. Te Hiku's issues are generally caused by poor infrastructure, lack of monitoring and central government's failure to listen to and heed our concerns. That is what must change. Right now, the government must direct as much funding, focus and resources to repairing the devastation caused by cyclones Hale and Gabrielle. Te Hiku Community Board recommends that the review process is deferred until after the October election, giving time for decisions to be made around the country's extensive damage and for current unworkable policies to be reviewed.

Cover:

While the Board recognises that Te Reo is an official language of New Zealand, more than 90% of the population, including immigrants speak English. For absolute clarity, the title of the document should be written in English.

Revitalising citizen-led democracy:

Community Boards and Local boards should be fully equipped with staff and financial assistance. Locals know their areas far more than council staff (who have often come from outside the district) The Te Hiku project working group has proved this model by working together, having the budget contractors and partners to deliver seven million dollars' worth of projects with local operators within the Te Hiku ward. The model has also worked for the Te Hiku swimming pool/sports complex.

Tiriti-based partnership between Maori and local government:

We are one country. There is no room for co-governance of community assets that have already been bought and paid for by all ratepayers. Councils should already have no doubt about who they are working for (everybody in all communities), who provides the funds and what is expected of them.

A stronger relationship between central and local government:

There can be no relationship when the government simply fails to listen. Wellbeing is better achieved when communities can rely on their best interests being served by central government. Community Boards are the eyes and ears of communities but at present we are not being heard. Government policies disadvantage rural communities. This is clear from policies such as the Government Policy Statement for Transport that prioritises emissions over resilience and maintenance, and the Coastal Policy Statement that places more importance on impractical and expensive managed retreat and soft mitigation (plantings) to manage erosion instead of engineered seawalls etc. to prevent destruction of existing infrastructure.

Replenishing and building on representative democracy:

Representative democracy at Community Board level is hampered by low levels of remuneration. This country has recently seen examples where murderers have been released

from jail due to their offences being committed when they were too young to understand the outcomes of their actions. On that basis it is ludicrous to even consider lowering the voting age to 16.

Equitable funding and finance:

Recent weather events clearly show that we need more investment in basic infrastructure including roads, flood protection, stormwater electricity and telecommunications; sufficient investment to make projects financially viable so that communities are not pushed to choose smaller and less effective practical options on the basis of cost.