

From: Water Users' Group stephen.franks@waterusers.org.nz
Subject: Three Waters Bill introduced. And we're headed to Court
Date: 2 June 2022 at 19:37
To: [REDACTED]



Dear [REDACTED],

The Government has today taken a significant step - pushing ahead with Three Waters despite community outrage. They introduced to Parliament the Water Services Entities Bill. This is the first of two Bills that they say will pass before the end of the year to cement in their new scheme. Our team is looking at the Bill now and working out how bad it is.

This has made our case even more urgent

On the **Thursday 4 August**, we are headed to the High Court. This interlocutory hearing is to argue for the Crown to release the advice the Minister relied upon to say co-governance is required for Three Waters.

You may recall that Crown released Cabinet Papers last year that disclosed some of this information. And then tried to get us to delete it once they realised that we had used the information in our Statement of Claim.

The Crown is now arguing that they could disclose it, but only to our lawyers. You won't get to see it. We don't think that is right. If they are going to give co-governance over \$185 billion, we think you should be able to see the reasoning (if there is any).

This won't be our only day in court. We still have the substantive argument to go - that co-governance is not required as part of the Three Waters scheme. We don't have a date for this hearing yet. But our legal team have made an application to the court to get this dealt with as soon as possible.

If you want to understand more about the background on this case (or read our Statement of Claim), check out the [Litigation FAQs on our website](#).

In other news -

The Communities 4 Local Democracy will be in Court next week. Appearing in the High Court on 7 - 8th June, there are three district councils asking the court to declare the Minister of Local Government's statements about local government and their property rights were unlawful. We're taking a close interest in this case but the outcome will not affect ours. Their case is narrowly focused on the government's attack on local governance - it doesn't deal with co-governance.

Mahuta's in a bit of hot water

You may see the reports on [The Platform](#), [NZ Herald](#) and comments from [ACT](#), about Minister Mahuta's alleged nepotism in allowing her family members to be appointed to key roles - including in Three Waters roles. For water users', this is particularly bad as there is nothing in the Cabinet Papers or proposed legislation that stops extraordinary fees being paid to "consultants" or "stakeholders". This has the potential to blow out costs even further. We're keeping an eye on how this develops.

I'll be back in touch closer to August with more details about the hearing - you may be able to come along and watch.

Thank you for your support,



Stephen Franks

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P.S. Thank you to everyone who donated on from the last supporter newsletter - we really appreciate your support of our work.

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