OIR: 2627/28

20 August 2026

[redacted]

Tēnā koe [redacted]

Request for Information under the Local Government Official Information and Meetings Act 1987 (the Act) (the LGOIMA)

Thank you for your email of **24 July 2026** requesting the following information:

For the attention of: Mayor Janet Holborow and Deputy Mayor Martin Halliday, I write relating to your signatures that appear on the "Security Trust Deed" presented by Local Government Funding Authority (LGFA), October 2025, can you please answer and clarify the following,

1. ***Mayor Janet Holborow,***
   - ***a) Did you seek independent legal advice outside the realms of KCDC prior to signing such a document, and if so, who?***

   and
   - ***b) Did you observe the wording changes and further impact from your last signing?***

   and
   - ***c) As this is a Trust Deed document do you fully understand what you have committed yourself and the Kapiti Ratepayers to prior to signing?***

   and
   - ***d) Can you provide the details of surety that KCDC and yourself have including***
     - ***i. the policy provider, and***
     - ***ii. the specific Names on the policy, and***
     - ***iii. policy value and***
     - ***iv. who is paying the premium?***

   and
   - ***e) Do you understand the implications of that document upon its release to the Kapiti community?***

     And

Please note that any information provided in response to your request may be published on the Council website, with your personal details removed.

2. ***Deputy Mayor Martin Halliday,***

a) Did you seek independent legal advice outside the realms of KCDC prior to signing such a document, and if so, who?.

and

b) As this is a Trust Deed document do you fully understand what you have committed yourself and the Kapiti Ratepayers to prior to signing?

and

c) Can you provide the details of surety that KCDC and yourself have including

- ***i. the policy provider, and***
- ***ii. the specific Names on the policy, and***
- ***iii. policy value and***
- ***iv. who is paying the premium?***

and

d) Do you understand the implications of that document upon its release to the Kapiti community?

and

e) As a elected representative of the community you were not obligated to sign the deed document, In your opinion were coerced in any form prior to signing and if so by whom?

It is a requirement of being a shareholder/borrower with the Local Government Funding Agency (LGFA) the Council has a Multi Issuer Trust Deed. This enables the Council to issue debt from the LGFA at least cost to ratepayers.

From time to time, LGFA make minor amendments to their trust deed and these are expressly notified to all shareholder/borrower councils, together with the required legal advice and explanations. As part of the Council's annual report, we seek confirmation from LGFA as to the joint and several liability of LGFA debt for all councils.

Included in the Annual Report, we set out the limitations and safeguards in place regards the very low risk to the Council of having to meet this liability. Please refer to the Council's Annual Reports that can be found on our website Annual Reports - refer to the financial statement and Notes to the Accounts.

3. ***Wellington City Council and Tiaki Wai are claiming that Kapiti Coast District Council and the Watercare policy has been included within their Mandate. Thus, is the reason why KCDC has not established a separate Watercare identity or structure.***

a) can you please clarify this claim, and

I am unaware of this claim.

I have been unable to find any evidence supporting the claim that Wellington City Council or Tiaki Wai publicly state that Kāpiti Coast District Council or KCDC's Watercare policy is included within Tiaki Wai's mandate.

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The available governance, ownership and operational documents consistently define Tiaki Wai's mandate as covering the five metropolitan Wellington councils only (Wellington City, Upper Hutt City, Hutt City, Porirua City and Greater Wellington).

b) provide details when KCDC was informed about this, and

Please refer to answer 3a) above.

c) advise when you intend to inform the council members and the community?

Please refer to answer 3a) above.

4. It has been indicated that KCDC will be amalgamated into another council to form a super council or similar. KCDC will not be able to be a small council while councils north and south amalgamate. Andrew Little has indicated KCDC will be amalgamated with Wellington City Council, Porirua City Council, Hutt City Council, and Upper Hutt City Council.

a) can you provide detail for where KCDC stand point is, and

These matters were discussed in public meetings on 30 July 2026 and 4 August 2026. Key points related to your query include:

- The Wellington Region Mayoral Forum put forward a head-start proposal for the Wellington Region which outlines an option for Kapiti Coast District to merge into a single-unitary body with all other councils within the region. However, the proposal notes that the Kapiti Coast District and several other councils are not supportive of this option.
- Our Council provided formal letters to relevant Ministers outlining our preference and attached an *Alternate Proposal* for the Wellington Region (which was endorsed by Council at their meeting on 4 August 2026) for Ministerial consideration.
- No decision on reorganisation of local government has yet been made. Ministers have signalled that they will assess proposals and provide feedback in September 2026 but that any further action would occur after the election and establishment of the next Government.

Further to this:

- Material presented to Councillors is set out in the meeting agendas. The recordings of those meetings can also be accessed via the links provided above.
- The Council's formal position statement has been published outlining the lack of Council support for the Wellington Region Head Start Proposal. The full release is available here.
- Information on the Head Start pathway policy and the Council's approach, please see our website.

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b) details of the discussions being had, and

Please refer to the Response to Question 4a above.

c) have all of the elected councillors and community boards been kept informed?

Yes, Councillors and Community Boards have been fully briefed on these matters. Please refer to the response to question 4a above.

5. KCDC and all councils are moving to reduce the number of properties whereby selling them off, can you please provide,

a) a comprehensive list of which properties and facilities are under review?

i. building or facility location, and
ii. estimated value, and
iii. this is to include time schedules, and
iv. current state of the building or facility, and
v. operational costs for the past 2 years

and

b) some council staff have indicated more than 8 KCDC properties or facilities will be affected.

The review of the Council's property portfolio is an ongoing part of managing property assets. Regular reviews help ensure properties continue to meet the community's needs and support operational requirements.

While there are currently properties that have been identified for potential disposal, the information requested in relation to these properties is withheld under the following sections:

- section 7(2)(i) of the Act. Withholding this information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); and
- section 7(2)(h) of the Act. Withholding this information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities.

I am satisfied that the withholding of this information is not outweighed by public interest considerations in section 7(1) favouring release.

We have been unable to identify the properties that you refer to in part b) of this question and have no further comments to add in relation to affected properties.

You have the right to request the Ombudsman to review this decision. Complaints can be sent by email to info@ombudsman.parliament.nz, or by post to The Ombudsman, PO Box 10152, Wellington 6143.

Ngā mihi,



Mark de Haast
Group Manager Corporate Services
Te Kaihautū Ratonga Tōpū

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