

Northland Regional Council meeting - 17th May 2011

[LINK to appropriate Agenda.](#)

It was over to Dargaville for this month's regular full NRC council meeting that was held in the Kaipara District Council offices as there had been a NRC meeting to hear submissions on the Draft Annual Plan at the usual time of 1pm.

It was 1501hrs, when Chairman Craig Brown welcomes all and begins the meeting with some house-keeping, explaining the location of comfort stations to visitors and 'emergency evacuation procedures' and exits in case of floods, tsunami or strong winds.

There were no apologies received for Item No.1.0.

It was now 1502hrs and Chairman Craig Brown reminds for Item No. 2.0 that any 'Conflicts of Interest' were to be advised item by item as they progressed through the agenda and they would be dealt with accordingly.

There were a couple of supplementary items for the agenda and these were accepted.

Item No. 3.0. There was to be no presentations at today's meeting.

It was now Item No. 4.1 (1502hrs) Confirmation of Minutes - 19 April 2011 which required no discussion.

The Chairman's Report to Council, Item No. 4.2. at 1503hrs.

Cr Graeme Ramsey asked if they could receive notification or minutes from the Northland Mayoral Forum.

Chairman Craig Brown felt there should be and perhaps the host (*of the meeting*) should take and distribute minutes.

CEO Ken Patterson suggested that the agendas are sometimes late and only before meetings.

Chairman Craig Brown emphasized the Mayoral Forum was an informal organization.

Cr Bronwyn Hunt queried if there would be any value in Councillor Reports.

Craig Brown believed it would be a record of work load. Craig quipped 'Some may need to be paid more and some half of what they get'. *There is possibly a lot of truth in that comment Craig, what are you trying to tell us?* He added he uses his diary as a list of things he does.

Graeme Ramsey also requested a copy of the letter Craig sent to Chris Jenkins as it was about Wild Ginger which he had received a complaint from a constituent about and wanted to go back to them with feedback.

Item No. 4.3, Chief Executive Officers Report to the Council at 1509hrs

Cr Joe Carr (pg 36) mentioned there had been an outbreak of Argentine ants in a shade house in Kerikeri

Craig Brown was well aware of argentine Ants explaining that he spent \$150-00 a year keeping them at bay on his own property.

Cr Bill Rossiter remarked he was pleased on the lifting of protection on Canadian Geese. Civil Aviation had also issued warning notices on them.

Craig Brown commented that, *his favorite*, Spur winged plover and Canadian Geese were now on the 'Can Eat' list.

Cr Ian Walker concerned about saving costs felt councils should be able to share info in areas of resource consenting etc.

CEO Ken Patterson had concerns that confidentiality may be an issue.

Cr Ian Walker believed capital was wasted in repeating documents. *Right on Ian many things are duplicated and in triplicate etc. and shouldn't we be saving trees?*

CEO Ken Patterson was to investigate the possibility further.

Cr Graeme Ramsey thought this EDRMS project (Electronic Document and Records Management System) (pg 15) claims to have sparkling performance, but what benefit could it potentially give us for the customer?

Cr John Bain explained that one of his visitors claimed he was only taking 46% of his oyster crop (see page 27)

Cr Ian Walker had a query in regards to Plan change1 (pg22) which was duly clarified by staff.

Cr Graeme Ramsey queried if the Kaipara Harbour Management Committee could make a presentation to Council

CEO Ken Patterson confirmed they should encourage an ongoing relationship.

Cr Graeme Ramsey believed a key relationship with Auckland Council in issues around the harbour.

Cr Graeme Ramsey threw in a question relating to the RPS (Regional Policy Statement) and Craig Brown briefly left the chamber with a coughing fit and Cr John Bain quietly slipped into the chair. Craig was back in a moment. *Maybe he was just clearing his throat for a later item on the agenda.*

Cr Tony Davies-Colley made a comment indicating there was a political side to the RPS.

Cr Ian Walker queried the Non compliance in the graphs (pg28) in regards to Oyster growing. He felt it was highly likely there was no progress in this and questioned whether it was contaminant into the water or technical issues.

Cr Tony Davies-Colley wondered if they were making an effort to work with the industry or was it like the dairy industry, giving leniency to the issue. *This has always been a subject of great interest to Tony, dairy effluent and monitoring of resource consents.*

With time now at 1534 hrs and Item No. 4.4 Upper North Island Regional Agreement.

Cr Bill Rossiter moved the item and suggested that after it is signed copies should be given to the Kaipara, Far north and Whangarei District Councils to keep them informed.

The item was self explanatory so they moved on.

It was now Item No. 4.5 at 1536 hrs. LGNZ Conference and KnowHow Workshops
Cr Graeme Ramsey believed the LGNZ (Local Government New Zealand) conferences are very valuable and that in addition to the Chair and Deputy attending a new councillor should also attend.

Cr John Bain and Cr Bill Rossiter both supported this.

Chairman Craig Brown confirmed that two councillors should also go with himself and Cr John Bain. Those to also attend, if available, would be Cr Bronwyn Hunt and Cr Tony Davies-Colley.

Item No. 4.6 at 1539hrs. Notice of Motion from Councillor Davies-Colley

Cr John Bain informed he had a 'conflict of interest' with this item and wished to leave the room. *Fair enough John no one likes to see a grown man cry, do they?*

Cr Tony Davies-Colley moved the item and Cr Graeme Ramsey seconded it to open it up for discussion.

Cr Tony Davies-Colley elaborated on the extracts from the original documented motion and amendments. *(See these on pages 69-71 on agenda)* The helicopter is a service we have all come to expect but there has been an oversight to 'due diligence' and what we said we would do. It is important to look after public money and manage it appropriately.

Cr Joe Carr suggested that this should be done and addressed promptly.

Cr Graeme Ramsey asked what promptly meant.

Cr Joe Carr suggested as the Regional Draft Annual Plan was being done at the moment, so should this be done along with it.

Chairman Craig Brown informs the meeting that CEO Ken Patterson believes he, Craig, has a conflict of interest. *Craig is also on the District Health Board.*

Cr Joe Carr asks the chair "Can you chair a meeting without having an opinion"

Chairman Craig Brown replies "No, I never have" But the issue here today is the previous decision made by council went on the basis that Mark *(being Mark Farnsworth the previous chairman of NRC)* 'thinks some checking was done', "but staff don't believe due diligence was carried out". Comments made by Tony Davies-Colley are that a recommendation was made by staff, but the recommendation passed was different to what staff recommended. But it was passed by council. The CEO has the responsibility to put out legal purposes and obligations and the council has the right to ignore those and it takes the consequences, if council passes something else. Maybe we take the advice of Cr Carr, listen to any submissions to the Annual Plan and then check for due diligence.

Cr Ian Walker states this went through the Annual Plan and 500 submissions for it. We have the best emergency service, in Northland; it can fly in all conditions. We have 3 and 2 can be in the air at any time. He believes it's a campaign by selfish individuals in the community. *Hang on Ian, think you are missing the point and I thought you were a smart cookie, and look at the big picture.*

Cr Bill Rossiter claims due diligence was done by an independent firm.

Chairman Brown informs Bill “No, it was done by the accountants of NEST’ (Northland Emergency Services Trust)

Cr Graeme Ramsey, *enlightens the issue*, publically a number of questions have been raised with this motion. Do we have the answers? What are the levels of service and what should be funded? It is important to have this helicopter service and it’s important that we have St John Ambulance. We fund one but not the other.

Chairman Craig Brown asks should Cr John Bain come to council (as he is the one involved) and present an update about the third helicopter, or should it be half a helicopter, as I understand half has been sold to Auckland. *This doesn’t add up, you can’t fly half a helicopter. That’s what I have heard from someone that has flown them for 40 plus years; the ones that have tried, are all buried.*

Cr Joe Carr continues, this is a significant amount \$600,000-00 per year and who knows it may go up. Perhaps this will improve transparency. Why did people, part of it, allow it to happen?

Cr Ian Walker, *getting a touch wound up with this item*, ‘What about the Rugby Stadium? Let’s have an independent enquiry about the \$16million, not \$600,000-00’.

Cr Graeme Ramsey adds, ‘this is about providing a level of information’.

Cr Ian Walker (*oh, never seen Ian this revved up before*) “Why are our funds used in supermarkets in Whangarei?” “This is the only thing the Far North gets.” “What about the funding for commercial buildings?” *Really tossing the toys out of the cot now, why is this a sensitive issue to him now?* He continued “I will not accept any reduction in the helicopter funding” (*interesting that Ian is Chair of the Regional Policy and Development Committee. Isn’t it they, who want to increase rates by \$17-80 per year. Yes, from what I have been told; that’s right by \$17-80 per year increase not just a \$17-80 for 5 years (equates to an \$89-00 increase) and want to spend it where they want to? Do I see another helicopter on the horizon; maybe one based at Oakura?*)

Cr Bronwyn Hunt queried if the funding was for three years and could this, with due diligence, be an advantage for the next three years of funding.

Cr Bill Rossiter insists there is nothing on the helicopter in the Annual Plan. *You are so right Willy, but some may wish to address it as it does come under funding and finances of the NRC and the rate take.*

Cr Bill Rossiter mentions he is in a very uncomfortable position about it.

Chairman Craig Brown clarifies there are submissions on it. *See Bill, Craig has read his submissions already.*

Cr Bronwyn Hunt suggests if they go through due diligence we can have some confidence in it.

Cr Joe Carr again suggests it may want a higher level of funding.

CEO Ken Patterson, *wanting to tidy up a couple of points*, I want to clarify a few things
1/ It is not in the current Annual Plan but may need to go out to the community again to get both sides of support. 2/ There is no alternative but to retain the funding you have as in the decision previously made.

Four voted for the motion; Cr Tony Davies-Colley, Cr Bronwyn Hunt, Cr Joe Carr and Cr Graeme Ramsey.

Both Cr Ian Walker and Cr Bill Rossiter voted against the motion and Chairman Craig Brown abstained.

Here is another outburst from Cr Walker about “he will not accept any reduction in the helicopter funding”

Cr Joe Carr claims a point of order, saying ‘three times they have been threatened by this councillor’.

*In my opinion, for what it's worth, there is no doubt the rescue service is most necessary and what Northland has presently is top notch. This is **not** the issue. You don't have to persuade me about rescue as personally I was involved in rescue for many years in Auckland and have close friends previously and presently in the helicopter rescue industry. The issue is due diligence. Council has failed to undertake this process on this project. One example; According to records publically available, the trustees (the people who society has entrusted with their funds) have failed to openly show their cards about finances, salaries and forward planning of the organisation. Whether they operate with 1 or 3 helicopters, with or without a chief pilot, with or without a CEO, with a winch or with just a tow rope the issue is all about total transparency. If you don't wish to be transparent about all the outgoings of the Trust; Why? Simple answer; Show us your cards or refuse the funding.*

CEO Ken Patterson retrieves Cr Bain from the hallway. *Just like standing outside the headmaster's office eh? Probably the longest unnerving 30 minutes you can remember for a while, John.*

Receipt and Confirmation of the Audit and Finance Committee Minutes - 26 April 2011 at 1609 hrs and no discussion is needed.

Item No. 5.2 Financial Dashboard - 30 April 2011 also no discussion needed.

Item No. 5.3 Financial Report - 30 April 2011 (1610hrs) again also no discussion needed. *Must be all worn out after Item 4.6.*

Item No. 5.4 Investment Schedule and Performance - Financial Report to 30 April 2011 at 1612hrs also required no discussion but CEO Ken Patterson informed councillors to recognize the value of the Northland Port Corporation Shares (pg 104) and compare them to those of Ports of Tauranga. *Yes we know Ken, you will be there bathing in the sunshine shortly.*

Item No. 5.5 Paid Accounts for Approval April 2011 (pg107) also was over in a couple of seconds also requiring no discussion. *(All must be in order in the accounts department, just a formality)*

Only a couple of minutes have ticked by and now it's Item No. 5.6 Lease transactions - April 2011 (pg 109) requires no discussion.

Item No. 6.1 Receipt and Confirmation of the Environmental Management Committee Minutes - 26 April 2011 also requires no discussion.

Item 6.2 Consents Decisions and Progress on Notified Applications in Process, Objections and Appeals. (1616hrs) which also requires no discussion.

Item 6.3 (1616hrs) Mangrove Management Support Programme

Cr Bill Rossiter Moves and Cr Bronwyn Hunt seconds, but withdraws to be seconded by Craig Brown.

CEO Ken Patterson confirms that this is still in the process of a possible appeal.

Cr Ian Walker, *wished it known*, that he didn't believe the intent of their policy on managing mangroves had been followed.

Chairman Craig Brown asked if he wanted to penalize those with consents already granted.

Cr Bill Rossiter was happy to chop Recommendation No 4 out and Craig Brown was happy to second that.

Cr Ian Walker wanted an amendment to No 4.

CEO Ken Patterson reiterated that this was before the court and the court may want more information or changes.

Chairman Craig Brown confirmed by stating 'I think you need to listen to this advice, there is a process in place and that we can't change' *Maybe they should have listened to the staff advice on due diligence or best we don't go there.*

Cr Ian Walker suggested that he did not believe the staff supported where they were going with this application.

Chairman Craig Brown confirmed 'the Environment Court will make a decision'.

Recommendation 1 and 2 were passed. A procedural motion by Craig that

Recommends 3 & 4 lies on the table till after Friday's discussion and until a later date.

On to Item No. 6.4 Warrants of Appointment: Resource Management Act 1991; Local Government Act 2002 (1635hrs)

Cr Joe Carr was appreciative of the appointment as tabled.

No discussion was required for Item No. 6.5 Document Executed under Council Seal (1637hrs) This Item relates to consents CON20060792604 and CON20090792612.

When searching the NRC website one is unable to find any mention of CON20060792604. Why is this not available on the website?

Report on Environmental monitoring for the Period 1 April 2011- 30 April 2011 (1637hrs)

No discussion was needed.

Item No.7.1 Receipt and Confirmation of the Regional Policy and Development Committee Minutes - 11 April 2011 (1638hrs)

Cr Bill Rossiter had a query which was clarified.

Cr Joe Carr, referring to page 161, didn't want to see money wasted in the Far North with Coastal Environments.

Craig Brown, *in his humorous manner to Joe*, says there is no truth to the rumour that mangrove areas are going to be a high priority.

Item No. 7.2 Advance Notice of an Anticipated Under spend of the 2010/2011 Regional Policy Statement Operating Budget (1642hrs)

Cr Tony Davies-Colley had a question which was answered to his satisfaction.

Auckland Spatial Plan (1643hrs) Item No.7.3

Cr Graeme Ramsey believed they must promote the port and rail and place a stake in the ground with those items. The plans to improve State Highway One must continue and the Kaipara Harbour was of importance to Northland as well as Auckland.

In regards to Recommendation 2 Delegated authority (pg168) Cr Bill Rossiter thinks it should be Craig Brown, Graeme Ramsey and the new CEO (to be appointed)

CEO Ken Patterson clarified the Spatial Plan was strategically 1/ a matter of statute for Auckland to do this. The Spatial plan is a priority. 2/ noticeable that they deal with geography but this is the social side of it.

Cr Joe Carr expressed that Auckland was our gateway and they need to think further north than Kaiwaka.

Cr Bronwyn Hunt believed it was recognition of bonding and a crossover.

Item No. 7.4 Proposed NES (National Environmental Standard) Plantation Forestry 1649hrs.

Cr Joe Carr was pleased because it was staying on and the submission made by staff was good.

Cr Tony Davies-Colley was disappointed Rotorua is the furthest North.

The meeting finished at 1651hrs, the councillors then going into business with the public excluded.

An interesting Item No. 8.6 Update - Northland Marine Precinct Project *in the Confidential Section.*

Looking at the extract of the minutes from Confidential section in the minutes of the 19th April Meeting (in the text box below) is it fair for one to assume that Items 9.2 Northland Marine Precinct, 9.3 Proposed Sale of Property & 9.4 Update – Northland Marine Precinct (Tabled).

Are all tied in together?

Would Item 9.3 be the sale of a property for the Northland Marine Precinct? It seems to be tucked in the middle a little doesn't it? If so what is being hidden here from the ratepayers?

Business with the Public Excluded (Item 9.0)

ID: A134251

Report from Democracy and Legal Services Senior Programme Manager Jonathan Anyon.

Moved (Carr/Bain)

1. That the public be excluded from the proceedings of this meeting to consider confidential matter(s).
2. That the general subject of the matter to be considered whilst the public is excluded, the reasons for passing this resolution in relation to this matter, and the specific grounds under the Local Government Official Information and Meetings Act 1987 for the passing of this resolution, are as follows:

Item No. Item Issue Reason\Grounds

9.1 Confirmation of

Confidential Minutes

To protect the privacy of natural persons, (section 7(2)(a).

9.2 Northland Marine

Precinct

To enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); (sections 48(1)(a) and 7(2)(i)).

9.3 Proposed Sale of

Property

To enable the council to carry out, without prejudice or disadvantage, commercial activities; (sections 48(1)(a) and 7(2)(h)).

9.4 Update – Northland

Marine Precinct (Tabled)

To enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); (sections 48(1)(a) and 7(2)(i)).

Carried

Conclusion

The meeting concluded at 4.25 pm.