

Whangarei District Council meeting – 19th December 2012.

[LINK to appropriate Agenda](#)

[LINK to Supplementary Agenda No2](#) - Whangarei District Council - *Approval of the Kensington Park Management Plan 2012.*

We are asked to all stand for 'His Worship, the Mayor'. A number attending in the public gallery, remain seated for his entry to the chamber.

He says "please be seated". He welcomes the public and welcomes the councillors.

He continued claiming how much he had appreciated the support from Councillors this year and last year. All Councillors are passionate about our district; we have improved the district in many ways and wish all a Merry Christmas.

There were no apologies for today's meeting.

Morris continues that we should take a few moments for former Councillor Dave Culham QSM. I ask Deputy Mayor Cr Phil Halse to come forward and say a few words.

[LINK to eulogy.](#)

Phil gave an excellent eulogy of Dave's great work for the district.

Dave Dobson spoke on behalf of himself and his wife Viv. Dave had been best man at their wedding and had been to their silver, golden and diamond reunions. He was a great friend and will be sadly missed.

Cr Greg Martin, Cr Crichton Christie and Cr Merv Williams also spoke about some of Dave's qualities. *Yes, Dave was certainly a great man who gave much to his community and will be missed by many.*

Mayor Cutforth finished with "we ask as a council for Dave to rest in peace".

1022hrs. Morris invited the CEO Mark Simpson to explain the amendments to the Local Government Act. Mark gave a brief on this. [Link to the CEO's quotation](#) on LGA.

Morris wished to also advise that today's meeting was to be recorded with both audio and video.

[Link to Morris Cutforth Christmas email.](#) - 21st December 2010 - *Just to remind you all why he stood for mayor*

Time still at 1026hrs and Supplementary Item No.1, the 'Public Forum' (Page 1)

Bridgette Henare speaking about the Pedestrian crossing at Tikipunga, outside Totara Grove Primary School.

Bridgette spoke of her grave concerns about the urgent need for a pedestrian crossing outside Totara Grove School. She had attempted to have this rectified through due process and was asking council to make it a priority before a child was injured or killed crossing this busy road. She was aware of cost cuts to budgets but hoped it could be sorted. Bridgette

thanked those that had taken the time to go and view the situation. She also invited the Denby Ward councilors that hadn't bothered to go and look. *Anyone got a tin of white paint and a roller and a couple of lollypops?*

Cr Kahu Sutherland claimed this issue had been raised before but had died a silent death; it now needs to be prioritised.

It was now still 1029hrs. Item No. 2. Minutes of a Meeting of the Whangarei District Council held 28 November 2012. (Page 2)

Moved: Cr Crichton Christie (?), Seconded: Cr Greg Martin.

There was no discussion on this item.

With time still at 1029hrs it was Item No.3. Minutes of an Extra-ordinary Whangarei District Council and Northland Regional Council meeting held 6 December 2012. (Page 6)

Moved: Cr Phil Halse, Seconded: Cr Shelley Deeming.

There was no discussion on this item.

With time now at 1030hrs it was Item No.4. Police Report. (Page 8)

The report can be found in the on line agenda.

Morris Cutforth welcomes Area Commander Tracy Phillips (Inspector Tracy Phillips) to comment further on her report.

Area Commander Tracy Phillips acknowledged the previous speakers about Dave Culham, and Bridgette Henare's concerns for a crossing.

Tracy advised that in Road policing, Operation Crossroad was starting and the speed tolerance was set at 4kph. Tracy advised also of the Summer Policy that she was working on rosters to cover the coastal areas of concern. Staff was being rostered for late and day shifts; a command centre will be set up and available to respond to incidents with large numbers of personnel. Tracy advised that she was personally working the night shift on New Year's Eve. *(So watch out, those of you who are party animals of councilors. Miss-behave and Tracy may have you)*

Cr Jeroen Jongejans still had concerns about police not being there for the whole shift as their area was 30-60 minutes away.

Tracy Phillips claimed the expectations were that staff will be out there for the whole shift; they would take their lunches etc and be in those areas for the shift.

Morris Cutforth wished to comment about alcohol consumption in Whangarei. He had received favorable comments about Tracy's hard stance in this area as she means business. Tracy Phillips replied that she liked to be seen as 'firm but fair'. Bar owners wanted safe environments for their clients.

Cr Greg Martin commented that police at beaches used to have networks they could rely on. Tracy Phillips advised they will still form these networks and should be better cover. Tracy advised that she would welcome any feedback.

Cr Greg Martin claimed what he was hearing when people made calls was that police were all busy in Vine Street and would be 40 minutes to an hour away.

Tracy Phillips commented that the old system didn't work for them, just that some don't like change. *Don't fear from what we are hearing on the street is that Tracy has done nothing*

but improvements since she has been here. We regularly see Tracy around town doing her thing building networks.

Cr Crichton Christie advised that he had concerns about groups using quick text messages to give advice of parties. *Crichton best you get on their recipient list also so you don't miss out.*

Tracy Phillips commented that 'it was only wet babies that like change'. No one likes change. Cr John Williamson asked in relation to fatal accidents and alcohol on roads; has traction been made.

Tracy Phillips advised people are getting more responsible but police were still catching approximately 100 per day nationally for drunk driving; how many were they not catching?

This report was received and moved: Morris Cutforth, Seconded: Cr Sue Glen

Morris Cutforth thanked the Area Commander for her report and wished her a very Merry Christmas.

With time now at 1044hrs it was Item No.5, Review of Council Solid Waste Management Bylaw. (Page10)

Moved: Cr Greg Martin, Seconded: Cr Jeroen Jongejans.

Cr Brian McLachlan had a query on some clarification needed.

Group Manager Infrastructure and Services Simon Weston gave clarification.

There was no added discussion on this item.

With time at 1045hrs it was Item No.6. Carry Forward List 2012-2013. (Page 33)

Moved? , Seconded: Cr Merv Williams. *The chair doesn't always repeat who moves and seconds items and the sound system is!*

It was advised there was an error on page 35 and Seal Extensions should read 600 not the 267.

Cr Merv Williams advised he had seconded the motion and wanted a motion for confirmation of funding for Northland Hockey's extra turf.

Cr Jeroen Jongejans claimed he would second that.

Cr Merv Williams continued there had always been a 'carry forward list' and he wished to discuss a couple of points. Unfortunately some projects had been deferred; there was a lot of disappointment on this and we could debate till the cows come home. *That would really only effect Phil, Shelley and Greg.* Merv continued, they hadn't sold the assets (properties) anticipated. His second point was they need to give some surety to hockey enabling them to move forward guaranteeing funding next year.

Cr Jeroen Jongejans congratulated Merv on a great presentation. We are here to make a difference. We need to tick off all things in the manifesto; Hundertwasser, Hotel and Hockey. *Jeroen certainly likes his H's.* Here is an opportunity to be a 'doer' he said.

Cr Warwick Syers wanted to know if 2 points could be repeated for clarification and would like the added recommendation to be re read.

Cr Aaron Edwards also wished for some clarification.

CEO Mark Simpson gave details to clarify the issues raised.

Cr Brian McLachlan had concerns that they had a meeting planned for next February to discuss the next Annual Plan; if we give Northland Hockey the go ahead, what gets pushed back and are we going to get caught with more projects?

Cr Greg Martin advised that he was disappointed that this item had come forward; we met at length with them and had reached an agreement. This is contrary to the agreement we have with them that was discussed 'in confidence'. So I will move a sub..... *Here we go all this stuff with ratepayers money carried out in 'secret squirrel fashion'.*

Cr Merv Williams interjected, "let's move into confidence and then we will all know the story". CEO Mark Simpson advised that the 'confidentiality' was asked for by Northland Hockey as they hadn't informed their membership. *Is this a bit like Council informing the ratepayers? Isn't that their membership?*

Cr Sue Glen quoted, this funding we are discussing is ratepayer's money. Does this mean we can get the sea walls for Onerahi? I am not just for one suburb you know; but we must live within our means. *Haven't they left their runs a bit late? Through financial mismanagement we are now in this critical situation having to place projects on the back burner. Maybe they shouldn't have been so extravagant with their wild ambitions in the first place. Talk about having 'champagne taste on a beer budget?'*

Sue claims she supports hockey, but will not support anything not getting us out of a hole. *Perhaps they should not have dug the hole 'that big' in the first place?*

Cr Warwick Syers claims he was disappointed getting this landed on us at this point of time. He had concerns with the word 'Guarantee'. *Hang on; is council not pouring heaps into rugby? And what about the grant and loan to a ~~Sports Club~~ sorry, 'business' in Ruakaka that received a \$200,000 grant and a \$100,000 loan all done under 'confidence' by Whangarei District Council on 26th September 2012. Council would 'neither confirm nor deny' the articles accuracy that was placed on my website in regards this, when questioned. Spell GUILTY to me! I'm not against any codes or businesses but council must consider all ratepayers first and ask....does the decision benefit the majority?*

Warwick wanted it to sit on the table until their next meeting and that they take some advice on what the 'guarantee' is all about. *Now this is an interesting comment, about waiting, he makes before a flip/flop.*

Cr Jeroen Jongejans claims timing is very important and they need to get it done now.

Cr Aaron Edwards advises that he is sympathetic to the sport of hockey but he was wary of the 'guarantee' also.

Cr Phil Halse moved that it lie on the table until the next meeting.

Cr Shelley Deeming seconded the amendment made by Phil.

A division was called for.

Those who voted against this amendment; Cr Brian McLachlan, Cr Merv Williams, Cr Jeroen Jongejans, Cr Crichton Christie, Cr Kahu Sutherland and Cr Warwick Syers. *Yes I haven't made a mistake Cr Warwick Syers voted against the suggestion he made !!!!!!! Is he playing a numbers game? They can talk as much as they like but in the end it is the vote that counts and very few public witness that, unfortunately! Don't be misled by the smile on a crocodile!*

This item lies on the table until the next meeting; *unless of course a confidential meet prevails.*

With time at 1110hrs it was Item No.7. Hundertwasser Licence Agreement. (Page 36)

Moved: Cr Crichton Christie, Seconded: Cr Jeroen Jongejans.

Cr Crichton Christie informed that this was a 'step by step' process and they can't build it without an agreement.

Cr Sue Glen asked if this commits us to the total responsibility in an open manner. Some agreements have set amounts of funding; this sounds like open slather. *You are finally catching on Sue, you are right, an open cheque book. Dangerous stuff on behalf of the ratepayers YOU represent.*

CEO Mark Simpson gave some details; this is an agreement between the Hundertwasser Foundation and ourselves. Separate trusts will in due course, be set up.

Cr John Williamson claims he was encouraged by the evolution of this agreement developing this relationship. We are working hard on a strong sense of partnership. *Sounds like a bunch of Dells words to me.*

Cr Greg Martin had concerns what council was responsible for. You missed out on the land and building that council will be supplying in the agreement. This agreement is all one sided.

Cr Sharon Morgan advised that the agreement had come back with more detail as asked for by councilors. This allows us to move forward to gain funding and a sub-licence the Whangarei Art Museum will work to.

Cr John Williamson discussed some of the alterations that appeared in red and green in the agreement.

Cr Aaron Edwards had concerns that Cr Williamson is colour blind as in 'red' are changes recommended by staff following consultation with Richard Smart. (New Zealand Hundertwasser Foundation)

Group Manager District Living Paul Dell gave clarification that changes in 'green' id from Hundertwasser Foundation and changes in 'red' from staff and Richard Smart. (New Zealand Hundertwasser Foundation) *Are we being hoodwinked here? Looks like Hundertwasser Foundation and New Zealand Hundertwasser Foundation are having ALL the input.*

Cr Aaron Edwards queried the costs and risks associated with it. It puts more commitment on council; I don't think we have a full grasp of the agreement.

CEO Mark Simpson, to his feet, (*here we go wait for this lot*) advised we have had a number of reports done and are comfortable with the costs etc.

A serious question to the CEO; Will he (Mr. Mark Phillip Simpson) be 'personally' accountable and 'personally' guarantee any shortfalls in the project with his own money? Remember 'TALK IS CHEAP'. Put your money where your mouth is Mr. Simpson, now is the time to finally be 'ACCOUNTABLE' for all your actions and not hide behind unanswered Official Information Act requests that you think you are so good at. And we are not talking about with rate payer's money when we say 'Personally'

Cr Merv Williams was curious why we need funding arrangements for 30 years. *Cause it is hooked in long term!*

Cr Brian McLachlan claimed he was happy with it. *Now that's strange, didn't the 'independent survey' you commissioned Brian, state approx 70% were against this project? Oh Brian, you must have forgotten.*

Three Councillors voted against the recommendation; Cr Aaron Edwards; Cr Greg Martin and Cr Shelley Deeming.

The motion was carried. (So now, who is laughing all the way to the bank?)

Recommendation

1. That the Hundertwasser Licence Agreement be received.

2. That Council adopt the Hundertwasser Licence Agreement and authorise the Chief Executive Officer to sign the Agreement on behalf of Council.

So there you have it folks, ratepayers and their money are now hooked into and responsible for this project, for the next 30 years at least.

With the time at 1122hrs it was Item No.8. Update – Whangarei District Council Youth Advisory Group. (Page 42)

Andrew Simkin and Brad Austin from Whangarei District Council Youth Advisory Group gave an update on what the group had been accomplishing since its start. *I must say a very good presentation by two fine young men who appear passionate about what they are about.*

It was opened up for questions of these two.

Cr Kahu Sutherland asked if the Youth Advisory Group (YAG) had a position on the Hundertwasser project. *Thought that was what he would ask about, he hasn't hardly said boo all meeting until now and is his 'pet project' Hundertwasser. That trip to Vienna has certainly had long term affects. Is nothing else important?*

Both from YAG answered, not yet, in February they will sus out the 'Hundertwasser' and 'Car park to Park' projects.

Cr Sharon Morgan queried that this would be a huge commitment of their time.

Both from YAG again taking turns at answering; we need the last Wednesday of the month for about 1.5 hours to meet at the May Bain room in the library. Most are normally doing social media and this type of thing anyway and this certainly beats playing computer games or doing nothing at all.

Cr Aaron Edwards advised that it had been a pleasure working with them both and the rest of the group.

It was explained that from the survey there were a couple of interesting issues had arisen;

1/ 50% would like to see themselves in work even if only part time.

2/ 30% would like to have better facilities available eg. Skateboard parks, gaming arcades, Comedy fests or street parties. (Street parties? Must be a bit of Crichton here?)

Cr Phil Halse asked if youth have a plan for the 'Car park to Park' project from the options suggested by council.

Both from YAG answered, that they will be putting in a submission. *Perhaps it might be entirely different from what Council and staff have suggested; maybe they are consulting with the community genuinely?*

Moved: Cr Aaron Edwards, Seconded: Cr Merv Williams.

Cr Merv Williams added that it's been very satisfying working with this group. Some in council have asked "how are the kids going?" Merv wanted to clarify, these are young men, and they are not kids. *Good call Merv, respect is two way. [Link to Kid](#) Note the informal one is what some here were apparently using.*

With time at 1138hrs it was *Supplementary Agenda No 2: Whangarei District Council - Approval of the Kensington Park Management Plan 2012.*

Moved: Cr Merv Williams, Seconded: Cr Jeroen Jongejans.

There was no discussion on this item.

There was a vote for the public to be excluded before going into the **confidential** section of the meeting and this was moved by Cr Greg Martin, Seconded: Cr Sue Glen.
Not bad for open and transparent meetings?

Just a reminder, didn't Morris campaign that he wanted open and transparent council? And he always also tends to vote for it to go into confidential. Just another thing he did an 'about turn on'.

The meeting finished at 1139hrs.

CONFIDENTIAL INDEX

C.1 Confidential Minutes of a Meeting of the Whangarei District Council held 28 November 2012. (Page 1)

C.2 Confidential Minutes of an Extraordinary Meeting of the Whangarei District Council held 6 December 2012. (Page 4)

All information in regards to this meeting's agenda and others are available on the Whangarei District Council website by clicking on this [link](#).

We wish our all our readers, staff and Councillors at the Whangarei District Council a great Christmas and a safe and enjoyable New Year.

All the best for 2013. The year for change!