

## Whangarei District Council meeting – 26<sup>th</sup> June 2013.

[LINK to appropriate Agenda](#)

Sitting today in the chair is Deputy Mayor, Cr Phil Halse at 1000hrs, wishing all a good morning and welcoming everyone to the meeting.

No standing up and all that stuff today.

There was an apology for His Worship Mayor Morris Cutforth.

Moved: Cr Phil Halse, Seconded: Cr Greg Martin.

This next item, below, was showing in the agenda but was not mentioned in the meeting.  
*Perhaps at times, it's a little alien to this lot?*

### **CONFLICTS OF INTEREST**

Members are reminded to indicate any items in which they might have a conflict of interest.

Cr Phil Halse advises that today they wish to rearrange the order of items, having Item No 6 before Item No 5.

Time still at 1000hrs and Item No.1, the 'Public Forum' (Page 1)  
Cr Halse advised that there were no speakers for today's meeting.

*I was aware that there had been an application for today's meeting and it had been declined yet again by Mayor Cutforth. Don't they want to hear it?*

It was now still 1001hrs. Item No. Minutes of a Meeting of the Whangarei District Council held 22 May 2013 (Page 2)

Moved: Cr Jeroen Jongejans, Seconded: Cr Sharon Morgan.

There was no discussion on this item.

With time still at 10hrs it was Item No.3. Minutes of an Extra ordinary Whangarei District Council Meeting held 14 and 15 May 2013 (Page 5)

Moved: Cr Merv Williams, Seconded: Cr Brian McLachlan.

There was no discussion on this item.

With time now at 10hrs it was Item No.4, Minutes of an Extra ordinary Whangarei District Council Meeting held 29 May 2013 (Page 10)

Moved: Cr Jeroen Jongejans , Seconded: Cr John Williamson.

There was no discussion on this item.

As arranged with the time now at 1002hrs it was Item No.6, Royal Humane Society Award Ceremony (Page 26)

Cr Phil Halse invited Constable Mark Stuart to come forward and receive his Royal Humane Society Award, as an acknowledgement of his actions when he placed himself at risk in rescuing a badly burnt driver from a fire damaged and smoke filled vehicle at Dome Valley in July 2012.

Cr Shelley Deeming read the citation to the meeting of gathered family, friends, supporters and public to much applause of Marks fine actions. *Congratulation Mark, outstanding actions.* [Link to Advocate article](#)

Cr Phil Halse invited the family and friends gathered to come forward to enable photographs to be captured. *A very nice gesture Phil, for this momentous occasion.*

Moved: Cr Shelley Deeming, Seconded: Cr Jeroen Jongejans .

There was no further discussion on this item.

With time now at 1007hrs it was Item No.5. Police Report. (Page 23)

The report can be found in the on line agenda.

Cr Phil Halse invited Inspector Marty Ruth forward on behalf of Area Commander Inspector Tracy Phillips, to speak to the meeting and present her report.

Inspector Marty Ruth took Tracy's report as been read, but added there had been an operation targeting truancy. He advised that it was a massive problem and they would again be targeting it; it was a stop gap issue and this had been a preventative measure as currently truancy rates in Whangarei were 30%. *Wow that is certainly an issue that needs addressing and the community needs to be aware and take steps where possible to address it.; even if contacting the schools or police to report known truants to help them with this problem. Many eyes out there make it easier to help solve it.* Marty was happy to take any questions from councillors.

Cr Merv Williams had a question if this age group was causing problems and would it be of some assistance for the mayor to convene a meeting of appropriate agencies.

Marty Ruth responded with some well founded comments.

Cr Sue Glen commented that in the report it mentioned speed restriction in Bank Street and as she had a sibling going to that school questioned if the proposed costs for the change were in the budget.

Cr Aaron Edwards asked if it would be an advantage to introduce 40kph in that position.

Marty Ruth believed it would be good to have consistency outside schools.

Cr Sharon Morgan asked what the response had been like to the newly introduced Crime Reporting Line.

Inspector Ruth replied saying it has been good from rural areas as it had saved those people travelling in to make complaints saving time and getting the incidents early into their system for better action to be taken; overall it was customer friendly and working well.

A question was asked about Senior Sergeant Ricky Whui, which was duly answered.

Cr Phil Halse asked if Cr Williams would like to move the recommendation he suggested re the Mayor convening a meeting. This was agreed to and Phil thanked Inspector Marty Ruth for the report and his comments

This receipt of the report was moved: Cr Merv Williams, Seconded: Cr Greg Martin.

Cr Aaron Edwards added that as both Cr Merv Williams and he were working with youth they would like to be kept informed on the youth issues.

With time now at 1014hrs it was Item No.7. Update from Northland Inc - Tourism (Page 28) (Page)

Jude Thompson, WDC Chief Operating Officer, introduced from Northland Inc., Mr Brian Roberts, General Management Tourism Sector I Regional Tourism Organisation I Northland Tourism Development Group and Sarah Yeates, Tourism Digital Marketing & Publications.

Brian Roberts spoke to this item and presented the information to council with a visual presentation. He explained how someone he met with recently was impressed about the 'whole walking thing' happening in Whangarei. He described some of the media exposure

they were involved with like Whangarei featuring on the front page of [London Property Review](#) July 2013 issue. *(I found the photographs and articles on pages 111-115)*  
Sarah Yeates gave details of the website and how they were working with promoting a Whangarei Heads Tourist Drive.

Cr Aaron Edwards wanted to know if the change in visitors re the Chinese was were they running out of time, or money.

Brian Roberts advised that they were driven by their industry in China.

Cr Merv Williams asked Brian what was with the restructuring in Northland Inc that had been in the media recently.

Brian's response was that is at board level; we just get on with it and it is business as usual. He added, we will let them sort it out at governance level.

Cr Jeroen Jongejans wanted to acknowledge all the good things they were doing for our region and on such a low budget; he felt they were heading in the right direction.

Cr Phil Halse commented that with Air New Zealand offering direct flights into New Zealand from China and Japan had to be a plus for us.

It was moved: Cr Sharon Morgan, Seconded: Cr Sue Glen that the information be received.

With time now at 1033hrs it was Item No.8. 2013-2014 Annual Plan (Page 33)

Recommendation 1 was moved: Cr Warwick Syers, Seconded: Cr Sue Glen.

Cr Warwick Syers as mover decided not to speak to it first.

Cr Phil Halse confirmed that Cr Warwick Syers had decided not to lead off.

No one else had a comment so Cr Warwick Syers explained it was a formality; the profit and loss account doesn't indicate we are out of profit this year. As discussed in the earlier financial meeting it had been decided that depreciation had been struck at a higher rate, than other councils have.

Cr Phil Halse advised that they had been through a robust process.

Cr Crichton Christie claimed he tended to not like a deficit and will be voting against the first recommendation; it was bad news in his view if outgoings exceeded income. *Have to agree with you Crichton.*

Cr Phil Halse "wished to comment on 'that statement'; we have gone through the Annual Plan and are aware of the debates we have had".

Cr Crichton Christie voted against Recommendation 1 and wished for it to be recorded.

Recommendation 2 was hereby moved: Cr Warwick Syers, Seconded: Cr John Williamson.

Cr Warwick Syers wanted to congratulate Alan Adcock (Group Manager Support Services) and his team; we had a comprehensive consultation process and the outcome had been reported very well. ....etc.....etc.....etc. *Was this Warwick's Election speech?*

[Link to 2013-2014 Annual Plan.](#)

Cr Merv Williams wanted to congratulate the staff on this document; in the 9 years he had been in council there had not been a better document. There had always been deferment of capital works and no one knew; this latest list is more open, it shows prioritization of works. The Annual Plan shows \$50million/year spend and it is not sustainable, as per the Standards & Poor ratings.

Cr Brian McLachlan wished to reiterate what Cr Syers had said. It was good to see flood management, Rust Ave Bridge, sewerage pumps, renewal of wetlands, hockey's third turf, sea walls etc.

Cr Aaron Edwards advised he would support the adoption of the plan; being up front about deferred projects was a good move. We need to be up front and he hoped that continued.

Cr Sue Glen commented that one day they might get better at this and lower the line, eventually we may be able to keep some in reserve.

Cr John Williamson wanted to acknowledge the quality of this document. He wants to consult with the community, who we represent and they should bring the projects to us. *Wow is this an election speech also?*

Cr Greg Martin claims there was a lot of debate; and Pages 21 & 22 shows the changes made after the consultation process. There are some things that he doesn't support but we have to have an Annual Plan.

Cr Crichton Christie suggests it is an interesting read and a good way forward; for him he lost some and won some.

Cr Sharon Morgan had been cut off by previous speakers, but it was good they added the outcomes from the submission process. Internal borrowing was identified and accounted for and she also wanted to thank the staff for working to tight time frames.

Cr Shelley Deeming wanted to thank the staff, Alan, Helen and Cheryl. She too had lost some and won some but in the end it was a good collaborative document.

Cr Jeroen Jongejans supported that it was a fantastic Annual Plan and readable. He was surprised that a bunch of councillors from a variety of backgrounds had come to agree. *All the right comments; is it getting close to elections?*

Cr Phil Halse claimed he had a 'brickbat'; 50% of his ward was rural and roading satisfaction (page 26 Annual Plan) was down from 62% to 59% and that was due to a drop in subsidies. We had a process and it was well work-shopped. At the beginning of the term the mayor and himself had made a statement 'to be open and transparent as much as we could'. He was rapt with the outcome.

There was no further discussion on this item and its adoption was carried unanimously.

With time at 1100hrs it was Item No.9. Rates Resolution 2013/2014 (Page 35)

Moved: Cr Warwick Syers, Seconded: Cr Shelley Deeming.

Cr Warwick Syers advises that this was a standard process.

Cr Shelley Deeming claims there is no rating in there for mineral extraction.

CEO Mark Simpson, to his feet, advises that council rates on the land, extraction of minerals is for the Crown. *Oh that's right they do the deals, our region misses out.*

Cr Kahu Sutherland wants it brought back to the table on mining.

Cr Phil Halse asked then that Cr Deeming to move in the minutes about mining.

Moved: Cr Shelley Deeming, Seconded: Cr Kahu Sutherland.

There was no further discussion on this item.

With time now at 1hrs it was Item No10. Northland Events Centre – Appointment of Trustee (Page 39)

Moved: Cr Shelley Deeming, Seconded: Cr Jeroen Jongejans.

Cr Shelley Deeming advises she was privileged to appoint Deborah Harding to the Northland Events Centre Trust under the standard indemnity applying to trustees as per the recommendation. They thanked Clare Davies-Colley for her contribution to the Trust.

Cr Phil Halse advised the 'trust' was tracking along very, very, well.

There was no further discussion on this item.

With time at 10hrs it was Item No.11. Public Forum (Page 40)

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

Cr Phil Halse commented that this article had been unfair on the CEO Mark Simpson. He had been copying some flack through the media and that was unfortunate as the issue had been discussed with the mayor. *Poor Mark, now he knows what it feels like to be on the receiving end of the 'media's poison pen', as some of our citizens have been subjected to.*

Cr Shelley Deeming advises she supported the line they were taking; it's a good time with elections coming up.

Cr Merv Williams wanted to move an amendment to the recommendation that it read 'suspend' rather than 'removed' from Council's Standing Orders.

Moved: Cr Merv Williams, Seconded: Cr John Williamson.

Cr Williams continued; it has a very important part to council, we can still have presentations to council.

Cr Aaron Edwards was happy with the amendment and the original recommendation. He advised it was prudent to 'suspend' it. *Since it was introduced in October 2010 it has been suspended, edited, speaking rights refused, interrupted, cut short and more than likely not listened to. Some councilors have even been quoted as saying they don't want it at all.*

Cr Sue Glen comments that 'suspending' it she likes; we haven't had any speakers for 3 – 5 months. She added she hopes it's determined by a new mayor and councilors.

Cr Warwick Syers informs that 3 minutes is not enough, there must be a better mechanism that gives the democratic right that people can talk. *There is Warwick; it's called a Court Hearing.* Warwick adds he is unable to support the amendment. *See he doesn't like it, he has stated that before.*

Cr John Williamson advises he supports the amendment, as he seconded it. To change it from 'remove' to 'suspend' is important; we have had some interesting discussions like Rhett Brown.

Cr Jeroen Jongejans advises that Standing Orders are added by the new Council, he can see no issue here in removing it.

Cr Shelley Deeming also claims they need to make the Public Forum a new system, there must be other ways.

Cr Brian McLachlan claims it's a lost point to the whole debate; where is our commitment not to use council's resources during the pre election period. *Exactly Brian, that's all we are hearing today from many, about turns on what they have resisted in the past now those things are more acceptable. Yeah right! And how many candidates have requested to speak at Public Forums?*

Cr Crichton Christie suggests if it is not political let's carry on; the chair has a choice.

Cr Greg Martin, *now in his election mode*, anybody is able to come and see us at any time; putting the CEO in a difficult position to turn down speakers. *Oh and I thought it was the Mayor who decided, am I wrong?*

Cr Kahu Sutherland advises 'we have made our bed, now lie in it; There has been far worse happenings between councilors than in Public Forums'.

Cr Phil Halse commented that some councilors must realise that we are bound by Standing Orders; the new council may choose something that is more user friendly and he would be backing the recommendation.

It was to the vote, division was called for and the amendment was lost.

Back to the original recommendation, division called for and needing a 75% majority for or against the motion was lost and we still have Public Forums. *Let us just wait and see how many get to speak and how genuine the process will be.*

*In my opinion if any elected representative is not prepared to listen to a constituent, whether they deliver a 'bouquet' or 'brick bat' for a mere 3 minutes under a competent chair person, then they are not the right people for the job. 3 MINUTES is not a long time, you could even hold your breath, listen and learn!*

With time at 10hrs it was Item No.12. Notice of Motion (Page 41)

Cr Brian McLachlan wished to change the Notice of Motion with changes to No 3 and an additional Item No 4.

Moved: Cr Brian McLachlan, Seconded: Cr John Williamson.

Cr Brian McLachlan spoke to this item explaining the situation of the old Paper reclaim facility on Pohe Island.

Cr Jeroen Jongejans claimed this did not make any sense.

Cr Aaron Edwards informed that it was to get the work happening and that would place Bike Northland in a good position for funding.

Cr Crichton Christie wished to move an amendment to the original.

Cr Kahu Sutherland seconded it as he was keen to hear it.

Cr Crichton Christie gave some reasoning and claimed dealing with this organization (Council) was a nightmare; let's get on with it.

Cr Phil Halse advised that they did not want 'predetermination' going into a plan. *Oh is this different to Hundertwasser, Town Basin enhancements, Gomez Road Motor Sport Park, Liquor closing hours and a number of other projects?*

Cr Warwick Syers, *back in campaign mode*, said he was concerned at the disregard of the current process.

Cr John Williamson wanted to support the amendment to the Notice of Motion.

Cr Sharon Morgan informed we have a Management Plan on the table and must go through that; she could not support the amendment.

Crs Sue Glen, Shelley Deeming and Jeroen Jongejans made comments to the item.

Cr Greg Martin did not wish to speak to this. Ah ha, Greg has always said 'he would not tell a lie; but he wouldn't tell it all'. *What is he uncomfortable about?*

Cr Kahu Sutherland dropped the bombshell; Are we in discussion with Northland Rugby? I will give them support with this.

Cr Phil Halse gave some explanation, *or did he really?*

Cr Phil Halse stated he supported all sports and gave details. He then said he was a builder by trade and a farmer and he knew a dog when he saw it; this building is a dog of a building, in a bad state of repair and went through numerous problems and safety issues with the building. *Who would want it? This sounds like many of their assets in a sad state of repair.*

He continued, whose liability is it to fix it continuing to explain all the facts.

There was a scream from the public gallery "And you let our children in there now"

Cr Brian McLachlan in his right of reply, claimed "there was no credibility in these comments; we just agreed to put a whole lot of money into a building which is not in the plan. We want to give some certainty to this group.

The amendment was lost.

It was approved with 4 points.

Cr Shelley Deeming abstained.

With time now at 1hrs it was Item No13. Update on Hundertwasser Art Centre Project (Page 42)

Moved: Cr Kahu Sutherland, Seconded: Cr Sharon Morgan.

Group Manager District Living Paul Dell was available for answering questions.

For a moment it looked like there was going to be no discussion with the chair nearly putting it to the vote to receive the report.

Cr Crichton Christie broke the silence, what is a 'Folly', he asked.

Paul Dell gave some details in response saying it was a piece of architecture dating back to the 16<sup>th</sup> & 17<sup>th</sup> centuries demonstrating a period in time. *That will fit in well with the 'colonial' Town Basin, the 'eccentric' Hundertwasser, the 'modern' hotel and the 'trendy' yachts.*

Cr Shelley Deeming also had a query on 'No 4 in the background'.

Paul Dell explained that all in the Hundertwasser Agreement states 'original artwork' not copies. *Does this also refer to Maori works?*

Cr Aaron Edwards queried the position of the 'Folly'.

Paul Dell claimed they had not decided yet, they had looked at various locations.

CEO Mark Simpson advised that it would be adjacent to the project. *See, he knows!*

Cr Sharon Morgan advised that they had a number of funding applications in at present and some to private philanthropists. We have had in-depth costing done which have resulted in \$600,000-00 savings.

Cr Sue Glen had a query on costings.

Paul Dell gave some details.

Cr Greg Martin asked if this was 'new guesstimates on old guesstimates'. *Love it Greg!*

Cr Kahu Sutherland quipped, "Like the bridge?" *These two appear to oppose each others projects.*

Cr Phil Halse advised this is an update, as requested, on the process.

Cr Merv Williams asked what was the cost of the 'Folly'.

Paul Dell replied that it was about \$150,000-00. *Not a lot if you say it fast.*

Cr Merv Williams commented that it looks like a 'fait accompli' going by the time lines in the agenda.

CEO Mark Simpson stated "we don't have the delegated authority to spend this amount of money, only those elected around the table do".

*Cr Jeroen Jongejans thanked them for the report claiming he was excited about this project and commented that if the funding comes through early will it happen.*

Cr Phil Halse quipped we can always have special meetings.

*And that my friends is possibly what will happen; they will let people campaign and promote or demote the project, hang out till the last minute while everyone is busy and slip it through just before the election to get their wishes cast in stone, or is that PREDETERMINATION?*

Cr Phil Halse closed the meeting finishing it at 1220hrs.

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 Aaron Edwards, Seconded: Cr Merv Williams.

Not bad for open and transparent meetings?

## **CONFIDENTIAL INDEX**

C.1 Confidential Minutes of a Meeting of the Whangarei District Council held 22 May 2013.  
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C.2 Confidential Minutes of a Meeting of the Civic Honours Committee held 11 June 2013  
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C.3 Property Update (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](#).**