

**Whangarei District Council District Living Committee meeting – 8th August 2012.**

**[LINK to appropriate Agenda](#)**

Chair Cr Shelley Deeming welcomes all with a good morning, to all those present at 1000hrs.

Apologies were received for Cr Aaron Edwards.

Moved by Cr Greg Martin, seconded by Cr Sue Glen.

It was 1000hrs and Item No.1. Minutes of a Meeting of the District Living Committee held 11 July 2012. (Page 1)

Moved by Cr Merv Williams, seconded by Cr Sharon Morgan.

These were duly passed and no discussion was necessary.

With the time still at 1000hrs it was on to Item No.2. District Living Group Monthly Report July 2012. (Page 3)

Moved by Cr Merv Williams, seconded by Cr Sharon Morgan.

Cr Deeming advised councillors to 'feel free to ask pertinent questions as they go through the item, page by page'.

Group Manager District Living Paul Dell advised that government had proceeded to the next round of amendments with consents. He mentioned the matter of the Henderson / Sax split decision (page 3)

Cr Phil Halse felt it was a shame two professional people can't agree and it will cost many thousands of dollars for this item to go to the High Court.

Paul Dell gave some brief details of the issue.

Cr John Williamson advised that it was a retrospective consent issue.

Paul Dell informed that it was a legal description of the proceedings; it was a technical matter relating to a regarded extension to a residential building.

Cr Kahu Sutherland asked if that means our plan needs to be amended to make it clearer. How come two legal people can't agree on it?

Paul Dell explained it was the testing of interpretation in the courts.

Cr Sharon Morgan asked if there were any changes to the RMA. (Resource Management Act)

Paul Dell gave some details.

Cr Merv Williams asked if this council will be submitting on it.

Paul Dell advised they are waiting to see what the LGNZ (Local Government New Zealand) submits on and whether there needs to be a separate submission.

Cr Jeroen Jongejans had a query on Plan Change 65 (Page 10) as it had been going on a long time.

Paul Dell advised that the mayor had written a letter about three weeks ago. *What he should have asked was, had the mayor remembered to post it.*

Cr Sharon Morgan had a query regarding Plan Change 125 – Fortification Fences. Paul Dell gave some details.

Cr Phil Halse believed that Plan Change 123A – Network Utilities, Electricity Transmission was getting out of hand. If we implement this compensation could be an issue.

Paul Dell advised that it was part of the National Policy Statement and staff were working on a submission.

Cr Phil Halse commented that, we are elected to represent our ratepayers and we need to sort it out. *Is this affecting him personally? Why would you want companies driving 4WD's through your paddocks in the middle of winter. Farmers will lock their access gates in protest. Sounds like it could be?*

Cr Kahu Sutherland had a query on Plan Change 100 – sites of Significance to Maori.

Paul Dell gave some details. *Gee is the pressure coming on Mr Dell or what; everyone seems to be asking questions of him.*

Cr Greg Martin, back to Plan Change 123A. This is an invasion of private property rights. He was concerned about it and they need to make a statement that they are uncomfortable about it.

Cr Crichton Christie had a query on Plan Change 126 – Business 4 Landscaping Requirements. (Page 11)

Cr John Williamson had a query on Plan Formulation f) (Page 13) – Preparations for the Northland Regional Policy Statement (RPS) and Section 32 with GM.

Paul Dell gave details of other councils were having difficulties working within this group discussing it.

Cr Crichton Christie advised of the recent landscape meeting he had attended and how there was a number of angry people there. *He is right; this meeting was held at Forum North after a group advertised in the newspaper about the Landscape changes that NRC was conducting. There were a lot of people there who had concerns about where it was heading.*

Cr Merv Williams claimed they should be working with the NRC (Northland Regional Council) as people don't know what is sneaking in through the back door. People need to know more about it. *Good call Merv; they need to know the "FULL PICTURE".*

Paul Dell advised that this document doesn't come into force until this council has done its bit.

Cr John Williamson commented that 'at the moment it was only a line on a map with no rules attached to it.' *Tell that to the un-happy ones whose properties have the 'line' through their property.* He continued that they (council) have the opportunity to adopt a consistent set of rules. *That's the problem; people believe it is their private*

*property and there should not be rulings imposed by a council. They should be able to do what they want on their land.*

Cr Merv Williams queried Food premises gradings (pages 17 & 18) claiming you hardly see any one below a 'C' now days. *This is an interesting issue Merv. It is 'self monitored' now by the premise owners. Love to have a chat about it one day as places I was told would never have a rating higher than 'B' now have a 'A+ Merit' rating. I have spoken to a number of restaurant owners and it is an interesting change in policy. You pay the fee, you have a good grading.*

Paul Dell advised that it was going through a transition period. The new system is about procedures; it's all about food preparation and the likelihood of a person becoming sick from consumption of food from those premises. It's about food safety, the systems and the monitoring of them.

With the time at 1037hrs and Item No.3. Public Art Policy for Whangarei District Council. (Page 28)

Moved by Mayor Morris Cutforth, seconded by Cr Sharon Morgan.

*Gosh oh gosh, the mayor managed to move a motion. Didn't he do well? That will be his lot for today.*

Cr Crichton Christie advised that he didn't see anything in this policy about who is ultimately responsible for it.

Paul Dell advised if it is in public space then the council is responsible for it.

Cr Crichton Christie advised that he has an issue with it. There was a piece of art which was one piece of three and one piece was now missing. Some art was even missing from being in some peoples offices; we need to watch it closer.

Paul Dell informed that that type of art was excluded but he would look at it.

Cr Kahu Sutherland asked what the consequences of those responsible for this policy were. *You should know that; people in this 'arena' get disciplined with a slap over the wrist with a wet bus ticket, then go on to claim for the injury to the wrist to ACC. Hence no consequences.* Kahu continued that there have been significant art works that haven't been stored properly (like in the electrical area). It's ok to have these policies, but who will be monitoring them?

Paul Dell advised that this was a policy framework that they were working on.

Cr John Williamson applauded Paul for this policy. *Don't tell me John Williamson; are you about to ask to have another parking ticket squashed, hence the grease-up to Mr Dell – the keeper of the 'cancelation book'.*

Cr Sharon Morgan also thanked the staff for this policy.

Mayor Wayne Brown, CEO David Edmunds and another from Far North District Council joined the meeting and were welcomed by Cr Shelley Deeming.

With the time now at 1049hrs it was on to Item No.4. Alfresco Dining Policy. (Page 37)

Moved by Cr Shelley Deeming, seconded by Cr Merv Williams.

Cr Shelley Deeming informed the meeting that there had been a number of people shown concern that this policy was to be adopted without consultation with them as stakeholders. *Well it probably would have not they started asking questions about it.* She wanted to ensure that they must receive feedback. She wanted the recommendation No 3. (Page 38) to have “to committee with the draft policy for adoption”, removed.

This was agreed to by the mover and seconder.

Cr Greg Martin had concerns that restaurants and clubs had people outside who smoked now and we have to walk through it. *You could try holding your breath Greg!*

He claimed we are letting them use these areas for free.

There was no further discussion on this item.

*May be the Policy – Alfresco Dining Policy (Page39) should have been titled ‘Alfresco Dining Policy – Draft’ or perhaps even ‘Proposed Alfresco Dining Policy or ‘Alfresco Dining Proposal’. Gee why didn’t I (they) think of that? No I think it may well have been a **done deal** if it had been “let slip though under the radar”. Never underestimate the power of asking the questions!*

So, that’s it, all over till the next episode, with Cr Shelley Deeming calling the meeting to a close at 1052hours and thanking all for attending.

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