

KDC Draft LTP 2013-2023 and Draft Annual Plan 2013-2014

Individual Submission

John Dickie

15 Mangawhai Heads Road, Mangawhai Heads 0505

Preferred contact Email john.dickie@ihug.co.nz or johndickie05@gmail.com

Occasional phone contact 09 431 4873

Sent by Email to Council, CEO and B Ware 1505 hrs Friday 19 April 2013

I would like to be heard in Mangawhai. If I am unavailable to attend in person I will have another person present my hearing material. This will most probably be via a PowerPoint Presentation, so would appreciate if laptop and projector are available as per other years.

This submission is made as a "Open" submission. i.e. not confidential.

Interestingly I have been onto the website and viewed many submissions. I am unsure whether the "undisclosed recipients" is meant to refer to confidential submissions, but if so you have not done a very good job as many names, addresses, phone numbers and eMail addresses can be easily read. Unfortunately this is reminiscent of old times when confidential complaints to Council were openly disclosed.

I have structured the submission as follows:

- 1 Main submission With concluding summary
- 2 Attachment No 1 **Extract from on-line Form**
To answer queries you put to the community – I hope not filled in in vain because for years Council (and now Commissioners) considered me nothing but a nuisance; even after repeatedly my predictions came to pass to the very significant disadvantage of the District.
- 3 Attachment No 2 **Marked-up John Dickie Submission on 2012-2022 Draft LTP**
Included to demonstrate that much of what I predicted a year ago has happened to the detriment of the community. PLEASE, consultation really does have to be done in an open and fair manner, not just a "process that has to be followed". There is good knowledge and expertise in the community. Listen to it and consider carefully; even if it is counter to what you might like to do.
I can also provide a Powerpoint presentation I did at the 2012 public hearings likening KDC to the Rena. Now a year on, what has happened to the Rena?; almost completely broken up and submerge, yet the "Captain" and crew of KDC say "Full Steam Ahead" and ignore the risks hoping that Parliament will resolve the mess.

Very last minute changes

I have just become aware of the Press Release of today regarding the "Council warns of massive legal costs, and may be forced to find \$500,000 in unbudgeted funds to for legal costs against the Mangawhai Residents and Ratepayers Association (MRRA) claims."As I state below, Council / Government and Commissioners in fact have challenged the community to do this for years, saying everything is legal until a Court determines otherwise. There was a slight glimmer of hope when MRRA, Boonham and I (all of whom who had made complaints to Ombudsman &/or OAG)c sat with some Councillors in January 2011 and it was decided there would be an independent Barrister's review of legalities etc, and that both parties would abide by the findings and discuss a way forward. The review was held (and in fact not independent as Council reneged on propmises regarding TOR etc) and slowly it came out that the complainants were in fact correct and Council wrong. Then the "legal until a court approves otherwise" spin ramped up, and continues to this day, with the recent twist that Parliament is being asked to legalise everything. So please do not place the "blame" for the legal challenge on the MRRA – you "invited" it and aggravated the situation by asking for retrospective validating legislation before consulting the community, and further aggravating it by presenting in the Draft LTP / AP the assumption that all would be validated and also the low risk of a challenge.

Your attempt at bluff has been challenged; let the courts decide!

**Why did you wait until the last day of public submissions to release the Press Statement?
If the court case decides in favour of the MRRA / Community you Commissioners should be held personally liable for the costs of the court case because of your actions in precipitating the case!**

- 1 Main presentation

Almost a year since the last flawed Draft Annual Plan was presented, Council and others warned by the community that they were proceeding in a direction that would imperil the District and its community. The community was largely refuted and ignored, though via "spin" the elected Councillors were replaced by appointed Commissioners with well

publicised Terms of Reference that included importantly “consult with the community”. Unfortunately the first mutterings were to the effect that “things much worse than imagined” (as we have heard for years) but why, when this has been advised by members of the community? It is because the advice of the community, while unpalatable but true, was largely ignored at best, but more often vigorously refuted.

Well the mess is greater now than a year ago, and your proposed method of recovery is flawed.

Consult in a meaningful manner; listen to the expertise within the community (even if it is not what you want to hear) and then act. You, the Commissioners and Council staff, are the servants of the Kaipara community, not the lackeys of the Minister to protect the repeated failings of the past and the current governments, central government departments, agencies etc and the KDC itself.

Many (probably most) members of the Kaipara community want to “move forward”, but not at the expense of “burying the past” by means of a proposed Validation Bill, that has at best a limited chance of what you would call “success” by being passed by Parliament, and especially within the timeframe necessary to enable passing of the Draft LTP / AP. But this proposed Bill absolutely underpins the Draft LTP / AP; and thereby the validity of the LTP / AP would be questionable at best. Please listen, last year Council did not and now you Commissioners have in effect acknowledged the illegality and go to Parliament to seek retrospective legislation, a concept that this very week is becoming more seriously questioned by Parliament in a much narrower case.

As almost all know, the huge “Ecocare debts, acknowledged by their inclusion in the proposed Validation Bill as probably illegal (though you use different terminology), are the root cause of the debt problem of KDC. Yet with no discussion of options you blithely say the community is responsible for this probable illegal debt.

The Draft LTP / AP dismisses the possibility of legal action against Council over “Ecocare”, with the past Council, “central government” and you current Commissioners stating “All rates, charges etc resulting from the Ecocare etc are legal until determined by the Court to be illegal”. Considering the fact that in effect you identify them as being “illegal” (and largely do not readily release legal opinions re same that you have obtained at our cost) is it any wonder that an affected community group has taken up your challenge and sought a Judicial Review. Please do not act as if it is this group and the judicial review is harming “going forward” etc; resolution of this will determine whether the community or the Council / government / Commissioners is on a legally sound footing to go forward. Until such time as the Judicial Review is completed it would be unwise to proceed with the Draft LTP / AP; otherwise you run the real risk of yet another judicial review of whether the resultant LTP / AP is in itself valid and hence the authority to collect rates.

Your attempt to use “future development” to pay off a significant part of the Ecocare debt leaves me astounded and unsure whether to cry, laugh or just what. More than 6 years ago I seriously questioned projected development projections, to be told rudely in answer to my questions about sensitivity that the financial model used by Council was absolutely robust for then increasing development trends to continue to increase at an even faster rate, or remain the same, or come to a complete halt. It was these same models that were “voted on by Council” to be made unavailable to Councillors!! I also predicted the possibility of economic decline in Mangawhai with the then reasonably moderate charges to fund Ecocare. Perhaps I am being presumptuous to suggest that you know what resulted as people seem to fall back on “surprised how big the problem is”, but I will give you the benefit of doubt. I wonder what homework you have done on your very optimistic growth / development contributions, because it certainly runs counter to what I observe and what information I get from local real estate specialists, and to even the future of the legality of development contributions. Please present us with an opportunity to comment on now (not another year further into the pooh – pun intended) a financial model based on much, much reduced level of new development contributions funding the “Ecocare Debt” – though of course the Courts may decide it is not “Ratepayer’s Debt”

I address briefly your on-line form (slightly modified) for other aspects you want to hear about. Of course, there are many other details scattered throughout the Draft LRP / AP that brings the document and parts of Councils proposed actions into serious question. In particular options and the implications of the options are not well presented. Continued repetition of so many aspects hinders reasonable assessment and whether there is consistency.

Summary:

Several of the underlying assumptions of the Draft LTP / AP are so seriously flawed that the document should be withdrawn, redrafted and re-presented reflecting the current situation, not as it was optimistically and wrongfully stated in the document put out to public consultation. If however, the Commissioners determine to proceed “as is” they should do so with knowledge that the legitimacy of the process and its outcomes may be challenged under a further Judicial Review. Similarly, if there is an adopted LTP / AP that “based on feedback” is fundamentally different to the Draft (as occurred in 2012-2022 LTP / 2012/2013 AP) the Commissioners should not express surprise that this too might be illegal (see what the Commissioners are trying to validate) and could be subject to another Judicial Review – or will the Commissioners try to persuade Parliament to “Validate anything done by Council, in the past, present and future, regardless of what ever laws exist.”

Remember, probably most want some clear resolution of the current situation, but by reasoned and open debate and consultation, not just by transferring the costs (financial and otherwise) incurred probably illegally onto the general

ratepayers of the Kaipara District". As I have stated on numerous occasions, I am willing to work positively towards a just and fair solution to KDC's now acknowledged "problems".

Part Extract from on-line Form

Would you like to be heard in Dargaville on the 13 May 2013, Maungaturoto on the 14 May 2013 or Mangawhai on the 15 and 16 May 2013 (due to limited times available your first option may not be available)

Do you want to upload your Submission from a pdf or word file? Emailed as .pdf file

1 Vision and strategic goals

The Commissioners are committed to contributing to Making Kaipara an Excellent Place to Live Please, No spin. We heard about this for years and it is quite hollow. Their vision is that by October 2015 the Kaipara District Council will be a high performing organisation with strong community support and mana whenua support, ready for a return to having elected members.

The Commissioners have defined five goals:

- Working with the people and businesses of Kaipara to encourage community and economic development Yes, but so far you have demonstrated limited willingness to consult widely
- Rebuilding confidence and trust in the Council and democracy Yes, but experience to date has not been good, and not just at Managwhai (e.g. refer recent Kaiwaka Bugle)
- Building a robust financial base for Council Yes
- Simplifying the way we rate for services Yes
- Building the capacity and capability of the Council organisation Yes

Do you agree with the goals that have been set for the period to 2015?

- Yes, but with the reservations noted above

What other goal or goals would you like to see considered for Kaipara District Council to become a high performing organisation with strong community and mana whenua support?

- Transparent and open governance, with the community not financially liable for the illegal and / or incompetent actions / inactions of past elected Council, KDC staff members, central government entities and current Commissioners

It is with truth that I say that in all my years of professional work experience for almost 30 years in countries such as India, Indonesia, Vietnam I have never experienced such poor governance as related to the KDC situation.

2 Looking forward (Please, not too much of this spin. People may just start to believe it) to further LTP amendments in 2014/2015

Levels of Service

The amendments proposed this year have resulted from a review of the Council's finances. Next year's proposed amendment is intended to cover levels of service. Looking ahead, what changes would you like to see to levels of service?

Reduce to absolute basics – “Get out of my life”

Do you support Council maintaining the current levels of service it provides?

No, Reduce to essential and not have Council trying to rule so many parts of our lives, and at a high cost of doing same.

What changes in service levels would you like to see Council make?

Reduce

Community initiatives

It has been decided to progressively increase budgets to allow the Council to support community initiatives. What community initiatives or new services do you think Council should support?

Interesting –“decided before consultation”. What come out to use if you really want feedback yet you present as if already decided. I generally believe that if a community wants something, they should be able to afford it.

One area of “support” I do agree with is not to place too many Council imposed rules and charges that actually hinder community initiative. There may be, but I want to examine further, the possibility of accessing cheaper interest loans, but at present this would seem to be quite risky.

I do support the submission No 84 made by Hosking on behalf of Managwhai community groups to transfer more active involvement of the Mangawhai Endowment Fund and Reserves Fund to the Mangawhai Community rather than being allowed to be misused as part of the Councils honey pot.

Do you agree that community initiatives need greater support from Council?

Generally no to neutral

What community initiative(s) would you like to see Council support?

See above

3 New Policy Criteria

Six policy criteria were used to help develop the proposed new Financial Strategy. They are simplicity, community support, equity, stability/durability, affordability and fair distribution.

Are the new policy criteria fair?

Generally "Yes"

What other criteria do you think Council should consider and why?

"Transparency and good governance" – above everything else.

Personal responsibility of Commissioners / Council and Council staff for proper execution of the policy and strategy, with clear sanctions against those who transgress. (not said lightly as current trends are to absolve servants from any responsibility).

4 Financial approach

Debt reduction:

Before there is any serious discussion on this, let the current Judicial Review determine just what debt is legally attributable to the ratepayers of Kaipara (whether across all ratepayers or a segment thereof), PLUS rigorously examine the options of recovering parts of the debt.

The Commissioners are proposing a more assertive approach to debt reduction. They are particularly concerned about the level of risk associated with some of the interest costs around the Mangawhai Community Wastewater Scheme debt where this is to be serviced by future development. Absolutely, see above as the projections appear to be a continuation of "fantasy land". At present this debt is largely being funded by additional borrowing. It is proposed to fund a higher proportion of this interest from rates and to increase the speed at which Council repays general rate debt related to the scheme. The debt can be likened to a mortgage - the more quickly you can pay off your mortgage the less you pay overall. Wrong assumption, a mortgage is taken on by the borrower and person responsible for the debt doing it with the opportunity for adequate knowledge and knowing the mortgage is being raised in his / her name; that situation did not occur with the Mangawhai Debt. It is the same with Council debt.

If Council can pay debt off quicker using the net cost efficiency gains the Commissioners have made thereby reducing the risk and the overall cost of the debt to ratepayers, should it?

See above, establish the legal level of debt first.

Council should/should not pay off debt more quickly because.

See above, establish the legal level of debt first.

Living within our means

The Commissioners see it as important that we pay our way and balance the books. It is proposed that rates will increase by an average of around 9.3% in 2013/2014 to deliver a sustainable and balanced budget for 2013/2014.

This new rate sees the average general rate remaining close to 5% of average household income. Remember that Council had been keeping rates artificially low by borrowing money instead of collecting enough to cover what was needed to cover day to day operating expenses. Be very careful, averages hide so many discrepancies and real pain.

Do you support the principle of paying for day to day services from revenue and not incurring more debt to pay for these?

Absolutely, and if Council cannot collect the money, reduce level of services.

I specifically oppose and more monies being spent of the revision to District Plan. Likely to have (at best) a very short life; ask the Minister to put the revision on hold until Amalgamation etc eventuates as it will only be wasted money and may even come with a cost penalty for the new amalgamated (or divided) entity.

What do you think Council should be doing to enable it to live within its means?

See what I said last year (Attachment 2 to this). Reduce services, reduce staff, cut back on staff salaries, reduce Commissioner's pay – recover the payouts to former CEO.

5 Simplifying the way we rate

The Commissioners want to simplify the way we rate. **Agree.**

They want a District-wide approach to rates where possible and they want a system that is easier to understand. This will mean another year of substantial change for some ratepayers. The changes will affect ratepayers in different ways. What is proposed is as follows:

General Rate

The general rate will still be calculated on Land Value but within that there will be two differentials (100% for residential and lifestyle land under 2 hectares; 154% for all other land use categories). Last year's Long Term Plan introduced a series of differentials for roading. Commissioners propose removing the roading differentials altogether and to introduce a two tiered system for the general rate. **Justify the differential, why tax the fundamental underpinning of the Kaipara economy unless there is a genuine increase in demand for services, etc?**

It is proposed to set the Uniform Annual General Charge at \$704.

Roading Activity Rates

Roading costs are included in the general rate removing the roading targeted rate.

Network Infrastructure Rates (Water, Wastewater and Stormwater)

The Commissioners are proposing that all ratepayers across the District who use these services should contribute equally to the majority of operating costs for water, wastewater and stormwater infrastructure. The operating costs are then combined with capital costs (ie depreciation, interest and loan repayments) for each scheme to calculate the rate payable in each location. Connectable properties would pay 75 percent of the rate assessed for each location. **Some reasonable arguments here, but a lot needs to be done in terms of what is a reasonable operating cost, and what could / should be termed capital improvement..**

This recognises that the service being received by the end user is the same irrespective of location and so the costs should be similar.

Council is proposing to cap the level of increase payable for the operational costs of stormwater and wastewater network services combined to no more than 20% per annum **Is this affordable? – especially as it represents a considerable portion of rates in some areas.** if the increase is over \$100. The cost of providing this transitional arrangement will be funded from the general rate.

Other targeted rates

All 29 drainage district targeted rates have been retained. The targeted rate that funds the Mangawhai Harbour Restoration Society work will also remain.

Instalments

To reduce administration costs, it is proposed that Kaipara District Council send out four rates instalment notices each year instead of six. **Agree.**

Do you think it is important that Council's rates are less complex and easier to understand?

Agree.

Additional comments

Council is proposing a District wide approach to the way it rates for the operating costs of its water and wastewater schemes. **Generally agree, but reserve right to expand at hearings.**

Do you believe that if the service being received by the end user is the same irrespective of location the costs should also be similar?

Do you think that there is a different approach that Council should consider?

Do you agree with Council reducing the number of rates instalments from six to four a year?

What do you think is the right number of rates instalments?

Agree.

6 Mangawhai Community Wastewater Scheme

The Commissioners are proposing a number of changes to the way in which the Mangawhai Community Wastewater costs will be funded.

To address the previous rating irregularities Council is promoting a Local Bill to validate the rates against each property. **Absolutely disagree before the reason and responsibilities for the debt are established (The Judicial Review) and the OAG inquiry – but before I see the report of OAG I am sceptical as I, and many others in the community feel, the OAG itself should bear the direct financial responsibility for a very large part of the debt because the actions / inactions of the OAG (and probably DIA) have resulted in the debt situation being where it is today.** This includes what was called the “targeted rate” which was put in place as a contribution towards the capital costs of the scheme. In some cases the targeted rate was paid as a ‘lump sum’ while in others it was spread over a 2 or 25 year period. Those who have not completed payment of their previous capital contribution will now be required to recommence payment. Properties that have not made an initial capital contribution will also be required to commence paying a targeted rate of \$678.30 per annum for 30 years so that they make an initial capital contribution consistent with that paid by other properties. This will ensure that all existing properties make a similar ‘upfront’ capital contribution towards the cost of building the scheme.

The loan repayment costs associated with the remaining debt which is attributable to existing properties (the capital costs) have been combined with the operating costs allocated to the Mangawhai Scheme to give the new targeted rate of \$1,020.91 payable by those who are connected to the Scheme. These rates are collected based on Separately Used or Inhabited Parts (SUIPS) for residential properties and rating units and pan charges for non-residential.

Do you agree that all parties should be required to make an initial capital contribution?

Generally agree – but only that part of the debt that is deemed to be “Legal” by the courts.

Do you support the way in which Council has allocated the scheme debt?

Do not agree with the basic assumption that all debt is payable by the community.

If this debt is to be paid by the District how do you think it should be allocated?

Any and all debt that is determined by the Courts / Judicial review to have been raised in full compliance with all aspects of the then prevailing law is a debt that could be “segmented”. Any other debt should not be the responsibility of ratepayers in any way shape or form, but if by some manner this is determined to be the responsibility of “ratepayers” it should be equally distributed across all ratepayers of the District since it was “approved by all Councillors who, on taking office represent all ratepayers alike and not their particular wards.

7 Fees and Charges

We are proposing that where it is practical to do so, fees and charges imposed by the Council increase by 3.1 per cent. There have also been changes to the resource management fees to enable Council to recover more of the costs it incurs on behalf of the person(s) seeking consent instead of this being funded from the General Rate.

Is it reasonable that Council expects the person(s) incurring the fees and charges to pay rather than this being subsidised by you the ratepayer through the general rate?

Generally agree, but why not work on reducing the number of fees and charges to the absolute minimum rather than treating them as a revenue source.

Marked-up John Dickie Submission on 2012-2022 Draft LTP

I have included this as I think it is a shame that a year later many of the difficulties that I submitted on almost a year ago still exist. Moreover, as for many aspects that I have submitted on for many years, there was open denial / derision by Council at the time, but subsequently identified as being correct.

In “red” I make a few comments on last year’s submission.

Kaipara District Council Draft Long Term Plan (KDC Draft LTP)

Submission by John Dickie 15 Mangawhai Heads Road, Mangawhai Heads

This is a revised submission: 1 additional point has been added, all other items remain the same.

I wish to be heard in relation to this submission where additional information to support the points made in this submission will be presented.

This submission is also to be considered as a submission on the Statement of Proposal concerning the removal of sewage from the holding tanks at the Bayly’s Beach subdivision.

The Draft LTP is required to be a clear identification of where Council is at, what are its liabilities, and what are the opportunities and costs (and options thereof) to meet the four well-beings. A further requirement is “sign off” and clearance from the Auditor General (AG) as the independent watchdog to give confidence to the community that legal requirements have been met.

Not a single one of these criteria has been met. **Seems as if much remains unchanged.**

Since public release of the Draft LTP there has been the widely publicised community opposition to the Draft LTP, a growing rates strike and a loss in confidence of most elected representatives. There have been some “assurances” given to public interest groups. Senior Council persons are on public record as saying there will need to be significant changes. These factors combine to further undermine that even the information contained in the Draft LTP may have no validity and that completely different options than those presented for public comment may be “adopted” by Council.

I therefore propose that the current Draft LTP and associated process be completely withdrawn. A new Draft LTP and process should be undertaken under direct central government supervision only after the results of the OAG inquiry into the Mangawhai Wastewater Scheme has been completed.

In the Interim KDC should not commit to any new expenditure other than that absolutely necessary for the immediate health and safety of the citizens in the District, the allowances of representatives be withdrawn and existing non-essential consultancies, contracts etc (especially in relation to the District Plan) be put on hold. During this period rating for KDC purposes (i.e. excluding NRC and MHRs) should be held at 75% based on the same rating formula for 2011/2012 – but with the new property valuations (which reflect the economic damage already done to the District) and with no payments for Mangawhai Wastewater Scheme which were subject to the independent review whose findings Council committed to abide by.

I consider these recommendations are still valid.

These are very strong proposals. They need to be strong. The District is in a mess. The community is openly and increasingly engaging in civil disobedience. Council transparency and governance is abysmal. The majority of elected representatives of KDC have no one to blame but themselves. They have a long history of failure to ignore long given advice that has predicted the current mess; furthermore have attempted to muzzle the very few representatives who have asked for transparency and democratic debate; and yet further, have reversed commitments made to the community.

Much of this remains valid almost a year on, the only real difference being that we now have appointed Commissioners, charged in part to restore confidence in the community.

In spite of these comments, I do acknowledge that there is much more information than presented in previous LTP’s and Annual Plans (AP), albeit long, repetitious, inconsistent in places and to be read for what it does not say as what it does say. However, I wonder how much has been read and understood by our “rubber stamp” representatives – seems no one picked up the “Helps ensure that future development fits sensitively within the **Coromandel’s** unique landscape and coastal environment”. Perhaps symptomatic

of “Jargonise enough, and people will start to believe it” – even before the Draft LTP the “excellent place to live” was not believed by all, since the Draft LTP comment to the contrary is frequently heard. If “such an excellent place to live” (as touted in the 2013-2023 Annual Plan) why so many places on the market, and businesses closing down in Mangawhai?

Notwithstanding the above, I am realistic enough to believe that poor governance and illegality will prevail and the elected members of Council will rubber stamp a LTP based on the Fantasy set out in the Draft LTP (they did), perhaps with some modifications to placate an enraged electorate (Yes, this happened). I therefore propose the following:

- Recognise that much of the often-talked about debt was raised by illegal means and set this aside from any consideration for repayment by ratepayers. (Even the publicly available Draft Validation Bill acknowledges the illegality of the debt)
- Recognise the high potential for very negative findings from the OAG inquiry that would have financial consequences for Council. (Still nothing from OAG – the response of Commissioners is that a Validation Bill will sort this all out)
- Set aside a specific allowance to pursue claims of professional negligence etc from contractors, consultants, past and present Council staff and Councillors themselves. (Not done, still not done, and the Draft Validation Bill is “interesting” in that how easy would it be to pursue claims if the Highest Court in the land (Parliament) has effectively legalised everything that happened in the past.
- Set aside a specific allowance to defend a High Court challenge about illegality of rates; given that community representatives were advised that the independent review findings would be binding to prevent such challenges and Council has reneged on this commitment and via the Draft LTP and public statements invite this High Court action. (Not done by elected Council, and in 2013-2014 Draft dismissed the chance of this. BUT central government and Commissioners have invited this because of consistent refusal to sit down and talk with a wide cross section of the community, and continued to cite “everything legal unless shown by the High Court that it is illegal. Now in the interesting position that the Draft validation Bill effectively admits illegality, and a community has actually done what was effectively invited by the Commissioners, i.e. test it in Court.
- Dismiss any “hope” ((a risk assessment) of validating legislation given that the Minister has rejected same in cases of extreme incompetence and illegality. Hmmm!
- Rather than allow for increases (from 2011/2012) in many areas for “staff and suppliers” reduce this by 20% for 2012/2013 and beyond – being much less than the fanciful 31% average increase in KDC rates where there are in fact proposed to be increases well over 100% for most of Mangawhai - (local Councillor excepted of course). Did not do, probably an even greater financial mess now than a year ago
- Reduce staff consistent with both reduced services that Council will be able to afford, and also with proper consideration of “conflict of interest”. Reduce staff salaries in line with the full KDC rate increases that will be imposed on the community; i.e. if you are to increase all KDC rate collections by 31%, reduce the staff salary pool by the same percentage (Do not worry about contractual or other obligations – Council ignores its contractual and legal obligations to the community). Surprise?? – this did not occur. And what has been the “salary” etc for new staff / advisors etc to cover the “competency” of some of the existing staff inherited from the “Jack days”.
- Adopt “zero” allowances for Mayor, Deputy Mayor and Councillors – or if being generous reduce them by 50% of the average increase in KDC rates that will be imposed on ratepayers connected or connectable to the Mangawhai Wastewater Scheme (in case your data base cannot do the sums, it will be somewhere between 100-120% increase for Mangawhai KDC rates, so cut your allowances by say 55%). Surprise?? – this did not occur..
- Do not proceed with vehicle replacements, office upgrading, computer system upgrading etc etc – the community is being asked to suffer, why should not Council also display a very frugal expenditure. Not sure of details of this, though I do understand a better attempt to living within means.
- Do away with all “feel good” things such as Biodiversity Fund. Not, was done, and this current Draft 2013-2014 has even more.
- Provide a specific allowance to upgrade the rating data base. It is nothing short of scandalous that with all the massive expenditure for Ecocare Council does not even have good records of what exists at Mangawhai (SUPIs, “extra pans”, “units of demand”) and even worse does not even know what properties are connected, and it seems is not even able to identify what capital contributions

have already been paid. **At last, I think this has been started, though whether in a situation to really know what is in each property I think not.**

- Provide a constantly updated public register of all legal claims, including civil claims, against Council, and its individual officers and Councillors acting in the name of Council, so ratepayers are aware of Council's potential liabilities. **Not sure, but I think Councillors are aware. However, current Draft does not (as far as I could see) make allowances for possible claims, the largest one (I hope) being related to the current MRRA case.**
- Develop a proper "Statement of Proposal" on SUIPs, "extra pans" etc that considers options, costs and benefits of the various schemes – and including statement of how this would affect individual Councillors and key Council staff members (examples; would a Deputy Mayor-type accommodation entity be charged for "extra pans" or the much more expensive SUIPs; would a flat rented to a pensioner attract a SUIP thus forcing the effective eviction of that pensioner as the additional rate burden would be unsustainable). **Still "trying" in both senses of the word.**
- Consider the economic turmoil that would result from two of the primary under-pinnings of the real economy in the District – rural industry and accommodation. **Yes**
- Realistic consideration of what properties should be connected to Ecocare / Mangawhai Wastewater – the map shows many estuary-side properties not connected. **Perhaps still working on this, though have heard nothing for months.**
- Identify what is required for the Mangawhai wastewater scheme – there has not been as far as I am aware any setting down of the capacity of different units in the system, and what will require upgrading to meet possible, but unlikely, increasing demand. **Not done as far as I am aware, and my various submissions on this in various avenues have come to nothing.**
- Ensure valuation of Council's assets are realistic – for examples Mangawhai wastewater scheme probably highly overvalued, and why the increase in valuation of "Reserves". **Do not know whether recommendation followed.**
- Be realistic about the likely development – even before this Draft LTP Council-imposed charges were killing development, this Draft LTP puts more nails in the lid and add lots of ballast inside the coffin. **YES, YES, YES. I have been on about this since 2006, repeatedly ignored, and the current Draft adds insult to injury.**
- Identify properly the risks and obligations of the Hakarau landfill, including examination of past decisions that have resulted in the current situation – and as possible initiate recovery proceedings. **Not sure of progress here; but lets just bury it (pun intended)**
- Do nothing to join the Government Funding Agency because the likelihood of default is much bigger than Council dares to contemplate. **Commissioners progressing towards this "full steam ahead"**
- Provide clear options for the Mangawhai Campground – included costings and allowance that its sewerage is not in effect subsidised by the local community – and then re-consult. **Not sure, but my observations are that this last fine summer there were many fewer bookings (I live just above it and frequently observe just how many are there.**
- Do a proper assessment of the Development Contributions options and release a full and compliant Statement of Proposal – and then re-consult. **Information dribbling out; but in effect the cookie jar empty and not considered a liability**
- Look carefully at the schedule of Council costs and with respect to every one ask the question - "What is this doing to the welfare of the community?" **?????**
- (Extra point added) The use of Reserves Funds etc for general Council running is totally unacceptable and harks back to the piggy bank days of a year ago and unexplained transfers between various accounts. Reserves funds were mostly collected from developers for the establishment of reserves; not to fund malpractice elsewhere. Developers have advised that they would have preferred to actually have reserves, linking footpaths etc through the subdivisions, but Council insisted on cash contributions in lieu. Council's role is to make Kaipara an excellent place to like in; not just to collect as much money as it can and squander it. **Hmmm!! Nothing has changed.**
- Be open and honest about amalgamation, not deals done behind closed doors. Is this the correct time for discussions when KDC is fighting for its life. **I have not kept up to date with this.**
- Advise Central Government that because of past financial mis-management Council cannot comply with its statutory obligations such as the waste management (5R) policy where any Council funds are proposed to be spent to comply with Central Government requirements (Why worry, Council has set the precedent and continues with practice that compliance with legislation is optional). **?????**

Yes, Council has failed in many areas, but more importantly miserably failed the community you are meant to serve. Shame on you. **Largely the same now as a year ago.**