

# **Council**

**Wednesday, 28 February 2007  
Commencing at 5.30 pm**

**REPORT OF THE MAYOR**

**SUPPLEMENT TO THE AGENDA FOR A MEETING OF THE COUNCIL TO BE HELD AT  
WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE,  
ON WEDNESDAY, 28 FEBRUARY 2007, COMMENCING AT 5.30 PM.**

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**PART B - REPORT OF THE MAYOR**

**THE LEAKY BUILDING FIASCO**

Well what a start to the year! The High Court decision in favour of Mrs Dicks, and the subsequent decision by our insurers to appeal that decision, certainly filled the front pages and the airwaves at a time of the year when there was little breaking news. This story seized the emotional high ground and the 'villain' in all of this was Waitakere City Council. And I guess I took most of the flak. As you know, I was personally opposed to appealing but couldn't stop that decision being made and I, and you, had to live with the consequences.

I wrote to RiskPool's chair, Michael Ross, to get the directors to hold a conference call before the scheduled 28 February 2007 meeting to speed up any decision. However, my pleas were not answered. I was, in the first instance, advised this was a test case and appropriately crafted my media response and messages accordingly. However, it is not a test case and RiskPool seemed oblivious to negotiation or collective dialogue that would have seen a more positive outcome and a resolve.

My sympathy is with Mrs Dicks and all the other people who are caught up in the nightmare that is the leaky homes' saga. I hope Mrs Dicks wins the appeal (if indeed it goes ahead). And I hope the real villain in the piece, the builder, is called to account. I sincerely hope the government listens to our pleas for big-picture solutions and for it to shoulder some of the responsibility.

The Minister for Building Issues, Clayton Cosgrove, has agreed to attend the next Mayoral Forum to discuss the issue and I think that's a positive step forward. It is time for the government to front up on this issue. In the end, it was their laws that allowed this situation to develop. It was the government that mandated a Building Act that contributed to the situation. It was government agencies that approved this building system. It was government that allowed people to build our most valuable assets with no safeguards for the buyer. It was government that allowed the run down of the apprenticeship schemes that served this country for more than a century.

It is all very well to blame councils - and we should share some of the blame - but we should not be copping this on our own. When the government is on board, measures can be put in place to ensure this situation cannot and does not occur again. If the government merely required every builder to insure his or her work for 10 years, and pay the premium in advance, it would probably be sufficient safeguard. It would give the home owner recourse, it wouldn't matter if the builder went out of business (the bane of the leaky building problem) and the insurers would ensure the building practices and material were of the very best. It might require a government underwritten scheme similar to ACC, but so what? At the end of the day people elect us and the government to create a fair and reasonable country.

At this stage we are seemingly off the media radar, apart from a Sunday piece this weekend, but the relative calm is likely to be short lived when the decision of the 28 February 2007 meeting is announced. Firstly we have looked mean and uncaring but the outcome of RiskPool's decision will take us to another category of public derision and yes, I know, it isn't us, but try telling that to John Campbell, talkback or Michael Laws. If Councillors would like to see the interview on Campbell Live, which did a lot to put the issue somewhat to bed, it's available on TV3's website or a transcript of the interview is available from Wally Thomas. I would like to thank Wally for his assistance and advice during what was an incredibly difficult time for me, the Council and the City.



## When to Say Sorry

And so the leaky building issue leads me to the topic of when a leader should apologise. I have always felt that when an apology is sincere and right, it's as Mark Twain once said: "The candour of the individual shines through". Candour is a beautiful word, not used a lot these days, but in the world of politics it's disarming and transparent and it works wonders. And so when I read an extremely fine article in the Harvard Business Review on apologies I wanted to pass on its thoughts, with some of my own, to you, so here they are.

As I am sure you are all aware, a public apology is always a high risk move for an organisation such as a council or for a leader. As individuals, when we wrong someone we know, we are expected to apologise and I think rightly so. But when we're leaders the circumstances are different. Leaders are responsible not only for their own behaviour but also for that of their followers. The apologies of leaders have broad implications. The act of apology is carried out not merely at the level of the individual but also at the level of the institution. It is not just personal but political. It becomes part of the public record. Hence the high risk. Refusal to apologise can be smart or it can be disastrous. Conversely, readiness to apologise can be seen as a sign of strong character or as a sign of weakness. A successful apology can be a personal and organisational triumph, while an apology that is too little, too late and merely tactical, can bring on individual and institutional ruin.

Bill Clinton of course is an extreme example of part apology, part truth and much charisma. Despite America's notoriously judgemental attitude, he was forgiven following his apology regarding the Monica Lewinsky affair. Americans decided to believe in an individual's integrity and forgive that individual's indiscretions. In New Zealand our own Prime Minister wore 'Corngate' and 'Paintergate' into an election without apology. But the voting public decided these were minor transgressions, somewhat different from Clinton's, and were happy to see her leadership and strength to be far more important than media hype and opposition flak.

So how can leaders decide if and when to apologise publicly? According to the Harvard Business Review, statistics show the number of apologies being made by leaders has increased significantly. Apologising has become a public relations' strategy. Leaders are now apologising for things that happened many, many years ago and in some situations the ones doing the apologising had absolutely nothing to do with the subject of the apology. Clark apologised to the Samoan community for the behaviour of the New Zealand armed forces with the Mau uprising. And to the Chinese community, for treating its members as aliens and refusing voting rights. Seems to me there's a major apology owing to the Jewish community, whose members were for many years refused entry to a variety of exclusive clubs in Auckland.

These apologies did not impact on the person; in this case the leader of the country took ownership of an issue not of her making. However, leaders who do apologise publicly in some cases are especially vulnerable. They are highly visible and they are expected to appear strong and competent. They should not apologise often or lightly. There needs to be a good, strong reason. Clinton's apology came after months of denial and procrastination and was clearly made when the political pressure got too much. However, there are exceptions to that rule. Again Clinton provides a case in point. In 1998 he said sorry for the genocide in Rwanda which had taken place four years earlier, on his watch. No one had demanded Clinton take responsibility so his apology was authentic. By now you will be thinking about the fact that John Howard and his right-wing Australian government has never apologised to the Aboriginal nation for the atrocities, murders and massacres of his country's indigenous people - despite repeated pleas and requests.

My own ideas align with The Harvard Business Review's four possible answers to the question of why a leader would endure the discomfort and assume the risk of offering a public apology. That's because apologies serve four possible purposes:

**Individual purpose** - the leader made a mistake or committed a wrongdoing and apologises to encourage followers to forgive and forget.



**Institutional purpose** - one or more persons in the group for which the leader is responsible made a mistake or committed a wrongdoing. The leader publicly apologises to restore the group's internal cohesion and external reputation.

**Intergroup purpose** - one or more persons in the group for which the leader is responsible made a mistake or committed a wrongdoing that inflicted harm on one or more persons on the outside. The leader publicly apologises to repair relations with injured parties.

**Moral purpose** - the leader experiences genuine remorse for a mistake made or a wrongdoing committed, either individually or institutionally. The leader publicly apologises to ask forgiveness and seek redemption.

The first three purposes are strategic and rooted in self-interest, if we are being honest. The last, as the review says, is authentic - an apology is extended because it is the right thing to do.

Above all, a good apology must be seen as genuine, as an honest appeal for forgiveness. Such apologies are usually best offered in a timely manner and they consist of an acknowledgement of the mistake or wrongdoing, the acceptance of responsibility, an expression of regret and a promise the offence will not be repeated.

*MI* It was in this light I decided with the Dicks' leaky home issue, to profusely apologise to Mrs Dicks. After all, the judgement was delivered by a prominent judge who certainly didn't hold back in his criticism of the Council. And I was right to assume the situation happened on my watch and that of many existing Councillors. Although it was a situation that involved several parties, it was me who had to front up and make a statement either to disown the judgement, criticise the judge and the court findings and go into siege mentally, or to show an act of humble regret. I decided to do just that. I have attached at page M1, the New Zealand Herald's 23 January 2007 editorial, which reflected that paper's opinion on the apology.

Good apologies usually work, as the Harvard Business Review says. If we return to Clinton - when he did finally apologise, the media frenzy was dampened down and he could better focus on his job as President of the United States. And indeed apologising did not hurt him at the polls. At the end of his presidency, his job approval rating remained high and still does.

I think that when leaders publicly offer apologies that are both timely and good, those apologies have a positive effect. That's not to say that apologising isn't sometimes personally uncomfortable or professionally risky. But I'm not a 'deny, deny, deny' type and never will be. A really good local, topical example was when ferry company Fullers left all those people stranded overnight on Waiheke and then made up all kinds of excuses. I don't recall seeing an apology from the company and the story had a lot of airtime, which damaged the company's reputation. I would have apologised, although I wouldn't have needed too because I would have ensured an extra boat was dispatched to bring those people stranded, home.

But I digress. Back to apologising (and I make no apologies about that). Apologising in public is not easy, especially for leaders, because we are heroes when things go right and scapegoats when things go wrong. Public apologies are not without risk to our organisations and there can be downsides. There doesn't appear to be any hard data on what exactly apologies accomplish but research does suggest leaders are prone to overestimate the costs of apologies and underestimate the benefits.

So, when should a leader apologise?

According to the review - when doing so is likely to serve an important purpose. When it's appropriate the leader assumes responsibility for the offence. When no one else can get the job done. When the cost of saying something is likely lower than the cost of staying silent. And sometimes apologising is quite simply the right thing to do. The attempt to come clean is more than an explanation and more than an admission. It is an exchange in which leaders and their listeners engage in order to move on. It is in turn this transition - from the past to the future - which enables the course correction that mistakes and wrongdoing require. For that we should not be sorry at all.



## MILESTONES

### Fraser Delamere's Unveiling

I would like to acknowledge the gathering at Whitianga Marae for the unveiling (hura kōhatu) of the headstone of the late beloved Kaumatua of our City, Fraser Delamere, 1940 - 2006. Fraser's whānau from Waitakere travelled to the marae where he had been laid a year earlier. Joining me was Wayne Knox, our Maori Relationships' Manager, Rewi Spraggon, Warahi Paki, Councillor Linda Cooper and her family, and Massey Community Board member Gayleen Maurice. We were hosted by the Mayor of Opotoki, His Worship John Forbes, and his Chief Executive, Vaughan Payne, on 13 January 2007 before completing our journey to the marae for the 14 January 2007 unveiling, which was a deeply moving experience. We all continue to miss Fraser.

### Joe Corban

Joe Corban, once described as the grandfather of New Zealand viticulture, died in December 2006 aged 77. An MBE for services to the viticulture industry, Joe was the fourth grandson of AA Corban, founder of the Corban family dynasty. A pupil at Mt Albert Grammar, Joe left school at the age of 17 after getting polio and at 18 moved back to the Henderson homestead to provide company for his widowed grandmother, Najibie. Joe was set to work in the vineyards alongside his favourite uncle Najib, and he learned all about grapes, vines and the family business.

*M2-M7* After a long working life, Joe 'retired' from Corban's Wines in 1984 and bought the company's vine nursery at Riverlea. Joe built that into Corban's Viticulture, now one of the largest vine nurseries, producing more than two million grafted grapevines annually for the burgeoning New Zealand wine industry. Joe inherited the pioneering spirit of his grandfather and what a spirit it was - one of the west's best. His passing is a great loss to the family and this community and we wish his adult children Mark, Robyn, Bruce and Michelle, who are all involved in the business, all the best for the future. Joe will be remembered for his personal integrity and generosity to all who needed help and he will be sadly missed. I have attached at pages M2-M7, a wonderful tribute that features in the latest issue of WineGrower magazine.

### John Green

One of this City's most undiscovered and remarkable potters and sculptors, and great raconteurs, died in December 2006, leaving a legacy of wonderful works and great memories. One of life's pleasures was a meeting with John Green (June 1944 - December 2006), an effervescent and truly fine human being. John was born in London and arrived in New Zealand with his family in 1952. He went to sea in the Merchant Navy at 15 and later apprenticed at butchery, eventually opening his own shop. John started working in clay as a living in 1975, building a three-kiln pottery studio on 10 acres in Albany with his wife Jean and daughters A'Cushla and Savannah. John threw pots, mostly domestic ware, until 1979 when he changed to handbuilt hollow sculpture. The sculptures were all hand painted, high fired originals in a light-hearted fashion, three dimensional cartoon style.

An article on TVNZ's Kaleidoscope programme helped with his profile after he kicked off with his first one-man exhibition in Durham Arts, called 'Groundlevel', simultaneously launching a four-colour, 12-plate calendar of the same name; a quality piece of work in nature, including a poetic text.

John then started to stock galleries and shops in Auckland, Northland, Wellington, Nelson and Christchurch. He was selected for the Fletcher Challenge Awards many times, with one merit award and 100 percent sales record, with two pieces bought for the Auckland War Memorial Museum contemporary ceramic collection. John then moved into exhibiting regularly, holding 44 major shows in sculpture and often including oil paintings, watercolours and mixed media. Most were held at Albany Village Pottery, Masterworks Gallery, Gallery 16, Durham Arts and Pots of Ponsonby. John held 32 studio shows, all accompanied by a constant commission diary and guesting in other galleries and group shows throughout New Zealand.



John moved to Anawhata from Albany in the 1980s and he loved his home in the bush. Many pottery creatures and fantasy figures were inspired by the Waitakere Ranges. Music could always be heard wafting through the bush, either his beloved 'blues' folk or country, while he was creating. He spent many years at Anawhata and then moved his family to Bethells. There was a short stay of a couple of years in Te Henga and then his final move was to Huia, which he loved like an old sailor coming back to the sea. He loved the oyster catchers, the Waitakere Ranges and the feel of Huia Bay. John's other passionate interests included cartooning (Titirangi Tatler), poetry, oil and acrylic painting, Bonsai scene gardens, acoustic guitar, bass, drumming, song writing and music recording. Music was a huge part of John's life and creativity, and he has left us recordings of himself and others. He was part of the committee for the Titirangi Festival of Music and Lopdell House projects. John loved life and everything it contained. He loved Helen, clay, music, friendship and his family.

John's funeral at the Huia Settlers Hall was more of a celebration than a funeral, an acknowledgement of his uniqueness, his life, his extended family and friends and his love and place on this earth. People attending remembered John's crazy answer phone messages and his huge love of music. A guard of honour was formed as John's coffin left the hall and those attending the celebration were given the chance to write messages on the coffin. John had a lap of honour through Titirangi in Morrie's van, with green flags made by Pam Carter flying, on his way to the crematorium. Everyone from the Hardware Café, the chemist and the florist came out to farewell an extraordinary Waitakere character. We all loved him dearly and will now miss his presence and his huge creative capacity.

### **Madge Carrie**

Madge Carrie, endearingly called Piha Nan, died on 9 February 2007 at her Piha home aged 95. Born in Dunedin, Madge first went to Piha in 1920 to stay in a loggers' hut when much of the logging railway was still intact. The family continued to visit Piha during the school holidays, where they would ride their horses, where everything was cooked over the campfire and when all supplies were walked down the trail from the top of the hill. Madge and her husband Ivan retired to Seaview Road in Piha in 1973 and the family still lives there. While a resident at Piha, Madge was active in the library, the 500 Club and the ladies' leisure group, as well as Piha Surf Life Saving. It was with the arrival of grandchildren she became affectionately known as Piha Nan. She will be sorely missed by her family and her many friends.

### **Elizabeth Lawton**

Elizabeth, affectionately known as Lizzy from Laingholm, sadly passed away on 31 January 2007, aged just 47. A long-time resident of the west (Titirangi and Laingholm), Lizzy worked in the fashion industry as manager at several shops in the Westfield New Lynn and Henderson malls. A very active woman, Lizzy fell in love with aerobics to the point where she trained to be an aerobics' instructor. Her client list was extensive and included the Titirangi Volunteer Fire Fighters. She was also active in kick boxing, step and women's self defence instruction. Over the years she worked at Don Oliver's in Glen Eden, Les Mills in New Lynn and Configure in New Lynn.

Lizzy's husband Brian is a 'bug man' and so he and Lizzy were frequent visitors to the Arataki Visitors Centre, where on kids' days, organised by Friends of Arataki, they would both exhibit a variety of creatures including bees, cockroaches and spiders. Lizzy's ability to be at ease with these creatures crawling all over her helped enthuse her young audience. Originally from Kaikohe, Lizzy was proud of her Maori heritage and was a frequent guest tutor at Unitec's School of Languages and was happy to share her culture with students, both local and international, and new migrants. A very compassionate person, Lizzy often caught the bus to work and she knew everyone on board. And she knew everyone at the Hardware Café where she frequently dined with Brian and where she later worked, which is how I met her. Lizzy is survived by her beloved husband Brian and she will be sorely missed by many.



### **Winifred Lawrence**

It was with sadness I received the news of the passing of celebrated swimming coach Winifred Lawrence, who died after a life devoted to competing and coaching. The 86 year-old Henderson resident started swimming in 1939 and continued until 2002, when she retired from coaching. Her services to swimming were honoured when she was made a member of the New Zealand Order of Merit in 2000. Mrs Lawrence will be missed and our condolences go to her four children and six grandchildren.

### **New Year's Honours**

As always, it is a pleasure to see local people recognised for their efforts. I have written on behalf of us all to each of the local recipients and I formally acknowledge and congratulate them here:

Professor Emeritus Roger Curtis Green from Titirangi, ONZM for services to New Zealand history; Mr Bryan Hector Heron from West Harbour, MNZM for services to the community; Mr Adrian Charles Riegen from Waiatarua, MNZM for services to conservation; Mr Seyed Hassan Hosseini from New Lynn, QSM for community service; Mr Raymond Barry Clarke from Waitakere, QSM for public services; Inspector David Graeme Walker from Henderson, QSM for public services.

Special mention must also be made for some 'out-of-towners' and friends of this City:

Dr David Peter Clews from Hamilton and the son of Councillor Janet Clews, ONZM for services to orthopaedics and the community; Mr Colin John Bennet Dale from Manukau, CNZM for services to local government; Mr Antony Brian Hambrook from Parnell, ONZM for services to the marine industry; Ms Marion Ann Hancock from Auckland, MNZM for services to peace education.

### **Piha Residents and Ratepayers' Meeting**

It's always a pleasure to spend a holiday evening with the residents and ratepayers of Piha and I am also pleased to report they are going just fine. A lot of the fiery debate is now behind the committee and most of the issues have been resolved. On the balmy evening I attended for the annual meeting, those present were pleased to re-elect the majority of the committee and listen to some sane and realistic objectives for the year ahead. I've been going to these meetings for almost 20 years and they have been somewhat tense and at times downright exasperating, but now there seems to be a flow and an earnest desire to deal with issues that do matter and see them through.

So I applaud the hard working and dedicated group that meet on a monthly basis and seem united in working for Piha. One of the issues rumbling along is, of course, the café proposal; the desire of a group of young men who think local residents would really appreciate a laid back surfer shack with coffee, snacks and beer. Not that getting a beer is hard at Piha. The RSA, the surf club and the bowling club are excellent hosts. And of course there's Pete's wonderful store with his wonderful staff, great kitchen and bakery and an ambience, which means having a coffee in winter or summer on his deck, in such great surroundings, is a real treat.

Another issue is where the post office boxes will go, and I understand Sandra Coney, who is certainly no fan of the café, is working with a team of dedicated volunteer postal workers to relocate them out of harm's way. The pending sale of the Boys' Brigade land offers a great opportunity for the community to have that land brought into a regional facility. I do hope the ARC can stump up with the funding, as it's the natural purchaser and it would certainly help with an extension of the camping ground. The existing camping ground, owned and leased by the Council, is often stretched to capacity, but it's a fine asset and I'm very proud of its history and its management.



The other issue that came up, and which I personally feel very strongly about, is the pollution in the Piha stream. Without maligning too many organisations bordering the stream, the meeting agreed there was a problem which must be resolved. These organisations are responsible for a very high level of pollution and Tony Miguel of Eco Water spelt it out to the meeting. He did not make himself or Eco Water popular in saying he was waiting for yet another report, which may be months away. Those present did not buy that, and nor did I, especially in a City that has just received one of the world's highest standards of safety reports, the World Health Organisation's re-accreditation. Known environmental polluters who are endangering the health and safety of children swimming in the lagoon must be held responsible and asked to address the issue immediately.

### **Netball Win**

As we all know, this City will host the 2007 Netball World Championships later this year at the Trusts Stadium. My delight in this regard is well documented, and I think we should all be very proud of this achievement and use it as an ideal opportunity to talk up the City. When you talk economic benefit and development, magic starts to happen and there's a cumulative effect that benefits our City and our residents. I don't think we should be wary about shouting our success. The world championships were awarded in part to Waitakere because of the Trusts Stadium, New Zealand's premiere indoor arena and connected to the newly completed motorway system. It's simply great news for the local and regional tourism and hospitality industries and I thank everyone who helped with the successful bid. We did the work and we need to run with it and to make sure our community gets the most out of it.

M8 There is already a group working on ideas that would see the Henderson, Lincoln Road centres being involved in turning Waitakere into the netball capital of New Zealand. If we get this right, I am sure events such as this will see us as a warm, welcoming City and we should be talking with our government partners, as well as regional enterprises, in terms of what we need to get us on the international map. Who knows what comes out of these events? They bring people from around the world. Not only the players but family, friends, coaches and supporters who could very well make New Zealand their home, relocate their companies and add to the quality of life. In other words, my thinking is that when something comes into your patch you make the very best of it. You will have seen from my recent memo to you that one movie, *The Last Samurai*, brought to Taranaki an \$84 million windfall. I attach at page M8, a story on that from the *Dominion Post*.

### **Water Polo Win**

And the world champs don't end with the netball. Next month West Wave will host water polo's Southern Cross Cup, a pre-world championship event featuring teams from around the world, including the Serbian team which won silver at the Athens Olympics. Fans will get a rare chance to see some of the world's best players in action from 10-14 March 2007 before teams head to Melbourne and the world champs.

### **Waitangi Day**

I definitely felt a different vibe this Waitangi Day, a day which has truly come of age as our national celebration. And I felt this both at Waitangi and in Waitakere. At the dawn service on the treaty grounds I spoke representing towns, cities and mayors from around the country and I told those attending that local government was a vital link in the treaty process. The treaty is realised in our towns and cities, especially in Waitakere, and we stand proudly on Waitangi Day acknowledging what's gone before but looking towards the future, where elected representatives truly reflect the partnership we all believe is needed for the future. While in Waitangi, I also attended the Prime Minister's annual breakfast and the Governor General's reception the night before.



It was a bit of a race back to Waitakere, but I arrived in time to hear Herbs in full flight at Henderson Park, followed by the glorious Yandall Sisters and local boy but Tokoroa-born John Rowles. More than 3000 people attended the free concert, a tribute to Council's organisation and part of the Waitakere Sounds' summer programme. It was a sheer pleasure to wander around the park with Councillor Judy Lawley and see people really enjoying themselves and enjoying themselves for a special reason. I missed the marae open day, which I understand was also outstanding. John Key told me it was a very moving and special event.

### **Welcome**

I would like to take this opportunity to welcome Mark Shanahan as the new principal of Waitakere College. Although Mark hails from Auckland City, he has a strong family link to this City. Mark is Mick Shanahan's nephew and his father John, Mick's brother, was a member of the Waitemata swim club and the Karekare Surf Club. Mark started his teaching career at Takapuna Grammar and has worked at a number of Auckland schools. Mark is determined to make Waitakere College the number one choice for parents, and a community school. We wish him every success. Welcome to the City, Mark.

### **Quiz Result**

In the December 2006 Mayoral Report, I posed a quiz question. The question was: What do the following have in common - the Andrew sisters, Gregory Peck, Gary Cooper and Waitakere? Well, no one got the answer. In fact no one even had a guess. Too hard? I guess so. Well, I'll put you all out of your misery. The answer is Whenuapai. Yes, those super stars named in the question all flew in or out of New Zealand at one time through Whenuapai Airport. Fascinating eh? And something that highlights just how fantastic it would be to have commercial flights in and out of Whenuapai once more.

RA Harvey, QSO, JP

**MAYOR OF WAITAKERE CITY**

### **RECOMMENDATION**

That the Report of the Mayor be received.