



## NOTICE OF MEETING COUNCIL

I hereby give notice that an Ordinary Meeting of the Council will be held on:-

**DATE:**            **Wednesday, 30 October 2002**                    **TIME:**                    **5.30 pm**

**VENUE:**        **Civic Centre, 6 Waipareira Avenue, Lincoln, Waitakere City**

to consider the business as set out herein and to take any necessary action connected therewith.

**NOTE:**        **No Public Forum will precede the Council meeting this month.**

25 October 2002

Sharon Simiona  
**COMMITTEE SECRETARY**

Telephone (09) 836 8000 extn 8820

### **MEMBERSHIP:**

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	CA	Stone
Councillors	DQ	Battersby, JP
	BA	Brady, JP
	JM	Clews, QSO, JP
	RP	Dallow, QPM, JP
	AC	Fenton
	OE	Hoskin, JP
	PA	Hulse
	JP	Lawley
	GE	Nash, JP
	VS	Neeson, JP
	GB	Presland
	GW	Russell
	DA	Yates, JP

(Quorum 8 members)

★★★★★★★★★★

(The reports and recommendations contained in all agendas are reports and recommendations only and are not to be construed, in any way, as Council policy until adopted.)

AGENDA FOR AN ORDINARY MEETING OF THE COUNCIL TO BE HELD IN THE  
CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,  
ON WEDNESDAY, 30 OCTOBER 2002 COMMENCING AT 5.30 PM.

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**AGENDA FOR AN ORDINARY MEETING OF THE COUNCIL TO BE HELD IN THE  
CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,  
ON WEDNESDAY, 30 OCTOBER 2002 COMMENCING AT 5.30 PM.**

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**1 OPENING PRAYER**

Reverend Faamalu Peteru from the Congregational Church of American Samoa will say the Opening Prayer.



**WELCOME MAYOR DEBBIE COOK FROM HUNTINGTON BEACH**

Debbie Cook was elected to the Huntington Beach City Council in November 2000. During 2002, she is serving as Mayor.

Debbie holds a Bachelor of Science degree in Earth Science from Cal State Long Beach where she also competed in both swimming and volleyball. In 1994, she graduated with honors from Western State College of Law and passed the Bar.

Prior to her election, Debbie served on the City's Planning Commission, General Plan Advisory Committee, South Beach Improvement Task Force, Central Park Task Force, and was instrumental in the passage of Measure C, the Parks and Beach Initiative.

Debbie currently serves on the Southern California Association of Government's Energy and Environment Committee; the League of Cities Administrative Policies Committee; the Institute of Local Self Government's Ethic Project Advisory Committee; as Director on the Orange County Sanitation District, and as a Commissioner on the County of Orange Harbors, Beaches and Parks Commission.



**2 APOLOGIES**

Cr Neeson.



**3 CONFIRMATION OF MINUTES**

Special	-	Monday, 19 August 2002	(Civic Future Project)
Special	-	Tuesday, 20 August 2002	(Strategic Review)
Ordinary	-	Wednesday, 25 September 2002	
Special	-	Thursday, 26 September 2002	(Governance)
Special	-	Thursday, 3 October 2002	(UnitedNetworks Limited - Takeover Offer)
Special	-	Thursday, 10 October 2002	(Civic Future Project Implementation)
Special	-	Friday, 11 October 2002	(Governance)
Special	-	Tuesday, 15 October 2002	(Making of Rates and Charges)
Special	-	Tuesday, 15 October 2002	(Strategic Review)

**RECOMMENDATION**

That the minutes of the Special Meeting of the Council (Civic Future Project) held on Monday, 19 August 2002, the Special Meeting of the Council (Strategic Review) held on Tuesday, 20 August 2002 the Ordinary Meeting of the Council held on Wednesday, 25 September 2002, the Special Meeting of the Council held on Thursday, 26 September 2002, the Special Meeting of the Council (UnitedNetworks Limited - Takeover Offer) held on Thursday, 3 October 2002, the Special Meeting of the Council (Civic Future Project Implementation) held on Thursday, 10 October 2002, the Special Meeting of the Council (Governance) held on Friday, 11 October 2002, the Special Meeting of the Council (Making of Rates and Charges) held on Tuesday, 15 October 2002, and the Special Meeting of the Council (Strategic Review) held on Tuesday, 15 October 2002, including the Public Excluded minutes, as circulated, be taken as read and now be confirmed.



**4 URGENT BUSINESS**

Section 46A(7) and (7A) of the Local Government Official Information and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the item is a minor matter; and
- (ii) the Chairperson has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting; and
- (iii) the Council resolves to deal with the item.

No resolution, decision, or recommendation may be made in respect of the item except to refer the item to a subsequent meeting for further discussion.

**NOTE:** Urgent business need not be dealt with now and may be delayed until later in the meeting.



**5 AUCKLAND REGIONAL COUNCIL - 2003/2004 ANNUAL PLAN PROPOSALS**

As part of the Auckland Regional Councils commitment to consult with Councils at an earlier date than on its Annual Plan proposals, the Auckland Regional Council Chairperson Gwen Bull, Councillors Sandra Cooney, Paul Walbran and the Auckland Regional Council Chief Executive Jo Brosnahan will be present to discuss with Councillors, issues relevant to Waitakere City that will assist the Auckland Regional Council in aligning relevant strategic directions and specific work for the 2003/2004 fiscal year.



**PART A - REPORT OF THE MAYOR**

The report of the Mayor will be circulated under separate cover with this agenda.



**PART B - TE TAUMATA RUNANGA AND COMMUNITY BOARDS**

**6 TE TAUMATA RUNANGA**

**I NOHO TE TAUMATA RUNANGA KOMITI MANE TE KAU MA WHA O WHIRING-A-NUKU 2002**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING HELD ON MONDAY, 14 OCTOBER 2002**

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**MATTERS CONSIDERED**

*1 - 4  
Part B*

Your Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 1 to 4 in the supplement labelled Part B.

**NGA TAKE E WHIRIWHIRIA**

E whakataua ana Te Taumata Runanga i nga take i whakamanangia i te ture he whakaahua o nga tuhi kua tonoa ki nga mema o te Kaunihera.

**Your Committee Recommends:**

That the report of the Ordinary Meeting of Te Taumata Runanga held on Monday, 14 October 2002 be received.

Te Warena Taua  
**CHAIRPERSON**



**7 NEW LYNN COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING HELD ON MONDAY, 30 SEPTEMBER 2002**

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**MATTERS CONSIDERED**

*5 - 7  
Part B*

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 5 to 7 in the supplement labelled Part B.

**The Board Recommends:**

That the report of the Ordinary Meeting of the New Lynn Community Board held on Monday, 30 September 2002 be received.

EG Francke  
**CHAIRPERSON**



**8 WAITAKERE COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING  
HELD ON TUESDAY, 1 OCTOBER 2002**

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**MATTERS CONSIDERED**

*8 - 11  
Part B*

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 8 to 11 in the supplement labelled Part B.

**The Board Recommends:**

That the report of the Ordinary Meeting of the Waitakere Community Board held on Tuesday, 1 October 2002 be received.

CA Shepherd, JP  
**CHAIRPERSON**



**9 MASSEY COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING  
HELD ON WEDNESDAY, 2 OCTOBER 2002**

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**MATTERS CONSIDERED**

*12 - 14  
Part B*

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 12 to 14 in the supplement labelled Part B.

**The Board Recommends:**

That the report of the Ordinary Meeting of the Massey Community Board held on Wednesday, 2 October 2002 be received.

RF Jessopp  
**CHAIRPERSON**



10 **HENDERSON COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING  
HELD ON THURSDAY, 3 OCTOBER 2002**

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**MATTERS CONSIDERED**

*15 - 20  
Part B*

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 15 to 20 in the supplement labelled Part B.

**The Board Recommends:**

That the report of the Ordinary Meeting of the Henderson Community Board held on Thursday, 3 October 2002 be received.

HM Jones

**CHAIRPERSON**



**PART C - REPORT OF THE CHIEF EXECUTIVE**

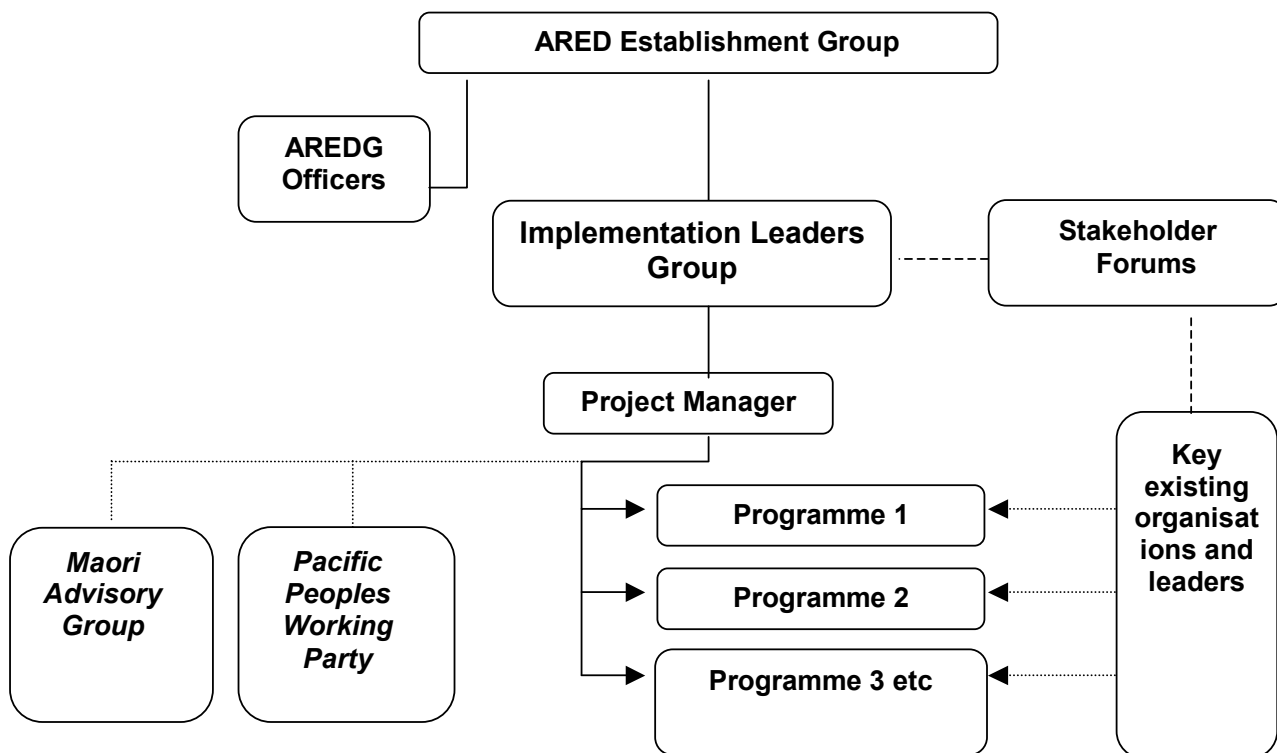
**11 AUCKLAND REGIONAL ECONOMIC DEVELOPMENT STRATEGY - ESTABLISHMENT OF JOINT STANDING COMMITTEE**

**PURPOSE OF THE REPORT**

The purpose of this report is to establish a Joint Standing Committee to govern the next phase of the Auckland Regional Economic Development Strategy.

**BACKGROUND**

The Auckland Regional Economic Development Strategy has three phases of development - strategy (now complete), detailed prioritised programme development (due for completion by June 2003) and, finally, implementation. The structure to give effect to the Programme Development Phase, including the identification and delivery of 'Go Now' Projects, is depicted below:



The City Development Committee considered the proposed implementation model for the next phase of the Auckland Regional Economic Development Strategy and resolved:

1. That the information be received.
2. That Council support, in principle, the establishment of an Auckland Regional Economic Development Establishment Group and an Implementation Leaders Group for the implementation of the Programme Development Phase of the Auckland Regional Economic Development Strategy as presented in this report.
3. That Council support, in principle, the development of a Memorandum of Understanding to establish the relationships between the member parties of the Auckland Regional Economic Development Establishment Group.

4. *That Council consider the appointment of representatives to the Auckland Regional Economic Development Establishment Group in August 2002, subject to Council support for future participation and funding of the Auckland Regional Economic Development Strategy”.*

2264/2002

Subsequently, Council has endorsed the strategy, allocated \$95,000 in the 2002/2003 Annual Plan as Waitakere City Council's share of the resources requested to support the next phase of Auckland Regional Economic Development Strategy and appointed Councillors Stone and Fenton (with Councillors Presland and Russell as alternates) as Council's representatives on the Auckland Regional Economic Development Strategy Establishment Group.

All local authorities have now endorsed the strategy and the recommended implementation model.

#### **STRATEGIC CONTEXT**

The creation of a strong economy and more local jobs is one of Council's strategic priorities. Clearly, the Waitakere economy contributes to and is influenced by the Auckland Regional and New Zealand economy. In this way, Waitakere is a primary stakeholder in regional and national economic development.

#### **ISSUES**

##### **Legal Form**

The recommended legal form of the Establishment Group is a Joint Standing Committee established under Section 114s of the Local Government Act 1974. This will allow the Establishment Group to operate under delegated authority without the need to establish a separate organisation. While a Memorandum of Understanding was originally recommended, legal advice recommends that a Constitution is a more appropriate legal document to establish the Committee.

*A1 - A12*

A copy of the draft Constitution is attached on pages A1 to A12.

##### **Role**

The Establishment Group plays a governance role in the next phase of the Auckland Regional Economic Development Strategy development process. In turn, it will appoint a 'fit for purpose' subcommittee, known as the Implementation Leaders Group, to oversee the detailed development of the programmes. Specifically, the Establishment Group will:

- receive and adopt the Auckland Regional Economic Development Strategy and, on behalf of the Auckland Regional Economic Development Strategy partners, maintain an overview to ensure the full implementation of the strategy;
- attract, select and appoint members of the Implementation Leaders Group;
- negotiate a project charter with the Implementation Leaders Group including performance measures;
- monitor performance of the Implementation Leaders Group against the project charter;
- report back to the local authorities on progress and performance.

Recommend a long term implementation plan for the Auckland Regional Economic Development Strategy including long term funding, structures, roles and responsibilities as necessary. The expected outcomes of this phase will be:

- milestones to be achieved over Strategy Period (5,10,20 years);
- a three-year plan detailing programs and projects to deliver on the Auckland Regional Economic Development Strategy. This will include priorities, time frames, cost and benefits;
- recommendations to ensure future stability in terms of ongoing;
  - governance;
  - long-term funding models.

### **Membership and Decision Making**

The Establishment Group shall consist of eighteen members who shall be appointed as follows:

- two members appointed by each Council;
- two members representing Maori interests appointed by the Councils.

In terms of process, the Maori Implementation Advisory Group is currently developing a nomination process to identify two nominations. These nominations will be forwarded to the Establishment Group for consideration. The Establishment Groups recommended appointments will then be circulated to all Councils for consideration.

The constitution does empower the Establishment Group to co-opt members. The intention of this clause is to enable the Establishment Group to invite people with specific expertise to provide advice. However, members can only be nominated by the Councils. Technically therefore, all Councils would need to agree to the appointment of co-opted members. It is recommended that this is not desirable due to the time delays and decision making uncertainty that this introduces and the implications of non-voting members being counted towards a quorum. This situation is even less desirable given the model standing orders does allow the Joint Committee to invite people to attend and speak at meetings without being members, thereby achieving the intent of the clause without introducing the complexity. While this issue is not sufficient reason for Council not to agree to the Constitution as presented, Council may consider it appropriate to delegate authority to its Establishment Group members to raise the issue with other Councils prior to signing.

With regard to decision-making, the Establishment Group shall use its best endeavours to reach consensus on all decisions. In the event of a need to vote each member is entitled to one vote. In this way, Waitakere has the same voting power as all other Councils, irrespective of size. The chairperson will have a casting vote in the event of a tie.

Standing orders will be drawn from NZS 9202:2001, "Model Standing Orders for Meetings of Territorial Authorities, Regional Councils and Community Boards".

### **Financial Delegations**

Pursuant to section 4 of the Public Bodies Contracts Act 1959 the Councils are requested to delegate to the Establishment Group the power to enter into contracts to a maximum value of any one contract of \$100,000.00; and, in total, to the total amount of funding available to it for the period ending June 2003.

## Lifespan

At the request of Waitakere City Council, the Joint Standing Committee will have a finite life, being to 30 September 2003. This should be ample time to complete the programme development phase and transition to any long-term arrangements as needed. All Councils will have to resolve to continue the committee beyond this time if desired.

## RESOURCES

Councils have been requested to contribute a \$720,000 to the in this 2002/2003 financial year in accordance with the following table:

Council	%	Amount
Auckland City Council	27.7%	\$199 440
Auckland Regional Council	12.5%	\$ 90 000
Franklin District Council	2.8%	\$ 20 160
Manukau City Council	21.4%	\$154 080
North Shore City Council	13.9%	\$100 080
Papakura District Council	3.1%	\$ 22 320
Rodney District Council	5.8%	\$ 41 760
Waitakere City Council	12.8%	\$ 92 160
		\$720,000

Council has allocated \$95,000 in the 2002/2003 Annual Plan to cover the required commitment. To date, Auckland City Council, Manukau City Council, Rodney District Council and Papakura District Council have also committed 100% of funding requested while the Auckland Regional Council, Franklin District Council and North Shore City Council have committed 50%.

Quarterly progress reports will be submitted to Council by officers in addition to an annual report of progress at the completion of the 2002/2003 year.

## CONCLUSION

The Auckland Regional Economic Development Strategy is now entering the programme development phase. The proposed implementation structure has now been endorsed by all Councils and can therefore be established.

## RECOMMENDATIONS

1. That the information be received.
2. That Council approves the establishment of a Joint Standing Committee in accordance with Section 114s of the Local Government Act 1974 for the Auckland Regional Economic Development Strategy Establishment Group.
3. That Council delegate authority for this Joint Standing Committee to act within the purpose, scope and authorities provided in the draft Constitution attached to this agenda report.
4. That Council delegates authority to its Establishment Group members to negotiate a deletion of clause 3 of the current draft Constitution relating to powers related to co-opted members.

Report prepared by: John Wadsworth, Partnerships and Advocacy Leader - Economic Development.



12 **ATTENDANCE AT INTERNATIONAL COUNCIL FOR LOCAL ENVIRONMENTAL INITIATIVES SUB-REGIONAL CONGRESS AND SOLAR ENERGY FORUM**

**PURPOSE OF THE REPORT**

Waitakere City Council has been an active member of the International Council for Local Environmental Initiatives since 1994. This report seeks Council representation at this event (the two events are being held together).

**BACKGROUND**

Council's strategic review programme indicates a strong commitment to sustainable city development and to energy generation and conservancy initiatives in particular.

Council has participated in International Council for Local Environmental initiatives particularly around Agenda 21 and the measurement of progress against sustainable development objectives. Partnership and capacity building initiatives have been and remain central to that approach. Most recently Council has joined International Council for Local Environmental Initiatives' Water and Cities for Climate protection campaigns. Furthermore, Council has indicated strong support for local, regional and national initiatives on zero waste, energy efficiency, the Kyoto agreement, air quality gains, and environmentally friendly business.

Within Council the Environmental Management Chairperson has responsibility for climate change and energy efficiency issues.

This proposal complies with Council's Travel Policy and is provided for under the current Annual Plan Budget.

**DECISION SOUGHT**

The key areas to be covered at this combined International Council for Local Environmental Initiatives Conference/Solar Energy Forum fall under the responsibilities of the Chairperson of Environmental Management. It is proposed, therefore, that Councillor Hulse attends this event.

**RECOMMENDATIONS**

1. That the information be received.
2. That approval be given for Councillor Hulse to attend the International Council for Local Environmental Initiatives Congress/Solar Energy Forum in Newcastle, Australia from Tuesday, 26 to Friday, 29 November 2002.

Report prepared by: Ann Magee, Director: Strategy and Development.



13 **40 HENDERSON VALLEY ROAD - TRANSFER TO WAITAKERE PROPERTIES LIMITED**

**PURPOSE OF THE REPORT**

The purpose of the report is to complete the legal requirements surrounding the transfer of 40 Henderson Road to Waitakere Properties Limited. The Council is required, in accordance with S.230 Local Government Act 1974, to publicly notify its intention to transfer the land, and to formally resolve to do so at a meeting for which such notice has been given.

**ISSUES**

On 23 September 2002 Council resolved to delegate authority to the Chief Executive to negotiate and execute an Agreement to purchase 40 Henderson Valley Road, Henderson. It also resolved that the property be vested under Deed of Trust to Waitakere Properties Limited on terms to be specified by the Chief Executive in accordance with the purposes of the purchase.

A13

Acquisition of the property was settled on 11 October 2002, and public notice of Council's intention to transfer the property under Deed of Trust to Waitakere Properties Limited was given in the New Zealand Herald of 15 October 2002 in accordance with s.230 Local Government Act 1974. A copy of the advert is attached at page A13.

The Deed of Trust mechanism will enable the company to manage, develop, administer and/or dispose of the land in accordance with the Principal Objectives of the company as set out from time to time in its Statement of Corporate Intent, and any Letter of Direction which may be issued by the Council, for the benefit of the Council as public work. It is intended that a letter of direction be issued to instruct the company to apply the land for film studio purposes and other activities as specified in the report that supported Council's decision to purchase the property.

**RECOMMENDATIONS**

1. That the information be received.
2. That Council vest in Waitakere Properties Limited under the usual Deed of Trust mechanism the land situated at 40 Henderson Valley Road, Henderson being all the land described as follows:
  - Lot 4 Deposited Plan 9102 as contained within Certificate of Title 363/45;
  - Lot 5 Deposited Plan 9102 as contained within Certificate of Title 360/233;
  - Lots 1 and 16 Deposited Plan 9102 as contained within Certificate of Title 261/10;
  - Allotment 564 Parish of Waipareira as contained within Certificate of Title 9A/1026;
  - Lots 12, 13, 14, 15 and part of a strip of land marked "Drainage Reserve" on Deposited Plan 9102 as contained within Certificate of Title 819/28;
  - Lots 17, 18 and 19 Deposited Plan 9102 as contained within Certificate of Title 820/275;
  - Lot 2 Deposited Plan 41990 as contained within Certificate of Title 1128/265;
  - Lot 2 Deposited Plan 19021 as contained within Certificate of Title 1126/181;
  - Lot 2 Deposited Plan 197194 as contained within Certificate of Title 126A/59.

(All North Auckland Registry)

to enable the company to manage, develop, administer and/or dispose of the lands in accordance with the Principal Objectives of the company as set out from time to time in its Statement of Corporate Intent for the benefit of the Council as a public work pursuant to Part XXXII of the said Act.

3. That a Letter of Direction be provided by the Chief Executive to the Company with respect to the future application and use of the land, on the basis set out, to ensure effect is given to Council's intentions.

Report prepared by: Yvonne Donaldson, Team Leader: Legal Services.



## 14 INFRASTRUCTURE AUCKLAND FUNDING OF RAIL PROJECT

### **PURPOSE OF THE REPORT**

This report seeks the Council's approval for Auckland Regional Transport Network Limited to receive funding from Infrastructure Auckland for the rail project, subject to Infrastructure Auckland's conditions for funding. The Council's approval is required as this would be a major transaction for the company.

### **BACKGROUND**

Auckland Regional Transport Network Limited is proposing to significantly upgrade the rail network, increase service frequencies and improve rolling stock as part of a solution to the Auckland region's traffic problems.

A report dated 24 July 2002 was presented to the Shareholders' Representatives Group that outlined the following:

- background and scope of the rail upgrade project;
- overview of the application process for Infrastructure Auckland funding in relation to the rail upgrade project;
- the timeline and approval process for the Shareholders' Representatives Group to accept Infrastructure Auckland funding in relation to the rail upgrade project;
- justification for the project based on the methodology adopted by the Shareholders' Representative Group.

In that meeting, the Shareholders' Representative Group resolved:

- B. That Auckland Regional Transport Network Limited proceed with urgency to seek funding from Infrastructure Auckland for the rail project upgrade.
- C. That once a final application is lodged with Infrastructure Auckland, Shareholding Councils approve Auckland Regional Transport Network Limited receiving the grant for the project subject to the quantum, terms and conditions of the grant being acceptable.

It was envisaged in July that Auckland Regional Transport Network Limited would submit a single application for \$230m of funding. However, the single application was not acceptable to Infrastructure Auckland. Infrastructure Auckland requested that Auckland Regional Transport Network Limited submit a number of smaller funding applications. Auckland Regional Transport Network Limited intends to submit up to 3 applications covering the whole project.

In response to Infrastructure Auckland's request, Auckland Regional Transport Network Limited submitted the stage one draft application on 20 September and the final application on 2 October for funding of the rail project upgrade. This is in accordance with the revised timeline approved by the Shareholders' Representative Group on 19 September 2002.

At the City Development Committee meeting on 12 August, representatives from Auckland Regional Transport Network Limited made a presentation about the rail project and the work that would be covered by an application to Infrastructure Auckland.

### **STRATEGIC CONTEXT**

The Auckland region is suffering the cumulative, combined impacts of population growth on its infrastructure, environment and community wellbeing. The most visible symptom of these pressures is traffic congestion, and this has been estimated to cost the region's economy \$800m per annum. In response, the region's Councils have developed and agreed on the Auckland Regional Growth Strategy, Regional Land Transport Strategy and Passenger Transport Action Plan. Fundamental to these strategies is the development of an attractive, frequent, fast and convenient passenger transport system, around a core of dedicated rapid transit corridors.

In response to these strategies, there are proposals to significantly upgrade the rail network, increase service frequencies and improve the rolling stock. The improved network is expected to appreciably improve access across the region. As such, this project is a fundamental component of the region's efforts to implement the Regional Land Transport Strategy and the Regional Growth Strategy.

### **ISSUES**

Shareholders' approval for Auckland Regional Transport Network Limited to receive funding from Infrastructure Auckland is required as this would be a major transaction of the company. Shareholders' approval in relation to this stage one final application would be an endorsement of the work programme that is covered in that application.

The stage one application is for a total of \$34m and involves the immediate upgrade and development of rail infrastructure required to maintaining services and attracting patronage. This work includes:

- development of three signature stations (Ranui, Glen Innes, Papatoetoe), including access and buildings, timed to coincide with the opening of Britomart in June 2003;
- installation of fibre optic cabling. The cables will enable the implementation of the new signalling system on the Western Corridor and incremental signal upgrading elsewhere, and will provide the infrastructure for a security system at all stations on the network (including CCTV, Public Announcement system and Emergency Help buttons);
- installation of CCTV security cameras at all stations;
- safety upgrades including pedestrian over bridge hand rails, fencing to discourage trespassing and improvements to level crossings;
- infrastructure upgrades to allow trains to terminate at New Lynn and turn at Quay Park;
- provision for the capital cost of design work to ensure this stage and future stages of the project can be progressed to a speedy timetable.

It is intended that the tendering process for the first stage will begin in November 2002, with the physical works commencing in January 2003. In order to let the tenders to upgrade the current network as well as keep the network going, funding certainty is required by Auckland Regional Transport Network Limited by November 2002.

Infrastructure Auckland is expected to make a final decision on the stage one application in early November. If Infrastructure Auckland grants less the \$34 million sought or imposes terms and conditions, these will need to be promptly reviewed. It is proposed that the Shareholders' Representative Group review whether the quantum, terms and conditions of the grant are acceptable.

Once the application for stage one is approved, Auckland Regional Transport Network Limited will submit further applications for the balance of the funding. The timing of further applications is contingent upon the approval of the stage one application, the status and progress of the Crown/ Auckland Regional Transport Network Limited rail negotiation and the ability of Auckland Regional Transport Network Limited to have sufficiently well developed information to meet Infrastructure Auckland's requirements.

### **RESOURCES**

Existing Council resources are budgeted to work with Auckland Regional Transport Network Limited in relation to the rail projects it will undertake with the proposed funding from Infrastructure Auckland.

### **CONCLUSION**

The stage one application for funding has been submitted to Infrastructure Auckland in accordance with the process outlined by the Shareholders' Representative Group. Approval to receive the grant is required in relation to the funding application. The Council's approval should be subject to the Shareholders' Representative Group being satisfied and approve of the quantum, terms and conditions of the funding.

### **RECOMMENDATIONS**

1. That the information be received.
2. That Auckland Regional Transport Network Limited or its subsidiary be authorised to receive funding from Infrastructure Auckland in relation to stage one application, subject to the Shareholders' Representative Group being satisfied and approving of the quantum, terms and conditions of the funding.
3. That the Council acknowledges that it is proposed that Auckland Regional Transport Network Limited enters into a major transaction being the acceptance of Infrastructure Auckland's funding.
4. That the Chief Executive be authorised to sign on behalf of the Council any documentation necessary to approve the entry into and performance of the major transaction referred to in 3 above.

Report prepared by: Kevin Wright, Senior Project Manager, Transport Projects.



**15 APPOINTMENT TO LOPDELL HOUSE SOCIETY INC. MANAGEMENT COMMITTEE**

**PURPOSE OF THE REPORT**

The purpose of the report is to enable Council to make an appointment to replace Cr Owen Hoskin on the Lopdell House Society Inc. Management Committee.

**BACKGROUND**

At the Council Special Meeting held on 14 November 2001, Cr Hoskin was appointed as one of the two Council representatives to the Lopdell House Society Inc. Management Committee, via the following resolution (Min. No. 2642/2001) covering Council appointments of Councillors to other organisations, which, inter alia, reads

*“That Cr Lawley and Cr Hoskin be appointed to the Lopdell House Society Inc. Management Committee at 100% Payment (Band 4).”*

On 10 October 2002, Cr Hoskin, however, advised Lopdell House by e-mail of his resignation for the reason that he was finding serious ongoing difficulties with attendance because of his school management related commitment. He said that he had now missed the last four meetings and considered that this was not fair on anyone.

Cr Hoskin has suggested to Lopdell House that Cr Presland replaces him as it is considered that Cr Presland will add professional expertise, personal enthusiasm and a keen interest to the Management Committee.

It is noted that the Society supports the nomination and Cr Presland has indicated that he is happy to accept the position.

**CONCLUSION**

It is consistent with the Rules of the Lopdell House Society Incorporated for Council to appoint a replacement, as the Rules state that “if a vacancy should occur as a result of an appointee of the (Waitakere) City Council ceasing to be a member of the Management Committee then the (Waitakere) City Council shall at any time thereafter appoint a person to fill the vacancy so resulting.”

Cr Presland is considered an appropriate candidate in view of his skills and interest, Cr Hoskin’s recommendation and the support exhibited by the Society. Cr Presland also has the added advantage of being a Councillor in the New Lynn Ward where Lopdell House is located.

**RECOMMENDATIONS**

1. That the information be received.
2. That Cr Gregory Presland be appointed to the Lopdell House Society Inc. Management Committee at 100% Payment (Band 4) to replace Cr Owen Hoskin.

Report prepared by: Audrey Chan, Committee Secretary.



**16 APPOINTMENTS TO THE COMMUNITY SPORT FUND ALLOCATION SUBCOMMITTEE**

Formal advice has been received from Sport Waitakere regarding the resignation of April Nicholson as representative for Sport Waitakere on the Community Sport Fund Allocation Subcommittee. Sport Waitakere have advised that they wish to appoint Ropata Paora as a replacement.

The nomination of a representative of Sport Waitakere on the Community Sport Fund Allocation Subcommittee is brought before the Council for formal appointment.

**RECOMMENDATIONS**

1. That the information be received.
2. That Ropata Paora be appointed as the Sport Waitakere representative on the Community Sport Fund Allocation Subcommittee.

Report prepared by: Ngareta Delamere, Committee Secretary.



**17 APPOINTMENTS TO TE TAUMATA RUNANGA**

Formal advice has been received from Te Roopu Puawai O Waitakere regarding the resignations of Rawiri Waititi as representative and Raymond Dunn as alternate representative for Te Roopu Puawai O Waitakere on Te Taumata Runanga. Te Taumata Runanga has advised that Te Roopu Puawai O Waitakere have selected replacements, being Grace Te Huia as representative and Kristine Parata as alternate representative.

The nominations of a representative and an alternate representative of Te Roopu Puawai O Waitakere on Te Taumata Runanga are brought before the Council for formal appointment.

**RECOMMENDATIONS**

1. That the information be received.
2. That Grace Te Huia be appointed as Te Roopu Puawai O Waitakere representative on Te Taumata Runanga.
3. That Kristine Parata be appointed as the alternative Te Roopu Puawai O Waitakere representative on Te Taumata Runanga.
4. That the resignations of Rawiri Waititi and Raymond Dunn be noted and that they be thanked for their contributions to Te Taumata Runanga.

Report prepared by: Ngareta Delamere, Committee Secretary.

HV O'Rourke  
**CHIEF EXECUTIVE**





This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 7(2)(c)(i) and (i) of that Act which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public as follows:

- *The two reports contain information which if released would affect Council's negotiating position and one report contains information in relation to proposed commercial arrangements for Auckland Regional Transport Network Limited which are still being assessed and are subject to an obligation of confidence.*



**PART E - STANDING COMMITTEE REPORTS**

**20 CITY DEVELOPMENT COMMITTEE**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING HELD ON MONDAY, 7 OCTOBER 2002**

**MATTERS CONSIDERED**

*1 - 8  
Part E*

Your Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 1 to 8 in the supplement labelled Part E.

**Your Committee Recommends:**

That the report of the Ordinary Meeting of the City Development Committee held on Monday, 7 October 2002 be received.

CA Stone  
**CHAIRPERSON**



**21 ENVIRONMENTAL MANAGEMENT COMMITTEE**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING HELD ON TUESDAY, 10 SEPTEMBER 2002**

**1. THE SAFE PIERCING OF SKIN - PROPOSED BYLAW**

**Your Committee Recommends:**

1. That Council introduce by way of Special Order, Bylaw No. 32, 2002 Health Protection - Skin Piercing, as set out:

**WAITAKERE CITY COUNCIL**

**BYLAW NO. 32, 2002**

**HEALTH PROTECTION – SKIN PIERCING**

The Waitakere City Council acting in pursuance and exercise of the power and authorities conferred on it by the Local Government Act 1974, the Health Act 1956, the Bylaws Act 1910, their respective amendments, and all other powers and authorities in any way enabling it HEREBY RESOLVE BY WAY OF SPECIAL ORDER the following bylaw.

**1 SHORT TITLE**

The short title of this Bylaw shall be Bylaw No. 32, 2002 Health Protection - Skin Piercing.

2 **COMMENCEMENT**

This bylaw shall come into force on a date specified in the confirmation of the Special Order.

3 **APPLICATION OF BYLAW**

This Bylaw shall apply to all occupiers, operators or licensees of premises providing or intending to provide facilities and services for skin piercing as defined in clause 5 of this Bylaw at the date of the coming into force of this Bylaw and to all such premises intended to be operated thereafter.

4 **PURPOSE**

The purpose of this bylaw is to control the licensing and minimise the risk of illness or injury due to infection or contamination resulting from skin piercing activities or activities associated with skin piercing by:

- (a) Imposing standards to ensure proper hygiene, sterilisation and infection control practises are maintained on premises used for skin piercing within the District; and
- (b) Monitoring the operation of premises providing skin piercing to ensure proper hygiene, sterilisation and infection control are maintained to prevent the spread of illness.

5 **INTERPRETATION**

In this bylaw unless the context otherwise requires or where otherwise expressly provided –

**AUTHORISED OFFICER** means any person appointed or authorised by the Council to carry out or exercise the duties of an authorised officer under this bylaw.

**COUNCIL** means the Waitakere City Council.

**SKIN PIERCING** means any process involving piercing, cutting and puncturing the skin or other part of the human body, but does not include the cutting of hair or nails. Skin piercing includes such processes as acupuncture, pedicure, epilation (hair removal), body piercing, hair restoration and tattooing.

6 **EXEMPTIONS**

6.1 Nothing in this Bylaw shall apply to the carrying out of skin piercing by:

- (a) A medical practitioner registered pursuant to the Medical Practitioners Act 1995, a dentist registered under the New Zealand Dental Act 1988, a nurse registered under the Nurses Act 1977, a physiotherapist registered under the Physiotherapists Act 1949, or a podiatrist registered under the Medical and Dental Auxiliaries Act 1966 where the process is carried out in the practise of medicine, dentistry, nursing, physiotherapy or podiatry, respectively; or

- (b) A person acting under the direction or supervision of any such medical practitioner, nurse, physiotherapist, podiatrist or dentist, where the process is carried out for the purpose of the practise of medicine, physiotherapy, podiatry or dentistry, respectively.
- 6.2 Nothing in this bylaw shall apply to ear piercing carried out by staff of a pharmacy registered pursuant to the Pharmacy Act 1970 acting under the supervision of a pharmacist registered pursuant to the Pharmacy Act 1970.

7 **LICENSING**

- 7.1 No person shall carry out any skin piercing on any premises unless the premises are licensed by the Council and such licence is currently in force.
- 7.2 A licence shall not be issued unless the premises concerned complies with all requirements of this Bylaw and with all other statutory provisions governing its operation or occupancy.
- 7.3 The provisions of Clause 7.1 shall not apply to the carrying out of acupuncture where any person wishing to undergo acupuncture is unable to attend the licensed premises because of injury, infirmity or medical emergency provided that the acupuncture is carried out in compliance with the procedures specified in Clauses 9 and 10 of this Bylaw.
- 7.4 The provisions of Clause 7.1 shall not apply to the carrying out of any skin piercing in any temporary structure or premises for a maximum period of 5 days in any 30 day period provided that the person carrying out the skin piercing complies with all conditions specified by an authorised officer in respect of the temporary structure or premises and the skin piercing including the provision of approved facilities for the proper cleansing and sterilising of any instrument or like article, including any ear studs, ear keepers or similar jewellery is in accordance with the provisions of Clauses 8 and 9 of this Bylaw.
- Any person wishing to take advantage of the provisions of this clause shall require the consent of an authorised officer and shall pay such fee for any inspection required and for the authorised officer's time to consider the matter.
- 7.5 Application for the licensing of any premises used or intended to be used for skin piercing shall be made by the owner, occupier, manager, or person proposing to use the premises. The applicant shall be a natural person or persons.
- 7.6 Each application shall be on the form prescribed and all requested information shall be provided.

- 7.7 On receipt of an application and payment of the required fee a licence may be issued to the applicant if an authorised officer is satisfied in respect of the following matters:
- (a) That the premises concerned and the proposed method of operation comply with:
    - (i) The requirements of all Acts or Regulations which relate to skin piercing;
    - (ii) The provisions of any plan or proposed plan (as those words are defined in Section 2 of the Resource Management Act 1991) which have application to the premises concerned;
    - (iii) The provisions of this Bylaw; and
  - (b) That the applicant has a sufficient knowledge of this Bylaw and the hazards associated with carrying out skin piercing. For the purpose of determining an applicant's knowledge an authorised officer may require an applicant to undergo such tests as are necessary to show the applicant's knowledge of the requirements of this Bylaw.
- 7.8 Every licence issued pursuant to this Bylaw shall be prominently displayed in a public part of the premises to which it relates so as to be readily visible to any member of the public or authorised officer visiting the premises.
- 7.9 Every licence issued under this Bylaw shall expire on 30 June in every year or on such other date which the Council for administrative purposes from time to time may select. A licence may be renewed in accordance with the foregoing provisions. No licence shall be for a term of more than one year.
- 7.10 The foregoing provisions of this clause relating to licensing shall apply to every application for the renewal of a licence but in the case of Clause 7.7(a)(ii) shall be read subject to the provisions of Section 10 of the Resource Management Act 1991.
- 7.11 The Council may from time to time by resolution fix and alter fees and charges for the issue of licences and the making of inspections, and for any other services provided by the Council in respect of any provisions of this Bylaw.

8 **GENERAL**

- 8.1 No person shall carry out skin piercing on any person under the age of 16 years of age unless with the written permission of that person's parent or guardian in person on the premises upon which the skin piercing is to be carried out.
- 8.2 No person shall carry out skin piercing on any person who they suspect is under the influence of alcohol, drugs or mind-altering substances.
- 8.3 No person shall smoke on any premises where skin piercing is undertaken except in a part of the premises that is clearly separate from the area where a process of skin piercing is carried out.

8.4 Any person who wishes to undergo skin piercing shall sign (or if under the age of 16 years, have their parent or guardian sign) a declaration or consent form confirming that, to the best of their knowledge, he/she does not:

- suffer from a communicable disease or skin disease; or,
- suffer from a bleeding disorder; or,
- take medication such as anticoagulants which thin the blood or interfere with blood clotting; or,
- have a history of allergies or adverse reactions to pigments, dyes or other skin sensitivities; or,
- have a history of epilepsy or seizures,

before any skin piercing is undertaken.

The licensee, manager, or other person for the time being in charge may decline to carry out any skin piercing on the basis of such information or agree to carry out the skin piercing subject to such conditions and safeguards as are considered appropriate in the circumstance. Nothing in this Bylaw shall be construed as requiring any person to perform a skin piercing on any other person.

8.5 No person who knows or suspects that he or she is suffering from or is a carrier of a skin infection or a communicable disease, or associated condition shall carry out any skin piercing, without taking adequate precautions to prevent the transmittance of such infection, disease or condition.

8.6 Prior to the commencement of any skin piercing the person who will be carrying out the process shall advise the person who wishes to undergo such process of risks associated with the process and the potential for infection to occur during and after the process and shall give written advice appropriate to the procedure to be undertaken, concerning precautions and post process procedures which should be taken by the person who wishes to undergo the process.

8.7 Every licensee shall keep records of the names and addresses of any person who undergoes any skin piercing; the date on which the skin piercing was undertaken; the nature of the skin piercing; and the location on the body where the skin piercing was undertaken. Such records shall only be made available where it is necessary to prevent or lessen a serious and imminent threat to public health or public safety; or the life or health of the individual concerned or another individual, such as to an Environmental Health Officer or a Medical Officer of Health as defined in the Health Act 1956 who are carrying out any investigation pursuant to Part III of the Health Act 1956 or the Health (Infectious and Notifiable Diseases) Regulations 1966.

8.8 Every licensee shall ensure that the information collected under Clause 8.7 is protected by such security safeguards as it is reasonable in the circumstances to take, against:

- (i) loss;
- (ii) access, use, modification, or disclosure; and
- (iii) other misuse.

- 8.9 Every licensee shall ensure that the information collected under Clause 8.7 is disposed of after 5 years from the date of collection, in a manner that preserves the privacy of the information.
- 8.10 Where an authorised officer is satisfied that compliance with any requirements of this Bylaw would be impractical or unreasonable having regard to the premises in question or the skin piercing being undertaken, a written exemption may be granted with such modifications and subject to such conditions as are in the interest of public health as may be desirable in the circumstances.
- 8.11 The holder of the licence issued under Clause 7 or in the case of any premises where skin piercing is undertaken and no licence is required or is in force, the owner, occupier, manager, or other person in charge of the premises shall keep on the premises and make available for reading by any person employed on the premises and by any person attending the premises for the purpose of undergoing any skin piercing a copy of this Bylaw.
- 8.12 Where any premises, whether licensed or not, upon which skin piercing is so carried on as to be unnecessarily offensive or likely to be injurious to health, or, by reason of the state, situation, construction or disrepair of those premises the customer is likely to be exposed to contamination, an authorised officer may serve notice on the owner or occupier of those premises to carry out, within a time to be stated on the notice, such remedial action as may be specified in the notice.

During this period so specified, the conditions that are identified as unnecessarily offensive, likely to be injurious to health, or likely to expose the customer to contamination, shall be removed.

Any such notice may require that owner or occupier to cease using those premises or cause the use of those premises to cease for a period specified in the notice.

## 9 **STERILISATION OF INSTRUMENTS AND JEWELLERY**

- 9.1 No person shall use any instrument or like article, including any ear studs, ear keepers or similar jewellery for or in connection with carrying out skin piercing unless immediately before the instrument or article is used or since the instrument or article was last used the instrument or article has been sterilised in accordance with the provisions of Clause 10.1 and kept in such a manner to maintain its sterility.

- 9.2 A person who uses an instrument or like article to carry out skin piercing does not contravene Clause 9.1 if the instrument or article:
- (a) Has been taken in the presence of the person for whose treatment it is intended to be used, from a package which has been sealed by the manufacturer, being a package:
    - (i) In an unbroken and undamaged condition; and
    - (ii) To which the manufacturer has affixed a label containing a statement to the effect that the contents of the package have been sterilised; and
    - (iii) The article or instrument if steam sterilised has been packaged according to the NZ Code of Practice for Steam Sterilisation 1981; and
    - (iv) Has not been subjected to any contamination during storage.
- 9.3 The holder of a licence shall ensure that, immediately after the completion of a skin piercing carried out by the holder or a person employed by the holder, any instrument, appliance or like article used in that process:
- (a) Is disposed of to waste in a dry puncture resistant container; or
  - (b) Is thoroughly cleansed and sterilised and stored in an appropriate manner so as to maintain its sterility before use on any other person or the same person at a latter time.
- 9.4 Where an instrument or like article used for projecting a needle into the skin of any person would be rendered inoperable or be damaged if a hand piece attached to it were sterilised, the hand piece shall be deemed to be disinfected if it has been cleaned of all visible soiling then wiped with a clean paper towel saturated with:
- (a) a 70% dilution of industrial methylated spirit in water or
  - (b) a 70% dilution of ethyl alcohol or isopropyl alcohol in water; or
  - (c) a chlorine solution having a minimum strength of 500 parts per million.
- The needle shall be removed from the hand piece and sterilised.
- (Advisory Note: Chlorine solution will corrode metals.)
- 9.5 Notwithstanding the provisions of Clause 9.1 no needle or similar product having a hollow lumen shall be used for carrying out a skin piercing on any person if it has previously been used to carry out a skin piercing on any other person.

10 **STERILISATION**

10.1 An instrument or like article or a container shall be deemed to have been sterilised if the instrument, article or container has been:

- (a) Thoroughly cleansed by washing in warm water and detergent or within an ultrasonic cleaner and exposed to steam under the pressure indicated below in a steriliser (autoclave) for:
- (i) 103 KPa (15psi) - At least 15 minutes at not less than 121<sup>0</sup>C; or
  - (ii) 138KPa (20psi) - At least 10 minutes at not less than 126<sup>0</sup>C; or
  - (iii) 206KPa (30psi) - At least 4 minutes at not less than 134<sup>0</sup>C.

The times quoted above are holding times and do not include the time taken for the autoclave contents to reach the required temperature.

Every steriliser (autoclave) used for the purpose of this Part of the Bylaw shall be fitted with time, temperature and pressure gauges. Additionally every time the autoclave is used chemical indicator strips shall be inserted to show that the temperatures as set out above have been attained during the autoclaving procedure. During each use the gauges shall be viewed to ensure that the correct times, temperatures and pressures are reached. Time, temperature and pressure readings shall be recorded and noted after each usage. Regular spore testing must be undertaken and the results noted. The autoclave shall be serviced at no less than 6 monthly intervals, and the results noted. These records shall be maintained for a minimum of 3 years. The records shall be made available to an Authorised Officer, Environmental Health Officer or a Medical Officer of Health on request.; or

- (b) Thoroughly cleansed by washing in warm water and detergent and exposed to dry heat for at least 60 minutes at not less than 170<sup>0</sup>C; or
- (c) Thoroughly cleansed in an ultrasonic cleaner using a proprietary cleaning solution for a minimum of 20 minutes and then totally immersed in clean gluteraldehyde solution of a minimum strength of 2 percent for a minimum of 30 minutes; or  
(Advisory Note: Gloves should be used when handling gluteraldehyde.)
- (d) Thoroughly cleansed by washing in cold water and detergent and then totally immersed in a glass bead steriliser operating at 250<sup>0</sup>C for a minimum of 5 minutes; or
- (e) Thoroughly cleansed by a method appropriate to the nature of the article concerned and then submitted to a process of sterilisation approved by an authorised officer.

(Advisory Note: This may include ethylene oxide treatment and gamma irradiation.)

- 10.2 The holder of the licence issued in accordance with the provisions of Clause 7 shall cause to be displayed and maintained adjacent to every place in the premises where cleaning and/or sterilising of instruments and like articles is undertaken written instructions setting out in clear and legible format the processes to be followed to ensure compliance with the provisions of Clauses 9 and 10.

11 **PREMISES**

- 11.1 The following clauses may be waived if an authorised officer thinks it is unnecessary because of the nature of the skin piercing being carried out.
- 11.2 Premises in which skin piercing is or is intended to be carried on shall comply with the following requirements:
- (a) The premises shall be well constructed in accordance with the Bylaws of the Council and in accordance with any applicable provisions of the Building Act 1991 and the Health Act 1956;
  - (b) The premises and all fittings, fixtures and appliances in the premises shall be maintained in a state of good repair and in a clean and tidy condition;
  - (c) Any structural alterations, repairs, renovations, plumbing, or drainage work that may be undertaken or required shall be carried out without unnecessary delay;
  - (d)
    - (i) The walls, ceilings, fixtures and fittings in any area connected with the carrying out of skin piercing shall be constructed of materials that are light in colour, and capable of being easily cleaned, and shall be maintained in good repair. If the walls are liable to be wetted or fouled they shall be constructed of impervious material;
    - (ii) No ceiling shall be less than 2.4 metres above the floor measured at the lowest point of the ceiling;
    - (iii) The floor of that part of any premises where skin piercing is carried out shall be surfaced with a smooth, durable material that is impervious to water and capable of being easily cleaned. The floor and the material with which the floor is surfaced shall be maintained in good repair;
  - (e)
    - (i) A wash-hand basin supplied with a constant supply of hot and cold water or tempered running water at a temperature of not less than 38 degrees Celsius, soap, and approved hand-drying facilities shall be provided in a readily accessible position within 6 metres by the most practicable route of the place where any person carries out any skin piercing;

- (ii) The supply of hot and cold water to the wash-hand basin shall be by way of elbow-operated taps however other taps of the hands-off type, including foot operated, electronically controlled or knee operated; taps may also be used;
- (iii) The place where the wash-hand basin is situated shall be such that it cannot become directly contaminated by splashing or other contaminants from the use of any sink provided in accordance with subclause (f);
- (f) A sink supplied with a constant piped supply of hot water at a temperature of not less than 63 degrees Celsius and cold water shall be provided in a readily accessible position for the sole purpose of cleaning instruments, equipment and articles used in the skin piercing;
- (g) A cleaner's sink equipped with a constant supply of hot and cold water shall be provided on the premises for the sole purpose of being used in connection with cleaning of the floors, walls and similar fixed parts of the premises. The cleaner's sink shall not be used except for such purpose.  
The requirement for a sink or cleaner's sink as specified in subclauses (g) or (f) may be waived if an authorised officer thinks it is unnecessary because of the nature of the skin piercing being carried out;
- (h) All parts of the premises shall be adequately ventilated to the satisfaction of an authorised officer;
- (i) All parts of the premises shall be provided with a lighting system capable of providing adequate illumination to facilitate cleaning and inspection. Lighting of not less than 300 lux shall be provided at all working surfaces adjacent to every place where customers are attended to and where instruments and tools are cleaned and sterilised;
- (j) Adequate dust proof cupboards shall be provided for the storage of all clean towels, linen or other materials that may be required to carry out the skin piercing;
- (k) Suitable separate dust proof storage spaces shall be provided for the storage of sterile dressings, sterilised instruments, and all sterile articles, including jewellery, used in connection with skin piercing;
- (l) Adequate covered waste receptacles shall be provided for the storage of all waste materials. Every such waste receptacle shall have imprinted or affixed to the exterior the words "BIO HAZARD" in letters not less than 25 millimetres in height;

- (m) All mattresses, squabs and cushions used on any chair, bed, table or the like, used in conjunction with the carrying out of skin piercing shall be provided with permanent impervious covers that are easily cleaned. All permanent covers shall be maintained in good repair and cleaned and disinfected as frequently as is necessary to maintain them in a clean and hygienic condition. Clean auxiliary covers, towels or the like shall be provided to protect such chairs, beds, and tables where necessary, and changed if they come into contact with the skin or become soiled;
- (n) A separate biohazard area shall be provided for all sterilisation processes.

12 **CONDUCT**

12.1 Any person who undertakes skin piercing shall whilst on the premises:

- (a) At all times keep his or her clothing, hands, and fingernails clean and cover with an impermeable dressing any infected, damaged or inflamed skin;
- (b) Thoroughly cleanse his or her hands by washing with soap or antibacterial cleansing agent including brushing his/her hands and nails when necessary using a single use sterile brush and then drying them with a single service towel or other approved hand-drying equipment:
  - (i) Immediately before putting on the protective gloves required by subclause (e) and commencing any process which involves piercing of the skin;
  - (ii) Immediately after removing the protective gloves required by subclause (e) on the completion of any process which involved piercing of the skin;
  - (iii) Immediately after using a sanitary convenience, using any handkerchief or nasal tissue, smoking, eating or drinking;
  - (iv) Immediately after handling or touching with bare hands soiled towels, linen or similar materials, biological matter or waste materials used or produced in connection with a process of skin penetration;
- (c) Prior to commencing any skin penetration process cleanse the client's skin by swabbing with either:
  - (i) 70 per cent weight/weight ethyl alcohol; or
  - (ii) 80 per cent volume/volume ethyl alcohol; or
  - (iii) 60 per cent volume/volume isopropyl alcohol; or
  - (iv) Alcoholic (isopropyl and ethyl) formulations of 0.5 to 4 per cent weight/volume chlorohexadine; or
  - (v) Aqueous or alcoholic povidone-iodine (1 per cent weight/volume available iodine); or

- (vi) Other cleansing agents approved by an authorised officer;  
followed by waiting for a period of at least two minutes before commencing any penetration of the skin;
  - (d) Dispose of all blood contaminated materials (e.g. sharps) and dye residue into a puncture resistant container or otherwise in a manner approved by an authorised officer;
  - (e) Before commencing any skin piercing cover his/her hands with new unused, sterile protective disposable gloves;
  - (f) Discard the protective disposable gloves required by subclause (e):
    - (i) After carrying out any skin piercing on any person, and before carrying out any skin piercing on any other person;
    - (ii) After touching any object including surfaces and equipment which may have become contaminated with blood or serum of any person other than the person on whom the skin piercing is being undertaken or touching any object which has not been subject to a process of cleansing and sterilisation carried out in accordance with the provisions of Clause 9.
- 12.2 An operator shall not use a towel, sheet, cloth or any other protective garment or cover, on, or immediately under or over, a customer unless:
  - (a) It has not been previously used; or
  - (b) Where it has been previously used, it has been laundered to render it clean and hygienic since last having been used.
- 12.3 All towels, sheeting, clothes or other protective garments, disposable gloves or covers shall be placed into an appropriate lidded container after use.
- 12.4 No surgical marker pen or similar device used to mark any mucous membrane of any person shall be used to mark any mucous membrane of any other person.
- 13 **TATTOOING**
  - 13.1 On completion of any tattoo or part of a tattoo the person undertaking the tattoo shall provide to each customer suitable approved verbal and written instructions for the subsequent care of the tattoo to lessen the chance of infection.
  - 13.2 The sterilisation of equipment used in tattooing shall include but not be limited to the sterilisation of needles, needle bars, tubes and tube tips.

- 13.3 Stencils used to transfer a pattern to the skin shall either be disposed of after use or shall otherwise be effectively washed and then disinfected with either 70% ethyl or isopropyl alcohol, or chlorohexadine gluconate (Hibitane) in 70% alcohol or providone-iodine (Betadine) in 70% alcohol before reuse. Any stencil that is to be reused shall be of a material that is able to be effectively cleaned and disinfected.
- 13.4 No person who carries out tattooing on premises licensed or required to be licensed pursuant to this Bylaw or exempt from licensing by virtue of Clause 7.4 shall, in carrying out tattooing on a customer on any premises, use any dye, pigment or solution, unless the dye, pigment or solution has been decanted into a clean sterilised container holding sufficient of the liquid for carrying out that tattoo on that customer only and while the process is being carried out on that customer is extracted or withdrawn only from that container.
- 13.5 Every person who carries out tattooing on premises licensed or required to be licensed pursuant to this Bylaw or exempt from licensing by virtue of Clause 7.4 shall ensure that on completion of the tattoo, any dye, pigment or solution residue is discarded and disposed of to waste, and the container is either sterilised or discarded. Any dye, pigment or solution residue remaining on the completion of a tattoo shall not be used in connection with the tattooing of any other person.
- 13.6 All dyes, pigments, or solutions used for tattooing shall be prepared, stored and dispensed in such a manner as to prevent any likelihood of any infection to any customer or other person.
- 14 **ELECTROLYSIS/EPILATION/BEAUTY THERAPY**
- 14.1 Wax that has been applied to a customer's body for hair removal shall not be reused.
- 14.2 A needle that has been used in an epilation/electrolysis process shall not be reused.
- 14.3 No person shall:
- (i) Remove hair from moles;
  - (ii) Perform electrolysis on any person who uses a hearing aid, or who has metal plates or pacemakers inserted in their body without the permission of a medical practitioner registered under the Medical Practitioners Act 1995.
- 15 **OFFENCES**
- Every person commits an offence against this Bylaw who:
- (a) Undertakes any skin piercing without being licensed in terms of clause 7 of this Bylaw;
  - (b) Breaches any condition under which a licence is issued under this Bylaw;

- (c) Does, or causes to be done, or permits or suffers to be done, or is concerned in doing, anything whatsoever contrary to or otherwise than as provided by this Bylaw;
- (d) Omits, or neglects to do, or permits or suffers to remain undone, anything which according to the true intent and meaning of this Bylaw ought to be done at the time and in the manner therein provided;
- (e) Does not cease any action which that person is required to cease under this Bylaw;
- (f) Knowingly permits or allows any condition of things to exist or continue to exist contrary to this Bylaw;
- (g) Fails, refuses or neglects to comply with any notice duly given to that person under this Bylaw;
- (h) Obstructs or hinders any authorised officer of the Council or other person appointed, employed or authorised by the Council in the execution or performance or attempted execution or performance of any duty to be discharged by such person under or in the exercise of any power conferred by this Bylaw;
- (i) Fails to comply with any notice, or direction, or conditions contained in any licence granted by the Council.

16 **PENALTIES**

- 16.1 Any person guilty of an offence against this Bylaw shall be subject to the penalties set out in Section 66 of the Health Act 1956 and is liable to a fine not exceeding \$500 and, in the case of a continuing offence, to a further fine not exceeding \$50 for every day on which the offence has continued.
- 16.2 Council may, after the conviction of any person for a continuing offence against this bylaw, apply to any Court of competent jurisdiction for an injunction to restrain the further continuance of the offence by the person so convicted.
- 16.3 The continued existence of any work or thing in a state contrary to this bylaw shall be deemed to be a continuing offence within the meaning of this clause.

2. **ADVERTISING**

That the Council duly advertise its intention to introduce the bylaw:

- (i) Not less than 21 clear days before confirming its intention to introduce the bylaw, and again,
- (ii) Not more than 14 days nor not less than 7 clear days before introducing the bylaw.

3. **CONFIRMATION**

That the Special Order be set down for confirmation at an ordinary meeting of Council scheduled for Wednesday, 27 November 2002, commencing at 5.30 pm.

2. **FEES AND CHARGES - BYLAW NO. 32, 2002 HEALTH PROTECTION - SKIN PIERCING**

**Your Committee Recommends:**

That pursuant to the Health Act 1956, a fee of \$260.00 inclusive of GST be charged in respect of any license required pursuant to Bylaw No 32, 2002 Health Protection - Skin Piercing should the same come into force.

3. **OTHER MATTERS CONSIDERED**

Your Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 9 to 26 in the supplement labelled Part E.

**Your Committee Recommends:**

That the report of the Ordinary Meeting of the Environmental Management Committee held on Tuesday, 10 September 2002 be received.

9 - 26  
Part E

PA Hulse  
**CHAIRPERSON**



22 **FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING HELD ON THURSDAY, 10 OCTOBER 2002**

1. **ANNUAL REPORT 2001/2002**

**Your Committee Recommends:**

That the 2001/2002 Annual Report be approved.

2. **ANNUAL PLAN BUDGET REVIEW - HOBSONVILLE ROAD CONSTRUCTION**

**Your Committee Recommends:**

1. That pursuant to Standing Order 27.18 resolution 2896/2002 "number three":

*"3. That approval be granted to transfer an amount of \$645,000 (six hundred and forty five thousand dollars) as Council's Local Authority share from the Roothing New Capital Expenditure approved Annual Plan 2002/2003 budget under Hobsonville Road Construction, to the Capital Expenditure – Roothing Renewals scheduled for Contract TA 02501C."*

2896/2002

be rescinded.

2. That an additional \$645,000 be provided from surplus depreciation funds for Roothing Renewals scheduled for Contract TA 02501C.

3. **OTHER MATTERS CONSIDERED**

Your Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 27 to 35 in the supplement labelled Part E.

**Your Committee Recommends:**

That the report of the Ordinary Meeting of the Finance and Operational Performance Committee held on Thursday, 10 October 2002 be received.

JM Clews, QSO, JP

**CHAIRPERSON**

27 - 35  
Part E



**PART F - PRESENTATIONS**

These presentations will take place at 7.30 pm.

**23 DR JOHN AND MARY WEBSTER**

Mayor Bob Harvey will make a presentation of a Len Castle book on Ceramics to Dr John Webster (Chief Executive of UNITEC) and Mary Webster to commemorate the signing of the "Memorandum of Understanding" between UNITEC and Waitakere City Council.



**24 AUCKLAND REGIONAL ECONOMIC DEVELOPMENT STRATEGY PRESENTATION**

Cr Annette Fenton on behalf of Auckland Regional Economic Development Strategy Group will make a presentation of a flax bush to Mayor Bob Harvey. The flax bush was given to each of the Territorial Local Authorities at the launch of the next and challenging Auckland Regional Economic Development Strategy phase to create and implement economic growth in the region. Flax is a token of growth, harmony and opportunity. This depicts the key strategies for the Auckland Regional Economic Development Strategy.



**25 PRESENTATION OF PAINTING BY CR DENISE YATES AND MR PETER CHAN**

Councillor Denise Yates and Massey Community Board member Mr Peter Chan will present to Mayor Bob Harvey and the Deputy Mayor Cr Carolynne Stone paintings by a famous Chinese Artist, Zhang Cui Ying.



**PART G - PROCEDURAL MATTERS**

**26 QUESTIONS**

Pursuant to Standing Order 39.2, any member of the local authority may at any ordinary meeting of the local authority at the appointed time, put a question to the Mayor as Chairperson of the local authority, or through the Mayor to the Chairperson of any standing or special committee, or to any officer of the local authority concerning any matter relevant to the role or functions of the local authority concerning any matter that does not appear on the order paper, nor arises from any committee report or recommendation submitted to that meeting.



**27 NOTICES OF MOTION**

Notices of motion shall be in writing by the mover, stating the meeting at which it is proposed that the notice of motion be considered, and shall be delivered to the Chief Executive at least five clear days before such meeting.



**28 CLOSING PRAYER**



