

WAITAKERE CITY COUNCIL



MINUTES OF AN ORDINARY MEETING OF THE ENVIRONMENTAL MANAGEMENT COMMITTEE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY, ON MONDAY, 1 DECEMBER 2003, COMMENCING AT 9.33AM.

PRESENT:

Councillors	PA	Hulse (Chairperson)
	DA	Yates, JP (Deputy Chairperson)
	DQ	Battersby, JP (until 9.44 am)
	BA	Brady, JP
	AC	Fenton
	GE	Nash, JP
	CA	Stone

IN ATTENDANCE: Group Manager: Planning and Community Services
Planner: Policy Implementation
Service Management Assistant: A Geering
Committee Secretary: O Schuster

ALSO PRESENT: W Davis (Henderson Community Board)
M TeHuia (Te Taumata Runanga)
Matt Casey (Legal Adviser)

1 **APOLOGIES**

4244/2003

MOVED by Cr Fenton, seconded Cr Nash:

That apologies from Mayor Bob Harvey, Crs Clews, Dallow, Hoskin, Lawley, Neeson, Presland and Russell for absence received and sustained.

CARRIED

2 **URGENT BUSINESS**

There was no Urgent Business.

3 **PROPOSED PLAN CHANGE 2 - HARBOURVIEW-ORANGIHINA PARK**

9.35 am Eryn Shields (Planner: Policy Implementation Resource Management) explained that marae activities are identified as permitted activities. Such activities may require consents for matters such as earthworks or vegetation clearance. As such, marae activities are permitted, subject to any other resource consents.

9.40 am Matt Casey (Legal Advisor) explained that there is a true exception of the normal conflict of interest rules, identified by the Resource Management Act 1991. In the circumstances of Proposed Plan Change 2, this exception applies.

DECLARATION OF INTEREST

- 9.44 am Cr Battersby declared an interest and withdrew from the table and took no part in the hearing, debate or decision on the Proposed Plan Change 2 - Harbourview Orangihina Park.
- 9.45 am Derek Battersby (Submitter) presented his submission against the Proposed Plan Change 2 - Harbourview Orangihina Park and responded to a question from Cr Yates.
- 10.01 am Anne Grace (Submitter) presented submissions on behalf of the Te Atatu Residents and Ratepayers Association, Jeff Nielson, Robert Wood and herself in relation to conflict of interest and invalid submissions.

ADJOURNMENT

4245/2003

MOVED by Cr Yates, seconded Cr Nash:

That the meeting stand adjourned until 10.45 am.

CARRIED

- 10.36 am The meeting adjourned.
- 10.50 am The meeting reconvened.
- 10.53 am Matt Casey (Legal Adviser) gave legal advice to the Committee on Ann Grace's submission in relation to points of law raised on conflict of interest. Stating that the Committee needed to deliberate and to make a decision on whether the hearing should be abandoned.
- 11.04 am Committee went into deliberations and decided to proceed with the Hearing:
- Reason: The Committee considered that no conflict of interest exists, having received independent legal advise on this matter.
- 11.06 am Ian Wood (Submitter) presented his submission in support of the Marae Special Area in relation to the Proposed Plan Change 2 - Harbourview Orangihina Park.
- 11.16 am Anne Grace (further Submitter) presented a submission in relation to Ian Wood's submission and responded to a question from Cr Brady.
- 11.25 am Anne Grace (Te Atatu Residents and Ratepayers Association, Jeff Nielson, Robert Wood) presented submission against the Marae Special Area and a Marae within the Open Space Environment and responded to questions from Crs Yates and Brady.

ADJOURNMENT

2446/2003

MOVED by Cr Nash, seconded Cr Fenton:

That the meeting stand adjourned until 1.00 pm.

CARRIED

- 11.57 am The meeting adjourned.
- 1.08 pm The meeting reconvened.
- 1.09 pm Leo Nobile (on behalf of Te Atatu Residents and Ratepayers Association) presented an introduction statement in relation to their submission.
- 1.14 pm Anne Grace (on behalf of the Te Atatu Residents and Ratepayers Association) presented their submission.
- Anne Grace tabled submissions on the Waitakere City Council Open Space Management Plan to be reconsidered as part of their submission on Proposed Plan Change 2.
- 1.30 pm Elizabeth Grimmer (on behalf of Te Atatu Residents and Ratepayers Association) presented their submission.
- 2.27 pm Jeff Nielsen (on behalf of Te Atatu Residents and Ratepayers Association) presented a submission.

ADJOURNMENT

2447/2003

MOVED by Cr Fenton, seconded Cr Brady:

That the meeting stand adjourned until 3.10 pm.

CARRIED

- 2.55 pm The meeting adjourned.
- 3.15 pm The meeting reconvened.
- 3.16 pm Anne Grace (on behalf of Te Atatu Residents and Ratepayers Association) presented a submission on Environmental Effects.

ADJOURNMENT

4248/2003

MOVED by Cr Nash, seconded Cr Fenton:

That the meeting stand adjourned until 11.30 am, Tuesday, 2 December 2003 in the Civic Centre, 6 Waipareira Avenue, Lincoln, Waitakere City.

CARRIED

- 4.07 pm The meeting adjourned.