

MINUTES OF AN ORDINARY MEETING OF THE ENVIRONMENTAL MANAGEMENT
COMMITTEE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE,
LINCOLN, WAITAKERE CITY, ON TUESDAY, 7 SEPTEMBER 2004,
COMMENCING AT 9.40 AM.

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**MINUTES OF AN ORDINARY MEETING OF THE ENVIRONMENTAL MANAGEMENT
COMMITTEE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE,
LINCOLN, WAITAKERE CITY, ON TUESDAY, 7 SEPTEMBER 2004,
COMMENCING AT 9.40 AM.**

PRESENT: Councillors PA Hulse (Chairperson) (until 11.49 am from 1.12 pm)
DA Yates, JP (Deputy Chairperson)
(Presiding from 11.49 am until 12.03 pm)
DQ Battersby, JP
BA Brady, JP (from 10.25 am until 11.50 am
from 1.00 pm until 2.58 pm)
JM Clews, QSO, JP (until 12.03 pm)
AC Fenton (from 11.56 am)
OE Hoskin, MNZM, JP (until 12.03 pm)
JP Lawley (until 11.48 from 1.19 pm until 2.30 pm from
4.26 pm)
GE Nash, QSM, JP
VS Neeson, JP (until 11.00 am from 2.48 pm)
GB Presland (until 11.50 pm)
GW Russell, JP
CA Stone (from 9.41 am)

IN ATTENDANCE: Chief Executive
Director: Public Affairs
Group Manager: City Development Projects
Group Manager: Asset Management: T Miguel
Team Manager: Environmental Compliance: A Ahmu
Principal Advisor Urban Policy: Y Rust
Principal Advisor Environmental Projects: B Drey
Principal Advisor District Plan: M Heale
Planner: Policy Implementation: A Hughes
Planner: Policy Implementation: C Trenouth
Communicator
Mayoral Executive
Public Affairs Advisor: External Communications
Committee Secretary: O Schuster

ALSO
IN ATTENDANCE: Phil Gormock, Watercare Services
Owen Cook, Watercare Services
Annabel Davies, Watercare Services

1 APOLOGIES

1710/2004

MOVED by Cr Neeson, seconded Cr Lawley:

That apologies from Mayor Bob Harvey and Cr Dallow for absence and Crs Brady, Fenton and Stone for lateness be received and sustained.

CARRIED

2 URGENT BUSINESS

There was no Urgent Business.

3 CONFIRMATION OF MINUTES

1711/2004

MOVED by Cr Nash, seconded Cr Hoskin:

That the minutes of the Ordinary Meeting of the Environmental Management Committee held on Tuesday, 10 August 2004, including the Public Excluded minutes, as circulated, be taken as read and now be confirmed.

CARRIED

4 PRESENTATIONS

A GE FREE WAITAKERE

There was no presentation from Brendan Hoare, Landscape and Plant Science Lecturer from Unitec.

B WAITAKERE WATER SUPPLY DAMS RESOURCE CONSENT RENEWALS

Phil Gormack, Watercare Services made a presentation updating progress and provided information on a proposal to effect and monitor compensatory flows to the streams below the dams whilst respecting the need to satisfy consumer demand.

9.41 am Cr Stone entered the meeting.

PART I - REGULATORY / ENFORCEMENT

5 LEGAL UPDATE (AS AT 31 AUGUST 2004)

1712/2004

MOVED by Cr Yates, seconded Cr Hoskin:

That the Legal Update (as at 31 August 2004) report be received.

CARRIED

6 INTERNET CAFES - PROPOSAL FOR STAFF TRAINING

1713/2004

MOVED by Cr Lawley, seconded Cr Clews:

That the Internet Cafes - Proposal for Staff Training report be received.

CARRIED

PART II - DISTRICT PLAN / STRUCTURE PLANS

7 SWANSON STRUCTURE PLAN - SUBDIVISION APPLICATION UPDATE

10.25 am Cr Brady entered the meeting.

1714/2004

MOVED by Cr Nash, seconded Cr Presland:

That the Swanson Structure Plan - Subdivision Application Update report be received.

CARRIED

11.00 am Cr Neeson left the meeting.

7A WAITAKERE RANGES AND FOOTHILLS PROTECTION PROJECT - REGIONAL POLICY STATEMENT AND DISTRICT PLAN ISSUES

1715/2004

MOVED by Cr Nash, seconded Cr Hoskin:

1. That the Waitakere Ranges and Foothills Protection Project - Regional Policy Statement and District Plan Issues report be received.
2. That the Environmental Management Committee endorses the approach being taken, towards work on the Auckland Regional Policy Statement, the District Plan and the Regional Growth Strategy Sectors Agreement, in relation to the Waitakere Ranges and Foothills Protection Project.

CARRIED

PRECEDENCE OF BUSINESS

1716/2004

MOVED by Cr Neeson, seconded Cr Yates:

That Item 9: Waitakere Ranges and Foothills Protection Project - Non-Regulatory Components of Proposed Package and Item 14: Waitakere Ranges and Foothills Protection Project - Report on Development of Legislation be accorded precedence at this time.

CARRIED

9 WAITAKERE RANGES AND FOOTHILLS PROTECTION PROJECT - NON-REGULATORY COMPONENTS OF PROPOSED PACKAGE

1717/2004

MOVED by Cr Presland, seconded Cr Lawley:

1. That the Waitakere Ranges and Foothills Protection Project - Non-Regulatory Components of Proposed Package report be received
2. That the Environmental Management Committee endorses that Council officers start initial discussions with the community regarding the concept of a community forum/networking group.

CARRIED

14 WAITAKERE RANGES AND FOOTHILLS PROTECTION PROJECT - REPORT ON DEVELOPMENT OF LEGISLATION

1718/2004

MOVED by Cr Yates, seconded Cr Presland:

1. That the Waitakere Ranges and Foothills Protection Project - Report on Development of Legislation report be received.
2. That the Environmental Management Committee notes that the mandate to address permanence and certainty of protection of the Waitakere Ranges and Foothills derived from Stage 1 consultation, and the issues that were raised through Stage 2 consultation.

CARRIED

1719/2004

MOVED by Cr Stone, seconded Cr Hulse:

That the Environmental Management Committee supports pursuing legislation as part of a package for consultation for achieving long term protection for the Waitakere Ranges area.

CARRIED

1720/2004

MOVED by Cr Presland, seconded Cr Yates:

1. That the Environmental Management Committee endorses a legislative approach that:
 - Does not affect current permitted activities in the District Plan.
 - Is not too prescriptive.
 - Achieves permanence and certainty while having the minimum effect on existing actual property.
2. That the Environmental Management Committee notes that Council staff are briefing Government officers on the draft legislative proposals.

3. That Council endorses the continuing discussions with the Minister of Local Government on the possible inclusion of Waitakere Ranges and Foothills protection provisions in the Local Government (Auckland) No 2 Bill.

CARRIED

1721/2004

MOVED by Cr Stone, seconded Cr Clews:

That information on the Waitakere Ranges and Foothills Protection Project be produced for publication in the October 2004 edition of the Waitakere City Newsletter and that this be signed off by an editorial group made up of the Mayor, Chairperson and Deputy Chairperson of the Environmental Management Committee and the Chairperson of the Finance and Operational Performance Committee.

CARRIED

11.48 am Cr Lawley left the meeting.

11.49 am Cr Hulse vacated the Chair and left the meeting, and Cr Yates assumed the Chair.

11.50 am Crs Stone, Brady and Presland left the meeting.

The Order of Business resumed at Item 8: Strengthening Urban Design in Town Centres.

8 STRENGTHENING URBAN DESIGN IN TOWN CENTRES

1722/2004

MOVED Cr Battersby, seconded Cr Clews:

1. That the Strengthening Urban Design in Town Centres report be received.
2. That pursuant to Clause 16A of the First Schedule to the Resource Management Act 1991, the Environmental Management Committee resolves to publicly notify a proposed plan Change to the Operative Waitakere City District Plan on a site analysis rule for the town centres in March 2005.

CARRIED

9 WAITAKERE RANGES AND FOOTHILLS PROTECTION PROJECT - NON-REGULATORY COMPONENTS OF PROPOSED PACKAGE

This item was considered following Item 7A: Waitakere Ranges and Foothills Protection Project - Regional Policy Statement and District Plan Issues.

10 METROPOLITAN URBAN LIMIT SHIFT - PROPOSED CONSULTATION PROCESS

1723/2004

MOVED by Cr Nash, seconded Cr Russell:

1. That the Metropolitan Urban Limit - Proposed Consultation Process report be received.
2. That the Environmental Management Committee endorses the preferred consultation process as outlined in the Agenda report to be conducted prior to notification.
3. That a further report be presented to either the Environmental Management Committee or the Council on the Metropolitan Urban Limit Shift - Proposed Consultation Process.

CARRIED

11.56 am Cr Fenton entered the meeting.

PRECEDENCE OF BUSINESS

1724/2004

MOVED by Cr Clews, seconded Cr Russell:

That Item 12: Air, Land and Water Plan - Environment Court Appeal and Item 13: Proposed Plan Change 11 - To Re-Identify the Human Environment Identified of Nine Sites be accorded precedence at this time.

CARRIED

PART III - ENVIRONMENTAL MANAGEMENT

12 AIR, LAND AND WATER PLAN - ENVIRONMENT COURT APPEAL

1725/2004

MOVED by Cr Clews, seconded Cr Russell:

1. That the Air, Land and Water Plan - Environment Court Appeal report be received.
2. That the Chief Executive be delegated authority to lodge an Appeal with the Environment Court with regard to the Auckland Regional Council's decision on the Air, Land and Water Plan, if considered necessary.

CARRIED

13 **PROPOSED PLAN CHANGE 11 - TO RE-IDENTIFY THE HUMAN ENVIRONMENT IDENTIFIED OF NINE SITES**

1726/2004

MOVED by Cr Nash, seconded Cr Clews:

1. That the Proposed Plan Change 11 - To Re-Identify the Human Environment Identified of Nine Sites report be received.
2. That pursuant to Clause 10 of the First Schedule to the Resource Management Act 1991, the Environmental Management Committee approves Proposed Plan Change 11 to the Waitakere City District Plan to re-identify nine private owned sites as detailed in the following table:

Property:	Lot & DP	Proposed Human Environment:
8 Aio Wira Road, Bethells	Pt Allot 9 DP 1752	Waitakere Ranges Environment
34 Don Buck Road, Massey	Lot 1 DP 49674 & Section 1 Survey Office Plan 61028	Living Environment
326 Royal Road, Massey	Lot 1 DP 113914	Living Environment
7 Standage Lane, Kelston	Lot 13 DP 205876	Living 1 Environment
9 Standage Lane, Kelston	Lot 14 DP 205876	Living 1 Environment
11 Standage Lane, Kelston	Lot 15 DP 205876	Living 1 Environment
13 Standage Lane, Kelston	Lot 16 DP 205876	Living 1 Environment
15 Standage Lane, Kelston	Lot 17 DP 205876	Living 1 Environment
17 Standage Lane, Kelston	Lot 18 DP 205876	Living 1 Environment

3. That a decision notice stating approval of Plan Change 11 be publicly advertised on or about 15 September 2004.
4. That, Plan Change 11 be publicly notified on, or about 1 October 2004 to become operative.

CARRIED

The Order of Business resumed at Item 11: Green Network Community Assistance Programme Update Report.

11 GREEN NETWORK COMMUNITY ASSISTANCE PROGRAMME UPDATE REPORT

1727/2004

MOVED by Cr Battersby, seconded Cr Fenton:

That the Green Network Community Assistance Programme Update Report be received.

CARRIED

12 AIR, LAND AND WATER PLAN - ENVIRONMENT COURT APPEAL

This item was considered following Item 10: Metropolitan Urban Limit Shift - Proposed Consultation Process.

13 PROPOSED PLAN CHANGE 11 - TO RE-IDENTIFY THE HUMAN ENVIRONMENT IDENTIFIED OF NINE SITES

This item was considered following Item 12: Air, Land and Water Plan - Environment Court Appeal.

14 WAITAKERE RANGES AND FOOTHILLS PROTECTION PROJECT - REPORT ON DEVELOPMENT OF LEGISLATION

This item was considered following Item 9: Waitakere Ranges and Foothills Protection Project - Non-Regulatory Components of Proposed Package.

PRECEDENCE OF BUSINESS

1728/2004

MOVED by Cr Clews, seconded Cr Fenton:

That Item 16: Henderson Vineyards Business Campus - Universal Drive Extension be accorded precedence at this time.

CARRIED

PART IV - CONFIDENTIAL ITEM

16 HENDERSON VINEYARDS BUSINESS CAMPUS - UNIVERSAL DRIVE EXTENSION

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

1729/2004

MOVED by Cr Fenton, seconded Cr Brady:

That the public be excluded from the following part of the proceedings of this meeting, namely Henderson Vineyards Business Campus - Universal Drive Extension.

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation of the matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of the matter to be considered.	Reason for passing this resolution in relation to the matter.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
<ul style="list-style-type: none"> Henderson Vineyards Business Campus - Universal Drive Extension 	<p>The withholding of information is necessary in order to:</p> <ul style="list-style-type: none"> enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). 	<p>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</p>

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)(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 report contains details that could affect Council's negotiations for possible property acquisitions.*

CARRIED

11.54 am The public were excluded.

11.56 am Cr Fenton entered the meeting.

Minute Numbers 1730/2004 - 1731/2004 are recorded in the Confidential Section of these Minutes.

11.59 am The public were readmitted.

RESTATEMENT

The Committee resolved while the public were excluded (Moved by Cr Hoskin, seconded Cr Fenton) (resolution 1731/2004) *"That the Henderson Vineyards Business Campus - Universal Drive Extension report and resolution 1730/2004 remain confidential until further notice"*.

The Order of Business resumed at Item 15: Hearing Report for the Draft Policy on Dogs and Dog Control Bylaw.

ADJOURNMENT

1732/2004

MOVED by Cr Fenton, seconded Cr Clews:

That the meeting stand adjourned until 1.00 pm.

CARRIED

12.03 pm The meeting adjourned.

1.12 pm The meeting reconvened. Cr Hulse resumed the Chair. Cr Brady was present. Crs Clews and Hoskin were not present.

15 **HEARING REPORT FOR THE DRAFT POLICY ON DOGS AND DOG CONTROL BYLAW**

1.20 pm **C Clarke-Jowsey**
Submitter No: 60

- Spoke to her submission to the draft Policy on Dogs and Dog Control Bylaw.

1.27 pm **L North**
Submitter No: 19

- Spoke to her submission to the draft Policy on Dogs and Dog Control Bylaw.

1.48 pm **SD & JC Stevenson**
Submitter No: 23

- Spoke to their submission to the draft Policy on Dogs and Dog Control Bylaw.

1.57 pm **R Butler**
Submitter No: 39

- Spoke to her submission to the draft Policy on Dogs and Dog Control Bylaw.

2.07 pm **R Chisholm**
Submitter No: 40

- Spoke to his submission to the draft Policy on Dogs and Dog Control Bylaw.

ADJOURNMENT

1733/2004

MOVED by Cr Battersby, seconded Cr Fenton:

That the meeting stand adjourned until 2.40 pm.

CARRIED

- 2.30 pm The meeting adjourned.
- 2.48 pm The meeting reconvened. Crs Brady and Neeson were present. Cr Lawley was not present.
- 2.58 pm Cr Brady left the meeting.
- 2.26 pm **I Deverick**
Submitter No: 81
- Spoke to his submission to the draft Policy on Dogs and Dog Control Bylaw.
- 2.59 pm **MC Shackley**
Submitter No: 350
- Spoke to her submission to the draft Policy on Dogs and Dog Control Bylaw.
- 3.08 pm **J Mellor**
Submitter No: 349
- Spoke to her submission to the draft policy on Dogs and Dog Control Bylaw.
- 3.12 pm **A & L Byrne-King**
Submitter No: 331
- Spoke to their submission to the draft Policy on Dogs and Dog Control Bylaw.
- 3.26 pm **Dog Waitakere/Action**
Submitters Nos: 57, 310, 224, 202, 38
- Spoke to their submission to the draft Policy on Dogs and Dog Control Bylaw.

ADJOURNMENT

1734/2004

MOVED by Cr Battersby, seconded Cr Fenton:

That the meeting stand adjourned until 4.25 pm.

CARRIED

4.15 pm The meeting adjourned.

4.25 pm The meeting reconvened. Cr Yates was not present.

4.26 pm Crs Lawley and Yates returned to the meeting.

4.26 pm **D Samon**
Submitter No: 110

- Spoke to her submission to the draft Policy on Dogs and Dog Control Bylaw.

4.39 pm **Auckland Regional Council**
Submitter No: 6

- Spoke to the Auckland Regional Council submission to the draft Policy on Dogs and Dog Control Bylaw.

ADJOURNMENT

1735/2004

MOVED by Cr Neeson, seconded Cr Lawley:

That the meeting stand adjourned until 11.30 am, Wednesday, 15 September 2004 in the Civic Centre, 6 Waipareira Avenue, Lincoln, Waitakere City.

CARRIED

4.55 pm The meeting adjourned.