

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 TUESDAY, 9 MARCH 2004,
COMMENCING AT 9.35 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, 9 MARCH 2004, COMMENCING AT 9.35 AM.

PRESENT:

Councillors PA Hulse (Chairperson)
DA Yates, JP (Deputy Chairperson)
DQ Battersby, JP (from 9.39 am)
BA Brady, JP (from 9.49 am)
JM Clews, QSO, JP
AC Fenton (from 9.48 am)
OE Hoskin, MNZM, JP (until 12.38 pm)
JP Lawley (from 10.00 am until 1.09 pm)
GE Nash, QSM, JP
VS Neeson, JP (from 9.37 am until 1.16 pm)
GB Presland
GW Russell, JP
CA Stone (from 9.40 am)

Mayor, Bob Harvey, QSO, JP (ex officio) (from 1.43 pm)

ABSENT:

Councillor RP Dallow, QPM, JP

IN ATTENDANCE:

Director: Strategy & Development
Group Manager: Asset Management
Group Manager: Strategic Planning and Policy
Group Manager: Planning & Community Services
Manager: Strategic Projects Group
Manager: Animal Welfare Services
Assets and Network Manager
Senior Analyst Environmental Policy
Strategic Leader: Environment
Project Manager: Cleaner Production
Urban Development & Design Manager
Principal Planner
Acting District Plan Co-ordinator
Partnerships & Advocacy Leader, Environmental
Project Content Manager (Hobsonville)
Principal Advisor Urban Policy
Project Manager: Economic Development
Planner: Policy Implementation: A Blakey
Principal Advisor: Urban Policy: Y Rust
Principal Advisor: District Plan: M Heale
Contract Solicitor: B McDonald
Committee Secretary: O Schuster

Robert Enright, Kensington Swan
Xu Pingyuan, Ningbo Sister City, China

1 APOLOGIES

346/2004

MOVED by Cr Clews, seconded Cr Nash:

That apologies from Mayor Bob Harvey, Crs Battersby, Brady, Fenton, Lawley and Stone for lateness be received and sustained.

CARRIED

2 URGENT BUSINESS

There was no Urgent Business.

3 CONFIRMATION OF MINUTES

347/2004

MOVED by Cr Presland, seconded Cr Nash:

That the minutes of the Ordinary Meeting of the Environmental Management Committee held on Thursday, 29 January 2004, the Extraordinary Meeting held on Thursday, 29 January 2004, the Ordinary Meeting held on Tuesday, 10 February 2004, including the Public Excluded minutes, and the Reconvened Meeting held on Tuesday, 10 February 2004, as circulated, be taken as read and now be confirmed.

CARRIED

9.37 am Cr Neeson entered the meeting.

PART I - REGULATORY / ENFORCEMENT

4 LEGAL UPDATE (AS AT 27 FEBRUARY 2004)

9.39 am Cr Battersby entered the meeting.

9.40 am Cr Stone entered the meeting.

9.48 am Cr Fenton entered the meeting.

9.49 am Cr Brady entered the meeting.

348/2004

MOVED by Cr Yates, seconded Cr Russell:

That the Legal Update (as at 27 February 2004) report be received.

CARRIED

5 REVIEW OF THE POLICY ON DOGS AND DOG CONTROL BYLAW

349/2004

MOVED by Cr Fenton, seconded Cr Russell:

1. That the Review of the Policy on Dogs and Dog Control Bylaw report be received.
2. That a workshop be programmed to adopt the draft policy on dogs, bylaws and explanatory document as attached at pages A1 to A24 to the Agenda report, to suit Waitakere City Council's requirements and to be reported back to the Environmental Management Committee by May 2004.
3. That this report be forwarded to Community Boards for their information.

CARRIED

6 DOG REGISTRATION FEES - 2004/2005

10.00 am Cr Lawley entered the meeting.

350/2004

MOVED by Cr Battersby, seconded Cr Presland:

1. That the Dog Registration Fees - 2004/2005 report be received.
2. That the setting of the 2004/2005 Dog Registration and associated fees be as follows:

DOG REGISTRATION & ASSOCIATED FEES 2004-2005			
REGISTRATION FEES		Fee for Late Registration after 1/8/04 (GST incl)	Fee if Paid On or Before 1/8/04 (GST incl)
1.	Entire Dog (not castrated) & Entire Bitch (not spayed).	\$141.00	\$94.00
2.	Neutered Dog (castrated male & spayed female).	\$102.00	\$68.00
3.	Dog Owner Licence Holder with un-neutered dog.	\$82.50	\$55.00
4.	Dog Owner Licence Holder with neutered dog Superannuitants.	\$72.00	\$48.00
5.	Seeing Eye & Hearing Ear Dogs.	\$4.50	\$3.00
OTHER FEES		Fee	
Replacement Registration Tags		\$3.00	
<u>Impoundings:</u>			
First		\$65.00	
Second		\$130.00	
Third		\$195.00	
Subsequent		\$260.00	
Sustenance Fee (day or part thereof)		\$15.00	
<u>Adoptions:</u>			
Adoption Fee		\$45.00	
Adoption Registration Fee (for SPCA adoptions into Waitakere City & Waitakere Animal Welfare Services adoptions)		\$20.00	

3. That it be recommended to Council that all dog owners who book to sit the Dog Owner Licence test prior to the penalty date of 1st August 2004 pay the reduced fee within a week of passing the test; or pay the fee which they would have otherwise paid within a week of failing the test, otherwise the late fee applies to whatever category each dog falls into.
4. That it be recommended to Council that for all newly acquired dogs (providing the owners have not been served an infringement notice), a reduced pro-rata fee based on the months of the year be applicable.
5. That it be recommended to Council that where an adult dog is impounded and unregistered, or for which the owner is served an infringement notice, the full registration fee including the penalty be applied.
6. That the Dog Registration Fees adopted for the 2004/2005 financial year be publicly notified in accordance with Section 37(6) of the Dog Control Act 1996.

CARRIED

PART II - DISTRICT PLAN / STRUCTURE PLANS

7 DISTRICT PLAN APPEALS UPDATE TABLE

351/2004

MOVED by Cr Fenton, seconded Cr Clews:

That the District Plan Appeals Update Table report be received.

CARRIED

8 FINANCIAL BUSINESS PLAN - AUCKLAND REGIONAL STORMWATER PROGRAMME

352/2004

MOVED by Cr Neeson, seconded Cr Brady:

1. That the Financial Business Plan - Auckland Regional Stormwater Programme report be received.
2. That the recommendations of the Financial and Business Plan Auckland Regional Stormwater Programme be adopted in principle, as an input to the Assessment of Water and Wastewater Services due to be completed by 30 June 2005, with further consideration in the 2006 Long Term Council Community Plan.
3. That the Chief Executive be delegated authority to take action as appropriate to protect Council's interest with regard to approved funding from Infrastructure Auckland.

CARRIED

ADJOURNMENT

353/2004

MOVED by Cr Nash, seconded Cr Yates:

That the meeting stand adjourned until 11.00 am.

CARRIED

10.42 am The meeting adjourned.

11.03 am The meeting reconvened. Crs Brady, Fenton and Presland were not present.

9 STRUCTURE PLANNING IN THE COUNTRYSIDE ENVIRONMENT

354/2004

MOVED by Cr Battersby, seconded Cr Presland:

1. That the Structure Planning in the Countryside Environment report be received.
2. That the future of Structure Planning in the Countryside Environment be reviewed as part of the Northern Strategic Growth Area work programme.
3. That the Waiarohia Structure Plan be placed on hold for a further 12 months pending a decision on the future of structure planning as a result of the integrated planning for the area.

CARRIED

11.03 am Cr Brady returned to the meeting.

10 DRAFT DEVELOPMENT AND FINANCIAL CONTRIBUTIONS POLICY

11.14 am Cr Presland returned to the meeting.

11.20 am Cr Fenton returned to the meeting.

355/2004

MOVED by Cr Neeson, seconded Cr Hoskin:

That the Draft Development and Financial Contributions Policy report be received.

CARRIED

11 POTENTIAL REGIONAL POLICY STATEMENT AND DISTRICT PLAN CHANGES

356/2004

MOVED by Cr Presland, seconded Cr Russell:

1. That the information be received.
2. That Council advise the Government of its continued support for changes to the Regional Policy Statement and its District Plan as required by Government's transport initiatives and of its intent to work cooperatively across with other territorial local authority's and the Auckland Regional Council.
3. That Council continue to support a modified enhanced Resource Management Act process (Option 2) that allows the changes to take place in a timely manner and ensures that there is the opportunity for the community and interested parties to participate.
4. That Council demonstrate it's commitment to working cooperatively across the region and advise the other territorial local authorities of it's decision.
5. That to this end a Steering Group of one representative from each Council in the region be appointed, to agree on and oversee the project. This group to develop and adopt a set of protocols similar to those used by the Joint Official Group.

11.44 am Cr Lawley left the meeting.

CARRIED

PART III - ENVIRONMENTAL MANAGEMENT

12 ENERGY-WISE COUNCILS FORUM

357/2004

MOVED by Cr Nash, seconded Cr Russell:

11.46 am Cr Hoskin left the meeting.

11.47 am Cr Lawley returned to the meeting.

11.48 am Cr Neeson left the meeting.

1. That the Energy-Wise Councils Forum report be received.
2. That the Environmental Management Committee nominate Cr Hulse, Chairperson of Environmental Management Committee to attend the April Energy-Wise Councils Forum in Hamilton during Thursday, 1 April 2004 and Friday, 2 April 2004.

CARRIED

13 WASTEWATER AND WATER SUPPLY - JOINT PLANNING INITIATIVES

358/2004

MOVED by Cr Clews, seconded Cr Presland:

11.51 am Cr Hoskin returned to the meeting.

11.52 am Cr Neeson returned to the meeting.

11.53 am Cr Fenton left the meeting.

1. That the Wastewater and Water Supply - Joint Planning Initiatives report be received.
2. That the Chair and Deputy Chair of the Environmental Management Committee be delegated authority to approve the Project Plans for Wastewater and Water Supply Joint Planning Initiatives.

CARRIED

14 PROPOSED PLAN CHANGE 10 - TO RE-IDENTIFY AMBRICO RESERVE, NEW LYNN FROM WORKING ENVIRONMENT TO OPEN SPACE ENVIRONMENT

359/2004

MOVED by Cr Presland, seconded Cr Clews:

1. That the Proposed Plan Change 10 - To Re-identify Ambrico Reserve, New Lynn from Working Environment to Open Space Environment 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 10 to the Waitakere City District Plan to re-identify 5 Ambrico Place, New Lynn, legally described as Lot 3 DP 152489, from Working Environment to Open Space Environment as attached at pages A114 to A127 to the Agenda report.
3. That a decision notice stating approval of Plan Change 10 be publicly advertised
4. That the Plan Change 10 be publicly notified on, or about 31 March 2004 to become operative.

CARRIED

15 WAITAKERE RANGES PROJECT - PHASE ONE AND TWO CONSULTATION UPDATE

360/2004

MOVED by Cr Battersby, seconded Cr Hoskin:

That the Waitakere Ranges Project - Phase One and Two Consultation Update report be received.

CARRIED

361/2004

MOVED by Cr Nash, seconded Cr Lawley:

That the Environmental Management Committee approve that phase two of the consultation has a two-part focus, namely:

- the presentation of the range of responses/actions with, in particular, an indication of those that are considered by the partners worthy of further development; and
- an exploration of the role of the foothills in the long-term protection of the Ranges.

12.02 am Cr Fenton returned to the meeting.

CARRIED

16 WAITAKERE RANGES PROTECTION PROJECT - POTENTIAL RESPONSES

12.38 pm Cr Hoskin left the meeting.

362/2004

MOVED by Cr Presland, seconded Russell:

1. That the Waitakere Ranges Protection Project - Potential Responses report be received.
2. That the Environmental Management Committee approves in principle, the indicative package for better protection of the Waitakere Ranges as presented in this report for presentation at Phase Two of the community consultation.
3. That the Environmental Management Committee nominates Crs Hulse, Presland and Yates from the Political Liaison Group to sign off the detail of the final indicative package to be taken out for consultation in Phase Two of the community consultation.

CARRIED

363/2004

MOVED by Cr Yates, seconded Cr Presland:

That the Environmental Management Committee records its thanks to Jenny Macdonald and all staff for their hard work and efforts in regards to the Waitakere Ranges Protection Project.

CARRIED

PART IV - CONFIDENTIAL ITEMS

17 HOBSONVILLE AND WHENUAPAI INFRASTRUCTURE ISSUES

18 DISTRICT PLAN - WAITAKERE RANGES AND BUSH LIVING SUBDIVISION OUTSIDE METROPOLITAN URBAN LIMITS

19 DISTRICT PLAN - BETHELLS APPEAL

20 DISTRICT PLAN - EGGINK APPEAL

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

364/2004

MOVED by Cr Presland, seconded Cr Clews:

1. That the public be excluded from the following part of the proceedings of this meeting, Hobsonville and Whenuapai Infrastructure Issues; District Plan - Waitakere Ranges and Bush living Subdivision outside Metropolitan Urban Limits; District Plan - Bethells Appeal and District Plan - Eggink Appeal.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation of each 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 matters to be considered.	Reason for passing this resolution in relation to the matters.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
<ul style="list-style-type: none"> • Hobsonville and Whenuapai Infrastructure Issues • District Plan - Bethells Appeal • District Plan - Eggink Appeal • District Plan - Waitakere Ranges and Bush living Subdivision Outside Metropolitan Urban Limits 	<p>The withholding of information is necessary in order to:</p> <ul style="list-style-type: none"> • Maintain Legal professional privilege; and • 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)(g)(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 information contains legal issues currently before the Environment Court, which if released would affect the Council negotiations.

2. That David Walker from Bristow, Barbour and Walker Valuers, be permitted to remain at this meeting for Item 19: District Plan - Bethells Appeal and Item 20: District Plan - Eggink Appeal, after the public has been excluded, because of his knowledge of the matters being discussed. This knowledge, which will be of assistance in relation to the matters to be discussed, is relevant to those matters because of background information and advice which will be required by Council when assessing options available to it and in explaining any decision to the community.

CARRIED

- 12.49 pm The public were excluded.
- 1.09 pm Cr Lawley left the meeting.
- 1.16 pm Cr Neeson left the meeting.
- 1.43 pm Mayor Bob Harvey entered the meeting.

Minute Numbers 365/2004 - 372/2004 are recorded in the Confidential Section of these Minutes.

- 1.53 pm The public were readmitted.

RESTATEMENT

The Committee resolved while the public were excluded:

1. (Moved by Cr Yates, seconded Cr Clews) (resolution 366/2004) *"That the report and resolution 365/2004 nos. 1 to 3 remain confidential until this matter is reported back to the Environmental Management Committee"*.
2. (Moved by Cr Yates, seconded Cr Fenton) (resolution 368/2004) *"That the report and resolution 367/2004 nos. 1 to 3 remain confidential until this matter is reported back to the Environmental Management Committee"*.
3. (Moved by Cr Yates, seconded Cr Fenton) (resolution 370/2004) *"That the report and resolution 369/2004 nos. 1 to 5 remain confidential until this matter is reported back to the Environmental Management Committee"*.
4. (Moved by Cr Clews, seconded Cr Fenton) (resolution 372/2004) *"That the report and resolution 371/2004 nos. 1 to 3 remain confidential until this matter is reported back to the Environmental Management Committee"*.

1.54 pm

The Chairperson thanked members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AT AN ORDINARY MEETING OF
THE ENVIRONMENTAL MANAGEMENT
COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....