

# 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, 10 FEBRUARY 2004,  
COMMENCING AT 9.36 AM.

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| <u>ITEM</u> | <u>INDEX</u>   | <u>PAGE NO.</u> |
|-------------|--|-----------------|
| 1           | <u>APOLOGIES</u>   | 1               |
| 2           | <u>URGENT BUSINESS</u>   | 2               |
| 3           | <u>CONFIRMATION OF MINUTES</u>   | 2               |
|             | <u>PART I - PRESENTATION</u>   | <u>2</u>        |
| 4           | <u>BIG CLEAN UP - WAY TO GO! CAMPAIGN</u>  | 2               |
|             | <u>PART II - PETITION</u>  | <u>2</u>        |
| 5           | <u>LIQUOR BAN IN GLEN EDEN</u>   | 2               |
|             | <u>PART V - ENVIRONMENTAL MANAGEMENT</u>   | <u>3</u>        |
| 15          | <u>REGIONAL LANDSCAPE ASSESSMENT PROJECT</u>   | 3               |
| 10          | <u>PAINTED APPLE MOTH UPDATE REPORT</u>  | 4               |
|             | <u>PART III - REGULATORY / ENFORCEMENT</u>   | <u>4</u>        |
| 6           | <u>LEGAL UPDATE (AS AT 15 JANUARY 2004)</u>  | 4               |
| 7           | <u>DRAFT GAMBLING VENUE POLICY</u>   | 5               |
|             | <u>PART IV - DISTRICT PLAN / STRUCTURE PLANS</u>   | <u>6</u>        |
| 8           | <u>BABICH CONCEPT PLAN - APPLICATION TO AUCKLAND REGIONAL<br/>COUNCIL TO AMEND THE LOCATION OF THE METROPOLITAN URBAN LIMIT,<br/>AND PROPOSED DISTRICT PLAN PROVISIONS</u> | 6               |
| 9           | <u>DISTRICT PLAN - PENIHANA APPEAL RMA 710/98</u>  | 6               |
|             | <u>PART V - ENVIRONMENTAL MANAGEMENT (CONTINUED)</u>   | <u>7</u>        |

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|    |  |        |
|----|--|--------|
| 11 | <u>AGENDA REPORT FOR HEARING FOR PROPOSED PLAN CHANGE 9 -<br/>RE-IDENTIFICATION OF 335 WEST COAST ROAD IN GLEN EDEN FROM OPEN<br/>SPACE ENVIRONMENT TO WORKING ENVIRONMENT</u> | 7      |
| 12 | <u>UPDATE ON 1 RANGIWAI ROAD, TITIRANGI</u>  | 7      |
| 13 | <u>CAR PARKING IN TOWN CENTRES</u>   | 7      |
| 14 | <u>ALTERATION OF STATE HIGHWAY 16 DESIGNATION - KEDGELY DRIVE</u><br><u>PART VI - CONFIDENTIAL ITEM</u>  | 8<br>9 |
| 16 | <u>NEW LYNN COMMUNITY ENVIRONMENT ZONING</u>   | 9      |
|    | <u>PROCEDURAL MOTION TO EXCLUDE THE PUBLIC</u>   | 9      |

# 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, 10 FEBRUARY 2004, COMMENCING AT 9.36 AM.

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**PRESENT:**

|             |    |                                   |
|-------------|----|-----------------------------------|
| Councillors | PA | Hulse (Chairperson)               |
|             | DA | Yates, JP (Deputy Chairperson)    |
|             | DQ | Battersby, JP                     |
|             | BA | Brady, JP                         |
|             | JM | Clews, QSO, JP (from 12.16 pm)    |
|             | OE | Hoskin, MNZM, JP (until 12.17 pm) |
|             | JP | Lawley                            |
|             | GE | Nash, QSM, JP                     |
|             | VS | Neeson, JP                        |
|             | GB | Presland (until 12.08 pm)         |
|             | CA | Stone (from 9.37 am)              |

**OBSERVERS:** EG Francke (New Lynn Community Board)

**IN ATTENDANCE:** Director: Strategy & Development  
Group Manager: City Development Projects  
Group Manager: Strategic Planning & Policy  
Group Manager: Planning & Community Services  
Manager: Field Services  
Manager: Urban Development & Design  
Project Manager: Revitalisation  
Project Manager: Sustainability Projects  
Project Manager: City Projects  
Strategic Leader  
Partnerships & Advocacy Leader: Environmental  
Parks Ecology and Policy Co-ordinator  
District Plan Co-ordinator (Acting)  
Senior Analyst: Social Policy  
Senior Policy Adviser: District Plan  
Principal Advisor: District Plan  
Planner: Policy Implementation: A Hughes  
Solicitor: S Grounds  
Planner: Policy Implementation  
Contract Solicitor: B McDonald  
Social Policy Researcher: A Jarman  
Committee Secretary: O Schuster

### 1 **APOLOGIES**

113/2004

MOVED by Cr Neeson, seconded Cr Brady:

That apologies from Crs Fenton, Dallow and Russell for absence and Crs Clews and Stone for lateness be received and sustained.

**CARRIED**

**2 URGENT BUSINESS**

There was no Urgent Business.

**3 CONFIRMATION OF MINUTES**

114/2004

MOVED by Cr Nash, seconded Cr Yates:

That the minutes of the Ordinary Meeting of the Environmental Management Committee held on Tuesday, 9 December 2003 including the Public Excluded minutes and the Reconvened Meeting held on Tuesday, 16 December 2003 and the Ordinary Meeting held on Tuesday, 16 December 2003, as circulated, be taken as read and now be confirmed.

**CARRIED**

**PART I - PRESENTATION**

9.37 am Cr Stone entered the meeting.

**4 BIG CLEAN UP - WAY TO GO! CAMPAIGN**

Anna Percy from the Auckland Regional Council made a presentation about the Big Clean Up - Way to Go! Campaign, which has been running in New Lynn, Kelston and Glen Eden for the last four months.

**PART II - PETITION**

**5 LIQUOR BAN IN GLEN EDEN**

Sid Walker, Glen Eden resident on behalf of the Glen Eden Community, presented the Environmental Management Committee with the following petition containing 85 signatures:

*"In an endeavour to make Glen Eden a more desirable and secure shopping centre, we the undersigned request the Waitakere City Council to pass a bylaw to prohibit the consumption of liquor in the Glen Eden Shopping Centre and it's precincts\*, except on the premises of those businesses who hold a current liquor license.*

\* The areas to be included includes:

- 1 West Coast Road from Janet Clews' Place to Glendale Road (both sides).
- 2 Bowers Road, Wilson Road and Oates Road (both sides).
- 3 All of Glen Mall.
- 4 Captain Scott Road (between West Coast Road and the roundabout)."

115/2004

MOVED by Cr Lawley, seconded Cr Neeson:

That the Liquor Ban in Glen Eden petition be received.

**CARRIED**

**PRECEDENCE OF BUSINESS**

116/2004

MOVED by Cr Nash, seconded Cr Neeson:

That Item 15: Regional Landscape Assessment Project be accorded precedence at this time.

**CARRIED**

**PART V - ENVIRONMENTAL MANAGEMENT**

**15 REGIONAL LANDSCAPE ASSESSMENT PROJECT**

117/2004

MOVED by Cr Yates, seconded Cr Brady:

That the Regional Landscape Assessment Project report be received.

**CARRIED**

**PRECEDENCE OF BUSINESS**

118/2003

MOVED by Cr Lawley, seconded Cr Neeson:

That Item 10: Painted Apple Moth Update Report be accorded precedence at this time.

**CARRIED**

**10 PAINTED APPLE MOTH UPDATE REPORT**

10.50 am Cr Brady left the meeting.

11.05 am Cr Stone left the meeting.

119/2004

MOVED by Cr Neeson, seconded Cr Yates:

That the Painted Apple Moth Update report be received.

**CARRIED**

The Order of Business resumed at Item 6: Legal Update (as at 15 January 2004).

**ADJOURNMENT**

120/2003

MOVED by Cr Neeson, seconded Cr Lawley:

That the meeting stand adjourned until 11.20 am.

**CARRIED**

11.16 am The meeting adjourned.

11.24 am The meeting reconvened. Crs Brady, Presland and Stone were not present.

**PART III - REGULATORY / ENFORCEMENT**

**6 LEGAL UPDATE (AS AT 15 JANUARY 2004)**

11.27 am Cr Presland returned to the meeting.

121/2004

MOVED by Cr Battersby, seconded Cr Neeson:

That the Legal Update report be received.

**CARRIED**

**7 DRAFT GAMBLING VENUE POLICY**

11.42 am Cr Stone returned to the meeting.

122/2004

MOVED by Cr Neeson, seconded Cr Hoskin:

1. That the Draft Gambling Venue Policy report be received.
2. That the Environmental Management Committee endorses the Draft Gambling Venue Policy for public consultation, including -
  - A citywide cap on existing machine numbers.
  - Voluntary Code of Conduct for operators, including illumination of gambling machine areas.
  - The requirement that Class 4 gambling venues hold a liquor license.
  - A citywide cap on existing gambling venue numbers.
3. That the timeframe for consultation will be from the end of February 2004 until 10 April 2004.
4. That the policy will be brought back to the Environmental Management Committee for approval at its May 2004 meeting.
5. That Council forward a submission to the Department of Internal Affairs to be approved by the Chair of the Environmental Management Committee supporting the following requirements -
  - The requirement for venues to develop host responsibility and harm minimisation policies as a condition of licence.
  - That certain types of venues, such as mobile gambling outlets, should not hold a venue licence.
  - That regulations should aim to restrict the availability of Internet Gambling and support practices which minimise the harm associated with this form of gambling.
6. That Council officers work with the Regional Gambling Officer Group to draft a letter from the Chief Executive Officer's Forum to the Department of Internal Affairs advocating systems for monitoring the regional and local impact of gambling and gambling venues.

**CARRIED**

**PART IV - DISTRICT PLAN / STRUCTURE PLANS**

**8 BABICH CONCEPT PLAN - APPLICATION TO AUCKLAND REGIONAL COUNCIL TO AMEND THE LOCATION OF THE METROPOLITAN URBAN LIMIT, AND PROPOSED DISTRICT PLAN PROVISIONS**

123/2004

MOVED by Cr Yates, seconded Cr Presland:

1. That the Babich Concept Plan - Application to Auckland Regional Council to Amend the Location of the Metropolitan Urban Limit, and Proposed District Plan Provisions report be received.
2. That the Environmental Management Committee approves in principle the contents of an application to the Auckland Regional Council to amend the Regional Policy Statement by moving the Metropolitan Urban Limits to accommodate the Babich Concept Plan area within the urban limits, as outlined in this report.
3. That the Environmental Management Committee approves in principle the District Plan provisions required to give effect to the Babich Concept Plan, as outlined in this report.
4. That the Environmental Management Committee delegates to the Chairperson authority to give final approval of the application to the Auckland Regional Council to amend the Regional Policy Statement by moving the Metropolitan Urban Limits to accommodate the Babich Concept Plan within the urban limits.
5. That the Babich Concept Plan - Application to Auckland Regional Council to Amend the Location of the Metropolitan Urban Limit, and Proposed District Plan Provisions report and resolutions be forwarded to the Waitakere Rangers Protection Project Political Liaison Group for their information.

**CARRIED**

12.01 pm Cr Brady returned to the meeting.

**9 DISTRICT PLAN - PENIHANA APPEAL RMA 710/98**

124/2004

MOVED by Cr Nash, seconded Cr Battersby:

1. That the District Plan - Penihana Appeal report be received.
2. That the Environmental Management Committee confirms the application to the Environment Court to strike out the Neil Construction reference RMA 710/98.

**CARRIED**

12.08 pm Crs Neeson and Presland left the meeting.

**10 PAINTED APPLE MOTH UPDATE REPORT**

This item was considered following Item 15: Regional Landscape Assessment Project.

**PART V - ENVIRONMENTAL MANAGEMENT (CONTINUED)**

**11 AGENDA REPORT FOR HEARING FOR PROPOSED PLAN CHANGE 9 - RE-IDENTIFICATION OF 335 WEST COAST ROAD IN GLEN EDEN FROM OPEN SPACE ENVIRONMENT TO WORKING ENVIRONMENT**

125/2004

MOVED by Cr Battersby, seconded Cr Brady:

1. That the information 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 9 to the Waitakere City District Plan to re-identify 335 West Coast Road, Glen Eden (legally described as Lot 1 DP 20028 and Lot 1 DP 199170) from Open Space Environment to Working Environment and to replace the Restoration Natural Area with General Natural Area as attached at pages A38 to A53 in the Agenda report.
3. That a decision notice stating approval of Plan Change 9 be publicly advertised on or about Monday, 16 February 2004.
4. That, Plan Change 9 be publicly advertised as being fully operative on or about Monday, 16 February 2004.

**CARRIED**

**12 UPDATE ON 1 RANGIWAI ROAD, TITIRANGI**

This item was withdrawn from the meeting.

**13 CAR PARKING IN TOWN CENTRES**

12.16 pm Cr Clews entered the meeting.

12.17 pm Cr Hoskin left the meeting.

126/2004

MOVED by Cr Battersby, seconded Cr Brady:

1. That the information be received.
2. That the Environmental Management Committee endorses the general direction of the review on car parking requirements as raised in Issues 1 to 15 in the Agenda report, for town centres be based on achieving the Urban & Rural Villages Strategic goal.

**CARRIED**

12.15 pm Cr Neeson returned to the meeting.

**14 ALTERATION OF STATE HIGHWAY 16 DESIGNATION - KEDGELY DRIVE**

127/2004

MOVED by Cr Nash, seconded Cr Yates:

1. That the information be received.
2. That the Environmental Management Committee in accordance with Section 181(3) of the Act, acting in its delegated role as territorial authority, confirm to Transit New Zealand that it agrees with the alteration to the designation for SH16/18 to allow the realignment of Kedgely Drive as shown in Figure 2 of the Consent Order from the Environment Court dated 10 July 2001, as attached at pages A55 to A134 to the Agenda report, subject to the following conditions and advice note:
  - "1. *No person shall, in the case of Tower 10 (pylon) supporting any conductor, excavate or otherwise interfere with any land:*
    - a. *At a depth greater than 300mm within 6 metres of the outer edge of the visible foundations of the tower; or*
    - b. *At a depth greater than 3 metres, between 6 metres and 12 metres of the outer edge of the visible foundations of the tower; or*
    - c. *In such a way as to cause an unstable batter.*
  2. *Excavated or other material shall not be stockpiled or deposited under or near the Albany - Henderson A transmission line so as to reduce the vertical distance from the finished ground to the conductors to a distance less than:*
    - a. *6.5 metres vertically across or along driveways or on any land traversable by vehicles;*
    - b. *5.5 metres vertically, on any land not traversable by vehicles due to inaccessibility;*
    - c. *3.0 metres in any distance other than vertical on all land.*

Advice Note

1. *Conditions 8(i) - 8(viii), Transpower New Zealand Conditions, of the original Designation shall continue to be applicable to this alteration."*
3. That the designation alteration be shown on the District Plan maps and appropriate changes made to the text in the Designations Appendix of the District Plan to reflect the alteration.

**CARRIED**

**15 REGIONAL LANDSCAPE ASSESSMENT PROJECT**

This item was considered following Item 5: Liquor Ban in Glen Eden.

**PART VI - CONFIDENTIAL ITEM**

**16 NEW LYNN COMMUNITY ENVIRONMENT ZONING**

**PROCEDURAL MOTION TO EXCLUDE THE PUBLIC**

128/2004

MOVED by Cr Battersby, seconded Cr Yates:

That the public be excluded from the following part of the proceedings of this meeting, namely, New Lynn Community Environment Zoning.

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"> <li>• New Lynn Community Environment Zoning</li> </ul> | The withholding of information is necessary in order to: <ul style="list-style-type: none"> <li>• enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</li> </ul> | 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. |

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 information which if released would affect Council's negotiations.*

**CARRIED**

12.20 pm The public were excluded.

Minute Number 129/2004 is recorded in the Confidential Section of these Minutes.

12.29 pm The public were readmitted.

**RESTATEMENT**

The Committee resolved while the public were excluded (Moved by Cr Battersby, seconded Cr Clews) (resolution 129/2004 no. 2) *“That the report and recommendations contained within remain confidential until this matter is reported back to the Environmental Management Committee”.*

12.29 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:**.....