

MINUTES OF AN ORDINARY MEETING OF THE ENVIRONMENTAL MANAGEMENT
COMMITTEE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE,
LINCOLN, WAITAKERE CITY, ON TUESDAY, 13 APRIL 2004,
COMMENCING AT 9.37 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 11.57 am)
AC Fenton (from 10.12 am)
OE Hoskin, MNZM, JP
GE Nash, QSM, JP
VS Neeson, JP
GB Presland
GW Russell, JP
CA Stone (from 9.45 am)

OBSERVERS: EG Francke (Chairperson New Lynn Community Board)

IN ATTENDANCE: Director: Strategy & Development
Group Manager: Planning and Community Services
Team Manager: Environmental Compliance
Project Manager: Sustainability Projects
Project Manager: Economic Development
Manager: Field Services
Senior Analyst Environmental
Principal Planner
Principal Advisor: District Plan
Principal Advisor: Environmental Projects
Principal Advisor: Urban Policy
Partnerships and Advocacy Leader: Environment
Planner: Policy Implementation
Service Planner
Communicator
Committee Secretary: O Schuster

1 APOLOGIES

603/2004

MOVED by Cr Neeson, seconded Cr Brady:

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

CARRIED

2 URGENT BUSINESS

There was no Urgent Business.

3 CONFIRMATION OF MINUTES

604/2004

MOVED by Cr Nash, seconded Cr Hoskin:

That the minutes of the Ordinary Meeting of the Environmental Management Committee held on Tuesday, 9 March 2004, including the Public Excluded minutes, as circulated, be taken as read and now be confirmed.

CARRIED

PART I - PRESENTATION

Simon Terry, Executive Director of the Sustainability Council made a presentation regarding options available for community management of Genetic Modified Organisms under the Resource Management Act.

605/2004

MOVED by Cr Yates, seconded Cr Presland:

That Council hold a workshop to consider options for giving effect to Council policy on GM Free food and field with a view to:

- a) Setting the direction and scope of the approach Council wishes to take;
- b) Establishing processes that are robust and meet statutory requirements including the Resource Management Act, the Local Government Act 2001 and the Hazardous Substances and New Organisms Act;
- c) Learning from the experience of the Councils in the Northland region;
- d) Determining when Council should seek a range of advice on potential options and strategies for community management of genetically modified organisms/events/risks.

CARRIED

PART II - REGULATORY / ENFORCEMENT

4 X NET CAFÉ - APPLICATION FOR EXTENDED HOURS OF OPERATION

606/2004

MOVED by Cr Battersby, seconded Cr Neeson:

That the X Net Café - Application for Extended Hours of Operation report be received.

CARRIED

MOVED by Cr Battersby, seconded Cr Presland:

That dispensation from compliance to Clause 14 of Waitakere City Council Bylaw No. 20 1990 Amusement Galleries, be conferred to the X Net Café situated at 26B Delta Avenue, New Lynn, subject to the following condition:

“The X Net Café may be open for the purposes of an amusement gallery from Tuesday to Thursday from 7.30 am to 11.00 pm on each day and from Friday 7.30 am to Monday 11.00 pm inclusive, excluding any days during which the premises are required to be closed by statute”.

AMENDMENT

MOVED by Cr Yates, seconded Cr Fenton

That dispensation from compliance to Clause 14 of Waitakere City Council Bylaw No. 20 1990 Amusement Galleries, be conferred to the X Net Café situated at 26B Delta Avenue, New Lynn, subject to the following condition:

“The X Net Café may be open for the purposes of an amusement gallery from Monday to Thursday from 7.30 am to 11.00 pm on each day and from Friday 7.30 am to Sunday 11.00 pm inclusive, excluding any days during which the premises are required to be closed by statute”.

AMENDMENT CARRIED

SUBSTANTIVE MOTION

The Chairperson put the substantive motion:

607/2004

That dispensation from compliance to Clause 14 of Waitakere City Council Bylaw No. 20 1990 Amusement Galleries, be conferred to the Xnet Café situated at 26B Delta Avenue, New Lynn, subject to the following condition:

“The Xnet Café may be open for the purposes of an amusement gallery from Monday to Thursday from 7.30 am to 11.00 pm on each day and from Friday 7.30 am to Sunday 11.00 pm inclusive, excluding any days during which the premises are required to be closed by statute”.

CARRIED

608/2004

MOVED by Cr Battersby, seconded Cr Fenton

That a report be provided to the June 2004 meeting of the Environmental Management Committee on requirements for Internet Café staff to undergo appropriate training and the mechanism for ensuring that such training is undertaken.

CARRIED

10.47 am Cr Brady left the meeting.

PART III - DISTRICT PLAN / STRUCTURE PLANS

5 HEARING REPORT FOR PROPOSED PLAN CHANGE 8 - TO IDENTIFY NEW ROADS OR RESERVES THAT HAVE BEEN VESTED IN COUNCIL AS TRANSPORT ENVIRONMENT AND OPEN SPACE ENVIRONMENT

609/2004

MOVED by Cr Presland, seconded Cr Russell:

1. That the Hearing Report For Proposed Plan Change 8 - To Identify New Roads Or Reserves That Have Been Vested In Council As Transport Environment And Open Space Environment report be received.
2. That pursuant to Clause 10 of the First Schedule of the Resource Management Act 1991, the Environmental Management Committee approves Plan Change 8: To Identify New Roads and Reserves that have been vested in Council as set out in Appendix X with the following amendments shown underlined:

Definitions

Open Space Environment

Means *land* that has been vested in Council as reserve, gazetted as reserve, or is shown in the Human Environment Maps as Open Space Environment and to which the *Open Space Environment* rules apply.

Rules

1.1 Permitted Activity

Activities meeting the following performance standards are Permitted Activities

- Re-identification of land as Transport Environment or Open Space Environment as a consequence of land vesting in Council as a road or reserve as a result of subdivision.
- Re-identification of land as *Open Space Environment* that is owned by the Auckland Regional Council for regional parks purposes.

3. That pursuant to Clause 10 of the First Schedule of the Resource Management Act 1991, the relief sought by the submitter (submission by ARC 8/1) is accepted in full for the reasons outlined in the body of the Hearing Report For Proposed Plan Change 8 - To Identify New Roads Or Reserves That Have Been Vested In Council As Transport Environment And Open Space Environment.

CARRIED

PART IV - ENVIRONMENTAL MANAGEMENT

6 CITIES FOR CLIMATE PROTECTION - ENERGY AND CLIMATE CHANGE UPDATE

11.04 am Cr Brady returned to the meeting.

610/2004

MOVED by Cr Battersby, seconded Cr Yates:

That the Cities for Climate Protection - Energy and Climate Change Update report be received.

CARRIED

611/2004

MOVED by Cr Battersby seconded Cr Presland:

1. That support in principle be given to expand the EcoWise West project.
2. That approval be given to proceed with the renewable energy resource study.

CARRIED

ADJOURNMENT

612/2004

MOVED by Cr Fenton, seconded Cr Neeson:

That the meeting stand adjourned until 11.20 am.

CARRIED

11.11 am The meeting adjourned.

11.27 am The meeting reconvened. Cr Presland was not present

7 PROJECT TWIN STREAMS AND COMMUNITY ENGAGEMENT

613/2004

MOVED by Cr Nash, seconded Cr Hoskin:

1. That the Project Twin Streams and Community Engagement report be received.
2. That the Group Manager: Asset Management be authorised to negotiate with appropriate community organisations to provide co-ordination and maximise community participation in the project, with reporting back to the Tenders Subcommittee for approval.

CARRIED

8 PAINTED APPLE MOTH UPDATE REPORT

614/2004

MOVED by Cr Nash, seconded Cr Fenton:

That the Painted Apple Moth Update Report from the Ministry of Agriculture and Forestry be received.

CARRIED

9 WAITAKERE RANGES PROTECTION PROJECT - BOUNDARY AND PHASE TWO CONSULTATION UPDATE

11.35 am Cr Presland returned to the meeting.

11.57am Cr Clews entered the meeting.

615/2004

MOVED by Cr Yates, seconded Cr Russell:

1. That the Waitakere Ranges Protection Project - Boundary and Phase Two Consultation Update report be received.
2. That the Environmental Management Committee proposes the boundary of the Waitakere Ranges Protection Project subject to information provided at the community consultation workshops at the April 2004 meetings.

CARRIED

10 ALTERATION OF STATE HIGHWAY 16 DESIGNATION - UPPER HARBOUR CORRIDOR

616/2004

MOVED by Cr Presland, seconded Cr Nash:

1. That the Alteration Of State Highway 16 Designation - Upper Harbour Corridor 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 for works associated with the operation of the motorway and consequent changes to the Brigham Creek Road Interchange Works.
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

11 PROPOSED RESOLUTION OF APPEAL - SH16/18

617/2004

MOVED by Cr Nash, seconded Cr Brady:

1. That the Proposed Resolution of Appeal - SH16/18 report be received.
2. That Council's solicitors be instructed to withdraw the appeal lodged in relation to Transit New Zealand's SH16/18 project.

CARRIED

12 GREEN NETWORK COMMUNITY ASSISTANCE PROGRAMME UPDATE REPORT

618/2004

MOVED by Cr Nash, seconded Cr Fenton:

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

CARRIED

PART V - CONFIDENTIAL ITEM

13 HENDERSON VINEYARDS BUSINESS CAMPUS - UNIVERSAL DRIVE EXTENSION

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

619/2004

MOVED by Cr Nash, seconded Cr Presland:

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

12.22 pm The public were excluded.

Minute Numbers 620/2004 - 621/2004 are recorded in the Confidential Section of these Minutes.

12.40 pm The public were readmitted.

RESTATEMENT

The Committee resolved while the public were excluded (Moved by Cr Clews, seconded Cr Fenton) (resolution 621/2004) *“That the Henderson Vineyards Business Campus - Universal Drive Extension report and resolution 620/2004 remain confidential until further notice”*.

12.41 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:.....