

**MINUTES OF AN ORDINARY MEETING OF THE ENVIRONMENTAL MANAGEMENT
COMMITTEE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE,
LINCOLN, WAITAKERE CITY, ON TUESDAY, 12 FEBRUARY 2002,
COMMENCING AT 9.05 AM.**

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PRESENT: Councillors PA Hulse (Chairperson)
DA Yates, JP (Deputy Chairperson)
DQ Battersby, JP
BA Brady, JP
RP Dallow, QPM, JP (until 11.13 am)
AC Fenton
OE Hoskin, JP (from 9.20 am)
JP Lawley
GE Nash, JP
GB Presland (until 10.25 am)
GW Russell
CA Stone
VS Neeson, JP

OBSERVERS: Ms GPJ Marshall (New Lynn Community Board)

IN ATTENDANCE: Director: Strategic Group
Manager: Field Service
Manager: Transport Strategy
Manager: Policy Development
Manager: Operations Support
Service Manager: Resource Management & Building
District Plan Co-ordinator (Acting)
Landscape Planning Co-ordinator
Senior Public Affairs Advisor
Corporate Secretary: G Wakefield
Policy Analyst: A Hughes
Service Planner: E Shields
Resource Planner: B Allerby
Committee Secretary: S Hargis

1 APOLOGIES

131/2002
MOVED by Cr Fenton, seconded Cr Neeson:

That apologies from Cr Clews for absence and Cr Hoskin for lateness be received and sustained.

CARRIED

2 URGENT BUSINESS

There was no Urgent Business.

3 CONFIRMATION OF MINUTES

132/2002

MOVED by Cr Fenton, seconded Cr Presland:

That the minutes of the Ordinary Meeting of the Environmental Management Committee held on Tuesday, 11 December 2001, as circulated, be taken as read and now be confirmed.

CARRIED

4 DEPUTATION

9.07 am A Muir and B Ward on behalf of Water Safety New Zealand Incorporated made a presentation regarding fencing of swimming pools.

133/2002

MOVED by Cr Brady, seconded Cr Dallow:

1. That the information be received.
2. That the Chief Executive report to this Committee on lockable covers on spa pools.

CARRIED

9.20 am Cr Hoskins entered the meeting.

5 PRESENTATION

CONTAMINATION ON HORTICULTURAL SITES

9.25 am S Gaw of the Auckland Area Health Board and S Vujnovich of the Auckland Regional Council made a presentation on contamination on Horticultural Sites.

10.10 am Cr Brady left the meeting.

10.13 am Cr Brady returned to the meeting.

134/2002

MOVED by Cr Hulse, seconded Cr Brady:

That a letter be sent to the Auckland Regional Council asking that a meeting be convened of five territorial local authorities in the region, the Auckland Regional Council and Public Health on the issue of contaminated soils, to receive an update on the work of the Regional Liaison Group and to agree to the next steps and responsibilities.

CARRIED

6 CONTAMINATION IN HORTICULTURAL SOILS

135/2002

MOVED by Cr Yates, seconded Cr Russell:

That the information be received.

CARRIED

PRECEDENCE OF BUSINESS

136/2002

MOVED by Cr Nash, seconded Cr Fenton:

That Item 11: Update on Babich Appeals - Soil Contamination be accorded precedence at this time.

CARRIED

PART II - DISTRICT PLAN / STRUCTURE PLANS

11 UPDATE ON BABICH APPEALS - SOIL CONTAMINATION

137/2002

MOVED by Cr Dallow, seconded Cr Yates:

1. That the information be received.
2. That Council officers assist the landowners in the Babich concept plan area with obtaining the necessary technical assessment to satisfy the Auckland Regional Council's requirement for additional information regarding the extent of soil contamination and possible remediation measures.
3. That Council confirms its view that financial responsibility for providing the additional information required by the Auckland Regional Council rests with the landowners.

CARRIED

PRECEDENCE OF BUSINESS

138/2002

MOVED by Cr Fenton, seconded Cr Brady:

That Item 15: Painted Apple Moth Update Report from the Ministry of Agriculture and Forestry be accorded precedence at this time.

CARRIED

PART III - ENVIRONMENTAL MANAGEMENT

15 PAINTED APPLE MOTH UPDATE REPORT FROM THE MINISTRY OF AGRICULTURE AND FORESTRY

10.20 am Dr R Frampton and M Crawford of the Ministry of Agriculture and Forestry gave a presentation on the Painted Apple Moth.

10.25 am Cr Presland left the meeting.

10.40 am Cr Neeson left the meeting.

10.42 am Cr Battersby left the meeting.

10.43 am Cr Neeson returned to the meeting.

10.45 am Cr Battersby returned to the meeting.

139/2002

MOVED by Cr Hoskin, seconded Cr Dallow:

That a communication strategy be prepared.

CARRIED

140/2002

MOVED by Cr Russell, seconded Cr Fenton:

That the information be received.

CARRIED

141/2002

MOVED by Cr Fenton, seconded Cr Nash:

That the Ministry of Agriculture and Forestry and Auckland District Health Board be requested to provide practical advice to schools or detail measures they will take to avoid spraying children walking to school.

CARRIED

142/2002

MOVED by Cr Fenton, seconded Cr Brady:

That the Council supports the Painted Apple Moth Community Advisory Group, that the Ministry of Agriculture and Forestry and the Auckland District Health Board be requested to revise the health support process to include free access to urgent medical treatment for people including school students if they believe that they have been adversely affected by the aerial spraying of Btk.

CARRIED

143/2002

MOVED by Cr Nash, seconded Cr Fenton:

That the Ministry of Agriculture and Forestry be requested to prepare revised health impact assessment and environmental impact assessment reports to include the issues surrounding blanket spraying.

CARRIED

144/2002

MOVED by Cr Fenton, seconded Cr Yates:

That the Ministry of Agriculture and Forestry be requested to prepare both an environmental impact assessment report and a health impact assessment report on Decis Forte as soon as possible.

CARRIED

145/2002

MOVED by Cr Yates, seconded Cr Stone:

That the Ministry of Agriculture and Forestry be requested to use only Btk in ground spraying operations on Waitakere City Council reserves, with the exception of painted apple moth finds on inanimate objects.

CARRIED

146/2002

MOVED by Cr Fenton, seconded Cr Yates:

That the Council support the Painted Apple Moth Community Advisory Group, that the Ministry of Agriculture and Forestry be requested to urgently pursue the results of the thyroid cluster before any further aerial spraying progresses.

CARRIED

147/2002

MOVED by Cr Yates, seconded Cr Nash:

That the Waitakere Quarry be included as an area for regular monitoring by the Ministry of Agriculture and Forestry, recognising that trucks from the quarry cover wide areas of the region and could provide a means of distribution of female moths and larvae on vegetation and/or other materials.

CARRIED

ADJOURNMENT

148/2002

MOVED by Cr Battersby, seconded Cr Fenton:

That the meeting stand adjourned until 11.35 am.

CARRIED

11.13 am The meeting adjourned.

11.40 am The meeting reconvened. Crs Battersby, Brady, Dallow, Lawley and Stone were not present.

The Order of Business resumed at Item 7: Legal Update (as at 4 February 2002).

PART I - REGULATORY / ENFORCEMENT

7 LEGAL UPDATE (AS AT 4 FEBRUARY 2002)

149/2002

MOVED by Cr Nash, seconded Cr Hoskin:

That the information be received.

CARRIED

11.44 am Crs Lawley and Brady returned to the meeting.

11.45 am Cr Battersby returned to the meeting.

8 ALTERNATIVES TO PROSECUTION

150/2002

MOVED by Cr Yates, seconded Cr Russell:

1. That the information be received.
2. That an appropriate pamphlet on the new diversion process be specifically designed for distribution to persons where initial investigation into breaches of the Resource Management Act or Building Act have identified that the criteria for the diversion scheme are likely to be met.
3. That part two of resolution 2845/2001:

“2. That a copy of the Council supplementary paper titled “Alternatives to Prosecution” dated 15 June 1999 and a copy of this resolution be provided to all persons being investigated for breaches of the Resource Management Act or the Building Act.”

2845/2001

be revoked pursuant to Standing Order 27.18.

4. That the specifically designed pamphlet on the diversion process be provided to persons where initial investigation into breaches of the Resource Management Act or Building Act have identified that the criteria for the diversion scheme are likely to be met.

CARRIED

11.47 am Cr Stone returned to the meeting.

11.55 am Cr Russell left the meeting.

PART II - DISTRICT PLAN / STRUCTURE PLANS

9 DISTRICT PLAN APPEALS UPDATE TABLE

151/2002

MOVED by Cr Fenton, seconded Cr Neeson:

That the information be received.

CARRIED

152/2002

MOVED by Cr Yates, seconded Cr Fenton:

That as part of Council's position with regard to the Titirangi-Laingholm subdivision issue, Council make it clear that it accepts the finding of the Titirangi-Laingholm Subdivision Study (Little Muddy Creek Report) that the area is generally unsuitable for development.

CARRIED

10 REVIEW OF WINERY SPECIAL AREAS

153/2002

MOVED by Cr Stone, seconded Cr Hoskin:

1. That the information be received.
2. That Council review the Winery Special Area Rules together with industry representatives when the Proposed Plan becomes operative.

CARRIED

11 UPDATE ON BABICH APPEALS - SOIL CONTAMINATION

This item was considered following Item 6: Contamination in Horticultural Soils.

12 REVIEW OF MANAGED NATURAL AREAS APPEALS

154/2002

MOVED by Cr Nash, seconded Cr Yates:

1. That the information be received.
2. That the Inlet Developments and Medial Holdings appeals be handled comprehensively as part of the subdivision in the Waitakere Ranges group of appeals.
3. That the Committee receive updates on the Kitewaho Bush Reserve strike-out proceedings and negotiations on Managed Natural Area criteria.
4. That Council settle the Kostanich appeal by consent order.
5. That a report be brought back to this Committee on a Plan Change to the Natural Areas Maps once the Proposed District Plan is operative.

CARRIED

13 ALTERATION OF SH18 DESIGNATION - BUCKLEY AVENUE

155/2002

MOVED by Cr Nash, seconded Cr Hoskin:

1. That the information be received.
2. That the Council confirm that it agrees with the alteration to the designation in its role as landowner and in its role as territorial authority in accordance with Section 181(3) of the Resource Management Act.
3. That the Council recommend to Transit New Zealand that the alteration to the designation be confirmed without modification.

CARRIED

PART III - ENVIRONMENTAL MANAGEMENT

14 CLIMATE CHANGE

156/2002

MOVED by Cr Fenton, seconded Cr Brady:

That the information be received.

CARRIED

157/2002

MOVED by Cr Stone, seconded Cr Lawley:

That Councillor Hulse, as Chair of the Environmental Management Committee, attend the Climate Change workshop, "Coping with Climate Change Impacts" hosted by Local Government New Zealand in Wellington, and that this decision be forwarded to Council for confirmation.

CARRIED

15 PAINTED APPLE MOTH UPDATE REPORT FROM THE MINISTRY OF AGRICULTURE AND FORESTRY

This item was considered following Item 11: Update on Babich Appeals - Soil Contamination.

12.25 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:.....