

**MINUTES OF AN ORDINARY MEETING OF THE ENVIRONMENTAL MANAGEMENT
COMMITTEE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE,
LINCOLN, WAITAKERE CITY, ON TUESDAY, 7 OCTOBER 2003,
COMMENCING AT 9.39 AM.**

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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, 7 OCTOBER 2003, COMMENCING AT 9.39 AM.

<u>PRESENT:</u>	Councillors	PA	Hulse (Chairperson)
		DA	Yates, JP (Deputy Chairperson)
		DQ	Battersby, JP
		BA	Brady, JP
		JM	Clews, QSO, JP (until 11.15 am)
		RP	Dallow, QPM, JP (until 11.15 am)
		AC	Fenton
		OE	Hoskin, MNZM, JP (until 10.51 am)
		JP	Lawley (until 11.03 am)
		VS	Neeson, JP
		GB	Presland
		GW	Russell, JP (from 9.55 am until 11.15 am)
		CA	Stone

IN ATTENDANCE: Group Manager: City Development Projects
Assets and Network Manager
Legal Services Manager
Manager: Public Affairs
Manager: Field Services
Partnerships and Advocacy Leader, Environmental
Team Manager: Environmental Compliance
Project Manager: Sustainability Projects
Landscape Planning Co-ordinator
Planner: Policy Implementation: A Blakey
Planner: Policy Implementation: A Hughes
Security Manager
Solicitor: S Grounds
Contract Solicitor: B McDonald
Landscape Community Project Coordinator
Committee Secretary: O Schuster

1 **APOLOGIES**

2072/2003

MOVED by Cr Neeson, seconded Cr Clews:

That apologies from Mayor Bob Harvey and Cr Nash for absence and Cr Russell for lateness be received and sustained.

CARRIED

2 **URGENT BUSINESS**

There was no Urgent Business.

3 CONFIRMATION OF MINUTES

2073/2003

MOVED by Cr Fenton, seconded Cr Neeson:

That the minutes of the Ordinary Meeting of the Environmental Management Committee held on Tuesday, 9 September 2003, as circulated, be taken as read and now be confirmed.

CARRIED

PART I - REGULATORY / ENFORCEMENT

4 LEGAL UPDATE (AS AT 25 SEPTEMBER 2003)

2074/2003

MOVED by Cr Yates, seconded Cr Presland:

That the information be received.

CARRIED

5 INTERNET CAFES - APPLICATIONS FOR EXTENDED HOURS OF OPERATION

2075/2003

MOVED by Cr Lawley, seconded Cr Yates:

1. That the information be received.
2. That dispensation from compliance to Clause 14 of Waitakere City Council Bylaw No. 20 1990 Amusement Galleries, be conferred to Internet Cafes, providing them consent to open on a Sunday between the hours of 7.30 am and 11.00 pm, excluding any days during which they are required to be closed by statute.
3. That a code of practice for the proper and satisfactory operation and management of Internet Cafes be developed by Council, in consultation with Internet Cafe operators, the Police and any other interested parties.
4. That the applications for dispensation from compliance to Clause 14 of Waitakere City Council Bylaw No. 20 1990 Amusement Galleries, lodged by the following applicants be approved, conferring to them consent to open 24-hours a day 7-Days a week, excluding any days during which the premises are required to be closed by statute, and subject to the conditions; that no person under the age of 16 be permitted on the premises after 11.00 pm Sunday to Thursday, unless they are accompanied by their parent or guardian, and that a code of practice for the proper and satisfactory operation and management of Internet Cafes be developed prior to the renewal of the Amusement Gallery licence:

Mark Kelly, Warp 9, Shop 307A Lynnmall Shopping Centre, New Lynn
Jiang Huan and Yi Lui, Red Star, 3134 Great North Road, New Lynn
Zenith Internet Bar, Shop W523 Lynnmall Shopping Centre, New Lynn
5. That the applications for dispensation from compliance to Clause 14 of Waitakere City Council Bylaw No.20 1990 Amusement Galleries, lodged by the following applicants be declined:

Jianyi Wei, W.net Cafe, 1/326 Great North Road, Henderson
Bruce Wang, X-net Cafe, 26B Delta Ave, New Lynn

6. That subject to recommendation 3, that it be a condition of any approval for dispensation from compliance to Clause 14 of Waitakere City Council Bylaw No. 20 1990 Amusement Galleries, by Internet Cafes, that they adopt the code of practice for the proper and satisfactory operation and management of Internet Cafes developed by Council, in consultation with Internet Cafe operators, the Police and any other interested parties.

CARRIED

2076/2003

MOVED by Cr Dallow, seconded Cr Brady:

That any exemption granted to Internet Cafes from the requirements of Clause 14 of Waitakere City Council Bylaw No. 20 1990 Amusement Galleries, be subject to annual renewal. The exemption renewal shall occur at the same time as the annual renewal of the amusement gallery licence issued to Internet Cafes and be conditional on the satisfactory implementation of an compliance with, the code of practice for the proper and satisfactory operation and management of internet cafes adopted by Council during, the preceding licensing year.

CARRIED

10.04 am Cr Brady left the meeting.

6 APPLICATION FOR DISPENSATION FROM REQUIREMENT OF BYLAW RELATING TO MOBILE TRADERS

2077/2003

MOVED by Cr Battersby, seconded Cr Dallow:

1. That the information be received.
2. That an exemption from compliance to Clause 417.2 Bylaw No. 4 Chapter 4: 1972 - Mobile or Travelling Shops, and Hawkers and Itinerant Traders, be granted to Bean n Gone Limited, to allow the establishment of a mobile shop coffee cart at 120 Hobsonville Road, in accordance with the application dated 14 August 2003 and on the condition that this undertaking gains the necessary resource consent and complies with all other requirements of the Bylaw.
3. That the exemption be renewable annually subject to the satisfactory operation of the undertaking.

CARRIED

10.08 am Cr Brady returned to the meeting.

7 UNITEC BILLIARD - APPLICATION FOR EXTENDED HOURS OF OPERATION

2078/2003

MOVED by Cr Presland, seconded Cr Clews:

1. That the information be received.
2. That the application for dispensation from compliance to Clause 14 of Waitakere City Council Bylaw No.20 1990 Amusement Galleries, lodged by Unitec Billiard situated at 17 Railside Avenue, Henderson be approved, conferring to them consent to open from 12.00pm to 3.00am the following day, Monday to Sunday, excluding any days during which the premises are required to be closed by statute.
3. That the exemption shall be subject to the following conditions:
 - a) The exemption may be revoked at any time should the operation of the premises prove unsatisfactory.
 - b) The exemption shall be renewed annually subject to the satisfactory operation of the premises.

CARRIED

8 SUBMISSION ON THE BUILDING BILL

2079/2003

MOVED by Cr Dallow, seconded Cr Battersby:

1. That the information be received.
2. That authority be given to the Chairperson of the Environmental Management Committee to sign the final submission on the Building Bill.

CARRIED

2080/2003

MOVED by Cr Presland, seconded Cr Russell:

That the Chief Executive be requested to prepare a report on Waitakere City Council's treatment and recording of unauthorised or unpermitted work on residential premises, for consideration by the Environmental Management Committee, at its meeting scheduled to be held on Tuesday, 11 November 2003.

CARRIED

PART II - DISTRICT PLAN / STRUCTURE PLANS

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

2081/2003

MOVED by Cr Clews, seconded Cr Fenton:

1. That the information be received.
2. That pursuant to Clause 16A of the First Schedule to the Resource Management Act 1991, the Environmental Management Committee resolve to publicly notify the Proposed Plan Change relating to Ambrico Reserve to the Waitakere City District Plan to re-identify the site from Working Environment to Open Space Environment in the District Plan, as attached at pages A72 to A88 to the Agenda report.

CARRIED

10 HEARING FOR PROPOSED PLAN CHANGE 5 - RE-IDENTIFICATION OF FORMER STOPPED ROADS IN PIHA FROM TRANSPORT ENVIRONMENT TO OPEN SPACE ENVIRONMENT

2082/2003

MOVED by Cr Yates, seconded Cr Dallow:

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 5 to the Waitakere City District Plan, to re-identify the following parcels of land (areas of land shown in Sections 1 and 2 on Survey Office Plan 70265, Section 1 on Survey Office Plan 70241, Sections 1 & 2 on Survey Office Plan 70252 and Section 1 of Survey Office Plan 70155) from Transport Environment to Open Space Environment, as attached at pages A89 to A99 to the Agenda report.
3. That a decision notice stating approval of Plan Change 5 be publicly advertised on or about 14 October 2003.
4. That, Plan Change 5 be publicly notified on, or about 5 November 2003 to become operative.

CARRIED

11 AGENDA REPORT FOR HEARING FOR PROPOSED PLAN CHANGE 6 - RE-IDENTIFICATION OF BURBERY RESERVE FROM TRANSPORT ENVIRONMENT TO OPEN SPACE ENVIRONMENT

2083/2003

MOVED by Cr Presland, seconded Cr Clews:

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 6 to the Waitakere City District Plan to re-identify the following parcels of land (areas of land shown in Section 1 on Survey Office Plan 69923 adjoining Lot 12 DP48606 CT5C/077) from Transport Environment to Open Space Environment, as attached at pages A101 to A112 to the Agenda report.

3. That a decision notice, stating approval of Plan Change 6, be publicly advertised on or about 14 October 2003.
4. That Plan Change 6 be publicly notified on, or about 5 November 2003 to become operative.

CARRIED

12 **REVIEW OF NEW LYNN TOWN CENTRE COMMUNITY ENVIRONMENT BOUNDARIES**

2084/2003

MOVED by Cr Dallow, seconded Cr Brady:

1. That the information be received.
2. That further work continue to investigate options for expanding the Community Environment and/or Community Periphery Environment in New Lynn be undertaken and reported back to the December meeting of the Environmental Management Committee. Such work should include:
 - an analysis of traffic impacts;
 - investigating employment issues and the effects on the amount of industrial land available in the City;
 - other possible uses for the land and implications for Growth Strategy targets;
 - likely impacts if no retail expansion is allowed for;
 - potential adjustments to the Community Periphery Environment rules to better reflect urban design outcomes.
3. That further work City wide be undertaken to look at options for accommodating the significant retail pressure which currently exists within the City and that this be reported back to the Environmental Management Committee.
4. That a workshop be arranged for the Environmental Management Committee in the near future to discuss issues around the New Lynn Town Centre Community Environment Boundaries.

CARRIED

10.51 am Cr Hoskin left the meeting.

PRECEDENCE OF BUSINESS

2085/2003

MOVED by Cr Dallow, 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

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

11.03 am Cr Lawley left the meeting.

2086/2003
MOVED by Cr Neeson, seconded Cr Russell:

That the information be received.

CARRIED

ADJOURNMENT

2087/2003
MOVED by Cr Dallow, seconded Cr Neeson:

That the meeting stand adjourned until 11.30 am.

CARRIED

11.15 am The meeting adjourned.

11.35 am The meeting reconvened. Crs Clews, Dallow, Lawley and Russell were not present.

The Order of Business resumed at Item 13: Huia Village Water Supply.

PART III - ENVIRONMENTAL MANAGEMENT

13 **HUIA VILLAGE WATER SUPPLY**

2088/2003
MOVED by Cr Yates, seconded Cr Brady:

1. That the report on the Huia Village Water Supply be received.
2. That Watercare Services Limited be advised that the Environmental Management Committee supports the requests of the majority of local residents, that fluoride not be added to the Huia Water Supply and that this issue be reviewed with the local community in two years time.

CARRIED

14 **WAITAKERE RANGES PROTECTION - CONSULTATION UPDATE**

2089/2003
MOVED by Cr Fenton, seconded Cr Yates:

That the information be received.

CARRIED

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

This item was considered following Item 12: Review Of New Lynn Town Centre Community Environment Boundaries.

16 **BIODIVERSITY PROTECTION ON PRIVATE LAND - COVENANTING AND THE GREEN NETWORK COMMUNITY ASSISTANCE PROGRAMME**

2090/2003

MOVED by Cr Brady, seconded Cr Presland:

1. That the information be received.
2. That a Green Network Conservation Covenant agreement be prepared as described in this report in accordance with Section 77 of the Reserves Act 1977.
3. That the Chief Executive be authorised to negotiate a joint Conservation Covenant agreement with the Queen Elizabeth II National Trust.
4. That the Chief Executive be authorised to enter into Covenant Agreements on the recommendation of the Legal Services Manager.
5. That a six monthly progress report on the Green Network Community Assistance Programme be brought back to the Environmental Management Committee.

CARRIED

12.20 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:.....