

WAITAKERE CITY COUNCIL



AGENDA FOR AN ORDINARY MEETING OF THE ENVIRONMENTAL MANAGEMENT
COMMITTEE TO BE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE,
LINCOLN, WAITAKERE CITY, ON TUESDAY, 13 APRIL 2004,
COMMENCING AT 9.30 AM.

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1 APOLOGIES



2 URGENT BUSINESS

Section 46A(7) and (7A) of the Local Government Official Information Act and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the item is a minor matter; and
- (ii) the Chairperson has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting; and
- (iii) the Committee resolves to deal with the item.

No resolution, decision, or recommendation may be made in respect of the item except to refer the item to a subsequent meeting for further discussion.

NOTE: Urgent Business need not be dealt with now and may be delayed until later in the meeting.



3 CONFIRMATION OF MINUTES

Ordinary - Tuesday, 9 March 2004

RECOMMENDATION

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.



PART I - PRESENTATION

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



PART II - REGULATORY / ENFORCEMENT

4 X NET CARE - APPLICATION FOR EXTENDED HOURS OF OPERATION

PURPOSE OF THE REPORT

To present to the Environmental Management Committee an application from Xnet Cafe for dispensation from Clause 4 to Council's Bylaw No. 20 1990 - Amusement Galleries.

BACKGROUND

Xnet Café is an Internet café situated at 26B Delta Avenue in New Lynn.

Following a request from the Henderson Community Board meeting of 3 April 2003, a report was presented to the 08 July 2003 Meeting of the Environmental Management Committee on regulations applicable to Internet Cafes.

This report concluded that personal computers provided in Internet Cafes are used for electronic games of skill and amusement such that Internet Cafes will fall within the scope and controls of Waitakere City Council Bylaw No. 20 1990.

Field Services staff initiated a process of directing the existing Internet Cafes within the City, to meet the requirements of Bylaw No. 20, culminating in a report to 7 October 2003 Meeting of the Environmental Management Committee where applications from internet cafes for dispensation from the restrictions on the hours of operation contained in Bylaw 20 were considered.

An application by Xnet Café for 24 hour 7 days a week operation was considered by the Committee at that time and subsequently declined. The report on that application highlighted that the premise as a badly run establishment, being frequented by youth gangs and were associated with disorder and truancy. Concerns were also raised by the New Lynn Village Business Association, relating to the anti-social activities that took place around the premises.

The Xnet Café now wishes to reapply for dispensation from the hours of operation of Bylaw No. 20.

STRATEGIC CONTEXT

Internet Cafes have a major role in providing easy and economical public access to the Internet.

However, these positives must be balanced against negative issues, which can be associated with some Internet Cafés, while at the same time, ensuring that public access to the Internet is facilitated.

ISSUES

Problems associated with some Internet Cafes primarily relate to issues highlighted by the Police. These issues fall under the general category of minor criminal offending, disorderly behaviour, alcohol, drug use, gangs and underage youth frequenting the premises at all hours of the day and night. Bylaw 20 has no power to control or resolve the underlying socio-economic causes of these problems.

Clause 14 to Bylaw 20 requires that an amusement gallery may only be open between 7.30 am and 11.00 pm Monday to Saturday inclusive, and that the premises must be closed outside these hours including the whole of Christmas Day, Good Friday and every Sunday.

A resolution passed at 7 October Meeting of the Environmental Management Committee provided dispensation to Internet Cafes to permit them to open on Sundays between the hours of 7.30 am and 11.00 PM.

By restricting the hours of operation of Internet Cafes, Bylaw 20 indirectly controls the hours and location where these problems will manifest. If there were no Internet Cafés, these problems would more than likely still exist.

Further controls stipulated in the Bylaw include a prohibition on intoxicated persons or persons under the influence of drugs from entering or remaining on the premises, and a ban on patrons under the age of 15 years remaining on the premises during normal school hours.

Bylaw 20 allows for application to Council for consent to remain open outside the restricted hours of the Bylaw. Any such consent may be given subject to such conditions as Council may impose and may be revoked by Council at any time.

ASSESSMENT OF APPLICATION

A1-A12 The Xnet Café application is attached at page A1 to A12.

Mr Bruce Wang, the applicant, advises that the Xnet Cafe requires dispensation to open 24-hours a day 7-days a week to compensate for the time difference between New Zealand and most Asian countries, and to ensure the financial viability of the business.

Mr Wang asserts that the Xnet Café has instigated vast improvements since last October, including: frequent and rigorous checking of customers to ensure there are no truants or youth gang members on the premises and no one under 16 years after 10.00 pm; the installation of security cameras; the installation of a signature security system; maintaining a close working relationship with the Police and neighbouring businesses; and planning the employment of a security guard.

A13-A14 The Waitakere Police have reported that they have found Xnet Café to be operating in breach of its current operating requirements on several occasions. The Police reports are attached at pages A13 to A14. These instances are briefly tabulated below:

Date	Time	Observations
Thursday, 15 January 2004	12.45 am	Premises open outside its operating hours. 15-20 people present on the premises.
Friday, 16 January 2004	12.35 am	Premises open outside its operating hours. 15-20 people present on the premises.
Thursday, 22 January 2004	11.15 pm	Premises open outside its operating hours. 16 people present. A staff member advised the Police that they were aware they had to close at 11.00 pm and was just getting everyone out. A drive by at 11.30 pm revealed the premises to be closed.
Friday, 23 January 2004	11.35 pm	Premises open outside its operating hours. 6 People present. The manager Bruce Wang admitted to the Police to being open past the required closing time. A drive by at 11.50 pm revealed the premises to be closed.
Friday, 5 March 2004	11.00 am	A truant in full Kelston Boys High School uniform found on the premises. Truant returned to school. The staff member present stated that they did not realise the child was a schoolboy.

Following the reported breaches of 15 and 16 January 2004, Council wrote to Mr Wang, advising him of the reported breaches, reminding him of the requirements of Bylaw 20 and requesting an explanation for these breaches.

Mr Wang advised that the breaches of the operating hours restrictions were a result of their practise of waiting until the patrons had finished what they were doing on the computers before ushering them from the premises. Mr Wang also confirmed that the truant being on the premises during school hours was a result of a staff member not recognising clothing to be a school uniform.

CONCLUSION

Six months have elapsed since the Committee declined the initial application by the Xnet Café for dispensation.

During this time, the Xnet Café had ample opportunity to demonstrate its ability to operate within the rules and in a manner that provides a positive benefit to the community.

The Xnet Café has demonstrated that it has been unable to abide by the current rules and has not been able to eliminate clearly identifiable truants from the premises.

RECOMMENDATIONS

1. That the X Net Care - Application for Extended Hours of Operation report 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 the Bruce Wang of the Xnet Café situated at 26B Delta Avenue, New Lynn, be declined, and that leave to reapply for such dispensation be permitted only after the expiry of six months from the date of this meeting.

Report prepared by: Alan Ahmu, Team Manager: Environmental Compliance.



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

PURPOSE OF THE REPORT

This report addresses the issues that relate to Proposed Plan Change 8. The Proposed Plan Change relates to the automatic re-zoning of land as a result of subdivision to either Transport Environment or Open Space Environment.

This report sets out the statutory process requirements and the policy and non-statutory framework relevant to plan changes. Furthermore, the report addresses Section 32 issues and provides an analysis of submissions received.

BACKGROUND

The Proposed Plan Change is a method for allowing land newly vested in Council as road or reserve to be classified as being within the Transport Environment or Open Space Environment. The Proposed Plan Change proposes that the Human Environments identification will only change to either Transport Environment or Open Space Environment without further formality when land is vested in Council as road or reserve as a result of subdivision. The Plan Change alters the definitions of the Transport Environment and Open Space Environment in the Citywide Rules Section, Volume 1 of the District Plan and creates a new Citywide rule to re-zone land vested as road or reserve.

The Environmental Management Committee resolved at their September 2003 meeting:

“That pursuant to Clause 16A of the First Schedule to the Resource Management Act 1991, the Environmental Management Committee resolves to publicly notify Proposed Plan Change 8 to the Operative Waitakere City District Plan as attached at page A9 in the Agenda.”

1885/2003

STATUTORY REQUIREMENTS

Resource Management Act

The Resource Management Act 1991 (the Act) provides a legislative framework for the sustainable management of natural and physical resources in New Zealand. The purpose of the Act is to promote the sustainable management of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being, and for their health and safety. Part II (Sections 5-8) sets out the purpose and principles of the Act.

Section 5(2) defines the purpose of the Act, sustainable management as:

“managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while -

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

Section 6 of the Act relates to 'Matters of National Importance.' 'Matters of national importance' include:

- “(a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development;*
- (b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development;*
- (c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
- (d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;*
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;*
- (f) The protection of historic heritage from inappropriate subdivision, use, and development.”*

Section 7 relates to 'Other Matters. Particular regard must be given to:

- “(a) Kaitiakitanga;*
- (aa) The ethic of stewardship;*
- (b) The efficient use and development of natural and physical resources;*
- (c) The maintenance and enhancement of amenity values;*
- (d) Intrinsic values of ecosystems;*
- (e) Repealed;*
- (f) Maintenance and enhancement of the quality of the environment;*
- (g) Any finite characteristics of natural and physical resources;*
- (h) The protection of the habitat of trout and salmon.”*

Section 8 requires that managing the use, development and protection of natural and physical resources, takes into account the principles of the Treaty of Waitangi.

Council's functions are outlined in Section 31 as the control of actual and potential effects off the use, development or protection of land and associated natural and physical resources in order to achieve the purpose of the Act. Council is to establish, implement and review objectives, policies and methods to achieve this and can also include rules, which prohibit, regulate or allow activities. The District Plan is a tool to assist Council in achieving its function. Section 31 of the Act outlines Council's functions as follows:

- “(a) The establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district;*
- (b) The control of any actual or potential effects of the use, development, or protection of land, including for the purpose of -*
 - (i) the avoidance or mitigation of natural hazards; and*
 - (ii) the prevention or mitigation of any adverse effects of the storage, use, disposal or transportation of hazardous substances;*
 - (iii) the maintenance of indigenous biological diversity;*
- (c) The control of the subdivision of land -*
 - (i) The control of the emission of noise and the mitigation of the effects of noise;*

- (j) *The control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes;*
- (k) *Any other functions specified in this Act."*

The purpose of a district plan as outlined in section 72 of this Act is to assist Council to carry out its functions. Section 74(1) of the Act is the statutory basis on which Council undertakes changes to its plan. Section 74(1) states that:

"A territorial authority shall prepare and change its district plan in accordance with its functions under section 31, the provisions of Part II, its duty under Section 32, and any regulations."

The Section 32 analysis undertaken as part of Proposed Plan Change 8 considered that the introduction of the new rule and altered definitions was the most efficient and effective method of ensuring that roads and reserves that are vested with Council following subdivision can be re-classified to either Transport Environment or Working Environment.

Therefore before adopting an objective, policy or rule or other method in the District Plan a rigorous assessment under Section 32 of the Act must be carried out. Section 32(3-6) states:

- "(3) *An evaluation must examine-*
 - (a) *the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
 - (b) *whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*
- (4) *For the purposes of this examination, an evaluation must take into account-*
 - (a) *the benefits and costs of policies, rules, or other methods and*
 - (b) *the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*
- (5) *The person required to carry out an evaluation under subsection (1) must prepare a report summarising the evaluation and giving reasons for that evaluation.*
- (6) *The report must be available for public inspection at the same time as the document to which the report relates is publicly notified or the regulation is made."*

The evaluation identified a number of options available to Council including the Proposed Plan Change, the status quo, a 'do nothing' approach or undertaking a series of Plan Changes over the 10 year life of the District Plan. The alternatives to the Proposed Plan Change were not considered to be efficient or effective as they would either challenge the integrity and accuracy of the District Plan or have a cumulative financial cost to the Council through a need for regular Plan Changes to the Maps Section. The evaluation concluded that the Plan Change was considered to be the best option available as it would have a one-off cost associated with it but would provide greater certainty to the general public and other third parties who rely on the accuracy of the District Plan. Only one party made submissions to the Proposed Plan Change. This party did not challenge the Section 32 analysis but has sought specific changes to the rules and definitions. This is further outlined in the discussion of submissions.

District Plan Provisions

Open Space is described in the policy section of the District Plan as "...the areas of publicly owned open space ranging from the large park areas in the Waitakere Ranges to the small local parks in the urban area".

There are several policies relating to esplanade reserves and subdivision design. For example policy 2.13 states:

"Subdivision design should:

- *Provide a level of protection of significant and outstanding native vegetation and fauna habitat, and restoration areas, that, where possible avoids clearance of, and damage to, this resource;*
- *Minimise adverse effects arising from subsequent placement of structures, roads, and other infrastructure, on the overall resilience, biodiversity and integrity of the Green Network;*
- *Minimise adverse effects during the course of establishing the subdivision, including those arising from surveying;*
- *Provide for the recognition of the natural values of native vegetation and fauna habitat and linkages between these areas.*
- *Provide for an esplanade reserve or esplanade strip of 20m in width where subdivision of sites adjacent to the coast, river or lake occurs and it is considered that the protection of native vegetation and fauna habitat would benefit from public ownership or a legal protection covenant."*

This policy is aimed at protecting native vegetation and ensuring that good subdivision design is sympathetic to natural features on site.

Policy 4.4 states:

"Roads should be designed and constructed in a way which minimises the adverse effects of motor vehicle emissions on air. This means reducing motor vehicle trip lengths and numbers, and alleviating congestion:

- *Through appropriate traffic control; and,*
- *By creating a roading pattern which maximises connections within and between local neighbourhoods, shops, schools, community facilities, recreation areas and town centres, taking into account natural topographic features; and,*
- *By designing and constructing roads in a way which facilitates the use of alternative modes of transport that are less polluting than the private motor vehicle, such as passenger transport, cycling and walking."*

The roading network has developed to service the public's need to access amenities. Taken together, the policies in the Plan are expected to result in a compact city form with access to facilities such as parks and public transport.

Policy 10.7 states:

“New public and semi-public spaces should be designed in a way that ensures the safety of all users and, in particular, should provide for:

- *Overlooking (surveillance) of public and semi-public spaces from surrounding buildings during the day and where possible at night;*
- *Direct and efficient movement routes through such spaces;*
- *Adequate signage indicating connections with other routes, and the location of the space within the surrounding area for public reserves, walkways, and within Community Environments;*
- *Adequate lighting;*
- *Integration of pedestrian systems with vehicle routes;*
- *The minimisation of any physical barrier to the reasonable movement of people within any public space.”*

This policy was adopted to ensure that new buildings are designed and located around public and semi-public spaces in a way that avoids adverse impacts on the safety and mobility of users. It also sets out those key factors, which are relevant to achieving safe spaces.

Policy 11.5 states:

“*New public open space should be designed and located in a way that:*

- *Minimises isolation and separation of such space from public roads;*
- *Maximises access to local neighbourhoods (where that is compatible with the role such open space may have within the Green Network);*
- *Where possible, creates or contributes to a neighbourhood focal point;*
- *Ensures, where appropriate, integration with the objectives and policies relating to the Green network;*
- *Enhances practical public access linkages between areas of public open space, roads, and to and along waterways and the coast;*
- *Enhances the amenity values of the surrounding Environment and neighbourhood character.”*

The amenity values and benefit that are gained from public open space within the urban area depend on the purpose and design of that Open Space.

Policy 11.6 states:

“New roads must be designed and constructed in a way that is consistent with:

- *The integration with safe and efficient pedestrian and cycle routes;*
- *The enhancement of the surrounding streetscape;*
- *The provision of planting;*
- *The protection of the amenity values and neighbourhood character of the surrounding area.”*

Roading patterns form an important part of the built fabric of the City. This policy signals that decisions about roading have to be made in wider context of protecting amenity and character, and that efficient flows of traffic will be provided for in connection with addressing these other matters.

The District Plan is required under the Resource Management Act to deal with subdivision as a separate matter with its own consent process. This emphasis recognises that subdivision is a catalyst for further intensification of settlement, that the layout of a subdivision heavily influences the quality of the natural and built environment, and that decisions at the time of subdivision about the provision of infrastructure can have major impacts on environmental quality.

In its approach to subdivision, the District Plan has sought to ensure that the amount and design of subdivision and provision of infrastructure, roads and parks are compatible with its wider objectives and policies. The impacts of subdivision on natural and physical resources outside the urban area, and the pressures from consolidation of population within it, are such that a managed process is required. All subdivision of land must have a resource consent. Where larger subdivisions are proposed they are closely scrutinised in terms of wider considerations and environmental effects. In considering approval for subdivision consent, the District Plan has addressed the following: protection of natural and physical resources, protection of and integration with landscape, protection and enhancement of amenity values and neighbourhood character, energy efficiency through efficient roading design and encouraging the use of energy efficient methods and provision for open space.

Proposed Plan Change 8

The details of Proposed Plan Change 8 are described as follows:

Definitions

OPEN SPACE ENVIRONMENT

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

TRANSPORT ENVIRONMENT

Means land vested, dedicated or gazetted as road and is shown on the Human Environment Maps as Transport Environment and to which the Transport Environment Rules apply.

General City-wide Rule relating to subdivision

RULE 1 - RE- IDENTIFICATION OF LAND

1.1 General

The following rule shall apply to all subdivision of land involving the creation of roads or reserves.

1.2 Permitted Activity

Activities meeting the following Performance Standard are Permitted Activities:

- *Re-identification of land as Transport Environment or Open Space Environment as a consequence of land vesting in Council as road or reserve as a result of subdivision.*

The Proposed Plan Change is a method for allowing land newly vested in Council as road or reserve to be identified as being within the Transport Environment or Open Space Environment. The Proposed Plan Change does not affect the policies, objectives and methods in the Policy of the District Plan. The changes to the district Plan involve revised definitions for the Transport and Open Space Environments and the introduction of a new citywide rule as outlined above. Changes to the District Plan maps will occur as a consequence of the Plan Change.

Auckland Regional Policy Statement

The Auckland Regional Policy Statement seeks to maintain a quality environment for the Auckland Region and at the same time, maintain and enhance opportunities for the region's future growth. The Auckland Regional Policy Statement comprises four parts: Regional Overview and Strategic Direction; Resource Management Matters of Significance to Iwi; Transport and Energy; and Environmental Protection. Each part identifies issues, objectives, policies, methods, reasons and the environmental results anticipated as a result of implementation of the Auckland Regional Policy Statement.

The Proposed Plan Change is consistent with the strategic direction of the Auckland region as outlined in Objective 2.5.1(2) of the Auckland Regional Policy Statement which states:

"To maintain and enhance the overall quality of the environment of metropolitan Auckland, including its unique maritime setting, volcanic features, cultural heritage values, and public open space."

Growth management is central to most resource management issues in the Auckland Region. The strategic direction is intended to improve the efficiency of urban Auckland by encouraging development at locations that will promote cost-effective servicing by transportation systems, utility network systems and other works and services of regional significance. The Proposed Plan Change will ensure that public open space is re-zoned efficiently.

It is considered that the Proposed Plan Change is consistent with regional planning documents, although some minor changes to wording should accommodate the operational requirements of the Auckland Regional Council parks department to re-identify land to Open Space Environment that has been purchased to be included as reserve. The Proposed Plan Change is entirely consistent with the objectives of the Auckland Regional Policy Statement and the Air, Land and Water Plan to the extent that the Proposed Plan change will provide for roads and reserves to be re-zoned efficiently and effectively.

Consultation

Clause 3 to the First Schedule to the Act states that during the preparation of a proposed plan, a local authority shall consult with the Ministry for the Environment, other Ministers of the Crown deemed to be affected, other Local Authorities deemed to be affected and the tangata whenua of the area. Clause 3 also states that a local authority may consult anyone else during the preparation of a Proposed Plan.

Consultation with affected parties is a key component of the plan change process. The Council has written to the Ministry for the Environment in Wellington and the Auckland Office, advised the Auckland Regional Council in writing and our neighbouring Council's of the Proposed Plan Change. Iwi representatives did not raise any objections to the Proposed Plan Change in discussions prior to public notification. There is only one submission that has been received from the Auckland Regional Council which is generally supportive of the Council's position and suggests some improved wording of the new rule and definitions that would assist both Councils to efficiently re-zone Open Space land in a timely and cost-effective manner.

ANALYSIS OF SUBMISSIONS

One submission was received on the Proposed Plan Change from the Auckland Regional Council and although further submissions were called for, none were received either in support or opposition to the Auckland Regional Council's original submission.

Submission from the Auckland Regional Council (Submission 8/1)

The changes that the Auckland Regional Council is seeking involves some minor changes to the definition of Open Space and an additional bullet point to the new City-wide Rules. The changes being sought by the Auckland Regional Council are shown underlined:

"Definitions

Open Space Environment

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

Rules

1.0 General

The following rule shall apply to all subdivision and re-identification of land involving the creation of roads or reserves.

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.

A15-A16

A full copy of the submission is attached at pages A15 to A16.

Discussion

The Auckland Regional Council owns and administers a huge proportion of the City's Open Space as the Auckland Centennial Memorial Park. In their submission the Auckland Regional Council advises that not all of the Open Space land that they own is gazetted as reserve, although the minor amendments suggested would clarify the definition so that it would apply to all reserves and land that is currently defined as open space to be considered Open Space Environment in the future. Council staff accept that proposition and are in agreement that the amendments sought to the definition of Open Space would assist both Councils.

The additional bullet point added to the new City-wide permitted activity rule would allow for the automatic rezoning of land owned by the Auckland Regional Council for regional parks purposes to Open Space Environment. The Open Space owned and administered by the Auckland Regional Council has increased incrementally as a result of purchase, gifting or through subdivision. It is recommended that the submission should be accepted and the appropriate revisions made.

CONCLUSION

The proposed Plan Change would introduce a new city-wide rule and alter the definitions of Open Space Environment and Transport Environment. This would allow for the automatic re-zoning of land owned by the Auckland Regional Council for regional parks purposes to Open Space Environment and enable the automatic re-zoning of newly vested roads and reserves. The Proposed Plan Change is consistent with the broader strategic direction of this Council as set out in the Long Term Council Community Plan.

RECOMMENDATIONS

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 this report.

Report prepared by: Alina Hughes, Planner: Policy Implementation.



PART IV - ENVIRONMENTAL MANAGEMENT

6 CITIES FOR CLIMATE PROTECTION - ENERGY AND CLIMATE CHANGE UPDATE

PURPOSE OF THE REPORT

To provide the Environmental Management Committee with an update of energy and climate change projects and to provide a summary of the changes to the Resource Management Act 1991 in relation to climate change.

BACKGROUND

A climate change action plan was approved by this Committee in November 2002. The projects in this plan are now all well under way and staff have undertaken work to plan for further activities and projects.

STRATEGIC CONTEXT

The Sustainable Energy and Clean Air platform of the Long Term Council Community Plan outlines the objectives and planned actions for climate change and energy projects.

RESOURCE MANAGEMENT ACT AMENDMENTS

The Resource Management (Energy and Climate Change) Amendment Bill had its First Reading in Parliament in August 2003, it has since been considered by the Local Government and Environment Select Committee and is awaiting its Second Reading. Currently it is unclear when the Bill will continue its passage through to its enactment.

The proposed changes contained within the Bill seek to give greater emphasis to climate change and energy matters in Resource Management Act planning and decision-making and to make provisions for the national control of greenhouse gas emissions.

Councils would be required to consider the benefits of energy efficiency and renewable energy in planning and decision-making processes. The Bill would also stop regional councils, when making rules in plans and considering consent applications, from having regard to effects on climate change from the discharge to air of greenhouse gases from industrial or trade premises, except where necessary to implement a National Environmental Standard. More detailed information about the Bill can be accessed on <http://www.mfe.govt.nz/laws/rma/energy-climate.html>.

PROGRAMME UPDATE

EcoWise West project

This project is a partnership project with the EcoMatters Environment Trust, the Energy Efficiency and Conservation Authority, Work and Income New Zealand and the Community Employment Group. 100 homes are being retrofitted with energy efficiency measures, such as under floor insulation and damp proofing, draft stopping, low flow shower roses and hot water cylinder insulation. Apart from energy efficiency gains the resulting warmer and dryer living conditions have significant health benefits to the occupants.

The project is under way and an offer for additional funding has been made by the Energy Efficiency and Conservation Authority to retrofit additional homes. To take up this opportunity Council would also need to provide further funding for the project. There is some budget in the Clean Energy work stream that could potentially be re-allocated for this purpose. This budget was partly intended for Council's participation in the national 'Communities for Climate Protection' programme that has been delayed substantially. Staff are working with the EcoMatters Environment Trust to establish how many additional houses could be retrofitted and how much extra funding from Council would be required. The Waitemata District Health Board has expressed interest in becoming a partner in the project and may be able to contribute financially. A report to re-allocate existing budget will be brought to the Finance and Operational Performance Committee if and when appropriate.

Way to Go! – Big Clean Up Campaign

This is a partnership project with the Energy Efficiency and Conservation Authority and the Auckland Regional Council to change travel behaviour in New Lynn, Kelston and Glen Eden. Initial results are encouraging and a more detailed evaluation will be completed later in this financial year. This Committee received a presentation about the project in February 2004.

Vehicle Emissions Project

Through working with local businesses a 10% discount on car tuning is now offered by local mechanics to people who have had their vehicle emissions tested at the Council Vehicle Testing Station. A new emissions testing sheet, containing detailed information about the test and recommendations about vehicle tuning and maintenance has also been introduced.

Eco Day

At this year's Eco Day, on 4 April, there was a strong focus on transport issues as part of the Way to Go! campaign. This included walking tours, walking school bus activities for children and bike safety training. Climate change issues were also highlighted through displays.

Communities for Climate Protection

Council has been waiting for this national programme to be established for well over a year now, but there have been further delays. Staff are in constant communication with the Climate Change Office within the Ministry for the Environment and will update the Committee once the programme has been launched.

Renewable Energy Workshop

On 24 February 2004 staff held a workshop with the main players in the electricity sector to explore a way forward towards more local renewable generation of energy. The workshop was well attended and interest from the industry is high. The key conclusions from the workshop are:

- A recommendation to undertake a scoping study of renewable resources available in Waitakere City. This scoping study would also allow Council to set realistic targets around renewable energy.
- To establish a closer relationship with the local lines company, Vector Limited, to address some of the concerns raised by smaller communities experiencing issues with power security.
- A recommendation that seeks to ensure that Council's District Plan policies are supportive of renewable energy options.
- For Council to consider purchasing electricity from new local renewable generation at a premium to make such schemes more viable.

An opportunity has arisen for the scoping study to be undertaken by a Massey University Masters student. There may be an option that a Technology Industry Fellowship could fund the work. Staff are investigating this option and are seeking the Committee's support to proceed. Staff will also follow up on the other workshop conclusions.

Energy Pro

This energy management software system is now in operation and budget and facility managers are being trained on how to use EnergyPro for energy usage and cost management. Access to the system is being made available to relevant staff for the day-to-day management of energy. The software will enable staff to monitor energy use of Council's various facilities, compare energy consumption between similar facilities and over several years. Automatic exception reporting will ensure that unusually high consumption caused by faulty equipment, incorrect operation or incorrect charges being made are detected quickly.

Solar Panels at the Massey Library

The installation of the photovoltaic panels and the public display unit is now complete. The public launch was held on the 25 March with the Minister for Energy, the Hon Pete Hodgson participating.

Vehicle Fleet Audit

The fleet efficiency audit is now under way. The project is partially funded by the Energy Efficiency and Conservation Authority.

Climate Change Web Page and Other Publicity

Council's climate change web page has been updated to support the Climate Change Office's "4 million careful owners" campaign. The page is located at <http://www.waitakere.govt.nz/AbtCit/ec/ecoinit/ecoinitclimate.asp>.

There have also been several articles about energy and climate change issues in the Waitakere City News over the last months and the Eco Day had a strong energy and climate change focus.

RESOURCES

Resources for all initiatives discussed in this report are available in the current annual budget. Staff are investigating the possibility of re-allocating additional budget to the Eco Wise West project. A separate report will be taken to the Financial Operations and Performance Committee on this matter if appropriate.

RECOMMENDATIONS

1. That the Cities for Climate Protection - Energy and Climate Change Update report be received.
2. That support in principle be given to expand the EcoWise West project.
3. That approval be given to proceed with the renewable energy resource study.

Report prepared by: Katja Lietz, Project Manager: Sustainability Projects.



7 PROJECT TWIN STREAMS AND COMMUNITY ENGAGEMENT

PURPOSE OF THE REPORT

The purpose of this report is to advise the Environmental Management Committee of progress on Project Twin Streams and to seek approval for a community engagement process.

BACKGROUND

In 1997/1998 Council initiated studies to address stormwater effects in the Oratia and Opanuku Streams. This resulted in a work programme to identify solutions to avoid, remedy and mitigate adverse effects in these streams. Ultimately this developed into the much more comprehensive approach of Project Twin Streams, which has a strong community based focus.

Project Twin Streams has already started working closely with other parts of the Council to achieve shared aims. It is also underpinned by rigorous research programmes. The project is proposed be implemented over the next 6-8 years.

STRATEGIC CONTEXT

Project Twin Streams is, therefore, a multi-dimensional project to help restore the degraded natural base of the urban areas surrounding the Swanson, Oratia and Opanuku Streams, Henderson Creek and some of their tributaries. An important focus is to achieve integrated catchment based stormwater management and to understand better how to design living spaces with a lower impact on natural resources.

To do this, an equally important aim is to involve the local communities in planting and clearing parts of the stream sides, thus building the level of community understanding of the issues that face the City's urban catchments.

By developing community understanding of the actions that cause environmental damage it is expected that this will ultimately lead to altered behaviour and attitudes. In the longer term, it is intended that by taking this community development and learning approach, the responsibility and ownership of catchment management will shift substantially from Council to a much greater community control.

Project Twin Streams thus has the following objectives:

- To develop community understanding, ownership and uptake of catchment and other associated eco- city issues;
- To work with local communities using a community development approach and actively look for economic opportunities for local people;
- To provide a framework for the resolution of stormwater issues in the Oratia Structure Plan and to provide for ongoing development in the Oratia and Opanuku Streams areas;
- To deal with flooding issues in the Oratia and Opanuku Streams;
- To implement and promote riparian restoration within the catchments by involving local communities;
- To improve stream ecology, biodiversity and water quality.
- To incorporate where possible, pedestrian and cycle networks and improve the amenity of the streams for passive and active recreation.

Project Twin Streams will contribute therefore to the following strategic objectives:

- Implementation of the Council's strategic platforms for Urban Villages, the Green Network and the Three Waters;
- Compliance with the Local Government Act and the Resource Management Act; and
- Enabling development in the catchment.

Furthermore the protection and enhancement of riparian margins included in Project Twin Streams is consistent with the objectives and policies of the Auckland Regional Policy Statement, as the riparian margins are a primary method of protecting and enhancing water quality and reducing the risk of damage caused by floods.

ISSUES

Social And Economic Aims

Alongside the environmental aims of this project, there are parallel and equally important aims to strengthen local communities, and to pro-actively look for economic opportunities for Waitakere City. Thus over the next 6 years as the project progresses the opportunities for community development, empowerment and capacity building need to be steadily built in. In the six sub-catchment areas, locally based coordinators, with Council support and advice, will eventually co-ordinate stream based activities and create opportunities to extend this learning to other related issues. These include developing community skills such as facilitation, or practical skills such as composting, waste minimisation and energy use reduction.

Stakeholders

Complementing the work of Council staff and community people there are a range of other people and organisations who are actively contributing to its objectives. A team from Land Care Research, funded by a FORST grant, will be involved over the next three years in substantive research in how to achieve low impact urban design. This will be centred on such aspects as the planting and management of the streams, the impact of impermeable surfaces, and designing household sites in a way that minimises the ecological 'footprint' of residential sites.

Further opportunities of linking in with other allied projects such as the educational programmes being run by the Eco Matters Environmental Trust, and complementary programmes such as one run by WaiCare and Watercare Services Limited will be explored over the next months.

The far reaching potential of the Project Twin Streams' approach has been recognised by the Sustainable Communities work stream of the regional Sustainable Auckland programme. This work stream is looking for two pilot projects to demonstrate how to achieve more sustainable communities and is presently discussing this possibility with Council staff. If the project were chosen, that would give access to some central government support through the Department of Internal Affairs, develop closer regional linkages, and provide possible access to funding support for the community development aspects of the programme.

SUMMARY OF GROUPS INVOLVED IN PROJECT TWIN STREAMS

There are currently over 150 individuals, groups, businesses and schools who have indicated an interest in being involved with Project Twin Streams in a practical way. A number of these are now actively involved and Council staff are working with them to ascertain their needs and requirements. Skill levels within many of these groups is low therefore there is a need to provide ongoing training. As a result of this need being identified, training programmes are currently being developed.

Over time, the intention is to maintain regular contact with those on Council's database and to begin to work with them to establish how they may be able to engage in the project.

Interested Groups

The types of people and groups who are interested include locals (including residents, schools, churches and businesses) who are interested in their local stream, conservation groups (such as Forest and Bird) and service groups such as Scouts and Guides. Of particular note are the 4 schools that are beginning to work in their local area and who are combining educational and environmental outcomes.

Regular input from Waitakere City Council Education Advisor and Project Twin Streams staff is ensuring that an ongoing programme is developed. One of these schools is Rutherford High who is involved in the Pixie Stream project, which recently gained a high profile (and Infrastructure Auckland funding) as a result of the actions of a student from the school. There is also some interest from the Department of Corrections in the form of labour for some of the more difficult streamside areas. Groups outside the City boundaries have also seen the project as an opportunity to contribute for the greater good of the community as well as providing opportunities for team building. It is important to recognise that groups become involved in projects such as Project Twin Streams for a number of reasons, not necessarily environmental reasons. Council's liaison with groups identifies their interest in the project so that Council can work within these bounds, towards common objectives.

International Opportunities

Interest in the project has been shown by a business from outside Waitakere City as a corporate volunteering group named Elfun who operate through the international company General Electric (consumer finance). There are potentially good opportunities for international recognition of the project through this group. Another local business - UUNZ language school in Henderson, is promoting its links with environmental projects through Council in its overseas recruitment material.

OVERVIEW OF 2004 PLANTING PROGRAMME

A17

A range of activities is planned for the year to cater for a number of groups. The attached timetable, as attached at page A17 shows not just environmental (planting, weeding and rubbish clearance), but community engagement, consultation and educational activities also. This timetable is constantly being developed and updated as more groups are engaged. The activities are a combination of proactive (things that we would like to see achieved) and reactive (what the community would like to see happen). Additional to the timetable there are some sites identified as more suitable for contractors due to their topography.

ACHIEVEMENTS TO DATE

The following highlights some of the achievements to date of Project Twin Streams:

- Interest in Project Twin Streams within the community has increased significantly. People are now starting to request to be involved rather than Council soliciting support from groups, however creative engagement processes are still being determined.
- Partnerships with: Auckland Regional Council Shadehouse Project (still under development), EcoMatters Trust, with whom an Memorandum of Understanding has been developed, working closely with the Clean Stream Waitakere's Coordinator to plan and finance Clean Stream Waitakere groups that are working on Project Twin Streams funded streams, McLaren Park Community Project - a community development project that we are partnering.
- Community engagement and information sharing includes: attendance at Ecodays, Storyfest, McLaren Park Community Project events, fliers, adverts
- Articles written that mention the project in the Western Leader, Womens Weekly, and Community and School newsletters.
- Delivery of workshops to up skill community groups through Workers Education Association and UUNZ (language school in Henderson)
- A successful community-planting project was held at Oratia Esplanade, Borich Road where 1500 plants were placed in ground over three hours. 50-60 local residents attended and also participated in consultation for the Reserves Management Plan - Lower Oratia. The day included water-testing demonstrations, kids activities and received an enthusiastic response.
- Other planting projects involved the School of Outdoor Studies (estimate 500 plants on the Oratia Esplanade and Clean Stream Waitakere at Vitasovich Drive (300 to 400 plants). Weed Free Waitakere Trust were also contracted to plant 200m of the eastern bank of the Oratia Stream centred around View Rd. The weed removal and planting went ahead however further weed eradication is now planned due to high weed growth rates over the wet summer.
- Sites on the Opanuku, Swanson and Waikumete Streams were also subject to weed clearance by Forest and Bird Society, School of Outdoor Studies, Swanson School and Glen Eden Intermediate.

RESOURCES

The project has started in a modest way to test both the physical aspects (weeding, clearing, planting) and the opportunities for learning, with both community groups and some members of the local community. As the assessment of work to be done has progressed, the needs of the project have become clearer. The physical effort required to repair and revegetate the riparian margins of some 55 kms of stream edge is challenging alone. To involve the community in a real way is even more challenging. The project now needs management and administrative support and specialised community development skills to underpin the work of the present team. These positions will be funded through the Infrastructure Auckland funding. Environmental co-ordinators and contractors willing to work with community groups carrying out weed control are needed. Some are reluctant due to the Health and Safety complications for contractors working with community volunteers.

In addition, in order to build community ownership it is intended to fund community organisations to take responsibility for local coordination, but with Council support. These contracts might support part or fulltime co-ordinators, depending on need and the geographic area to be covered. Negotiation of these contracts will be carried out in consultation with the Partnerships and Advocacy section of the Council and progress will be reported on regularly.

It is now proposed to develop contracts with community groups to deliver some components of the projects. The overall process is as follows:

- Consultation on the form, scope and value of contracts with community groups in April and May 2004.
- Reporting to the Tenders Subcommittee on the outcome of consultation and contract discussions to seek approval to enter into contracts in May 2004 and June 2004.

Funding for this project has been provided in the 2003/2004 Annual Plan and the Draft 2004/2005 Annual Plan.

CONCLUSION

Project Twin Streams has been progressing well over the past 9 months since the first Infrastructure Auckland funding has been made available. The community has carried out planting and weed eradication activities and community engagement has commenced. The profile of the project continues to build and an active planting season and community engagement activities are planned for this year.

Approval is now sought to commence the community engagement process through contracts to deliver community elements of the project.

RECOMMENDATIONS

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.

Report prepared by: Tony Miguel, Group Manager: Asset Management.



8 PAINTED APPLE MOTH UPDATE REPORT

PURPOSE OF THE REPORT

A18-A20

The purpose of this report is to present to the Environmental Management Committee the twenty second of the monthly Painted Apple Moth update reports from the Ministry of Agriculture and Forestry, as requested by the Council at its meeting of 17 August 2001. The Ministry of Agriculture and Forestry report is attached at pages A18 to A20. Additional information on the painted apple moth eradication programme is also presented here.

BACKGROUND

Nine targeted aerial sprays against painted apple moth were completed over the period January to September 2002. A combination of a fixed wing aircraft and a helicopter sprayed up to 900 hectares.

Eleven expanded aerial spray rounds were completed over the period from October 2002 to May 2003. Three aircraft - a Fokker Friendship, an air tractor and a helicopter - were used to spray up to 10,300 hectares.

The winter operation, from June to September 2003, included targeted aerial spraying over five known hotspot areas; Ranui/Swanson, Riverpark, Waikumete Cemetery, Hobsonville and Meola Creek. The air tractor or air tractor plus helicopter were used to cover the 892 hectares of the aerial spray operation.

The spring operation involved two expanded aerial spray rounds of 6,500 hectares in October and November 2003 using three aircraft - a Fokker Friendship, an air tractor and a helicopter.

The summer operation, from December 2003 to February 2004, involved a 21 day aerial spraying cycle of 892 hectares over five hotspot areas; Ranui/Swanson, Riverpark, Waikumete Cemetery and Hobsonville in Waitakere City and Meola Creek in Auckland City. The air tractor and the helicopter were used for these operations. The 56 hectares over Ranui/Swanson and Riverpark received an additional 10 day targeted helicopter aerial spray between each scheduled 21 day aerial spray cycle.

Aircraft have suspended spraying at 8.00 am - 9.00 am, 12.15 pm - 1.00 pm and 3.00 pm - 4.00 pm when children were walking to and from school and eating lunch, except over the school holiday period.

STRATEGIC CONTEXT

The Ministry of Agriculture and Forestry has an obligation to do all that is required in terms of its legal responsibilities under the Biosecurity Act 1993. Council has encouraged and facilitated this where possible.

Council has an obligation to protect native ecosystems, native flora and fauna habitat and the ecological processes associated with these systems both under the Resource Management Act 1991 and under the District Plan issues 5.2 and 5.5. Equally, Council has an obligation to protect and represent the residents of Waitakere City.

ISSUES

Current Aerial Spray Programme

The last summer aerial spray operation that covered all five hotspot sites, 892 hectares, was completed on 23 February 2004. Hobsonville and Meola Creek no longer require any aerial treatment and the additional 10 day helicopter aerial sprays for Ranui and Riverpark also ceased.

The aerial spray programme has moved back to a 21 day cycle. On the 9 March 2004 a reduced aerial spray zone of 701 hectares was treated over three hotspot sites; Waikumete Cemetery, Riverpark and Ranui. This was the last aerial treatment for both Waikumete Cemetery and Riverpark. The air tractor was used for this operation. The helicopter is no longer required.

The next targeted aerial spray operation of 254 hectares over Ranui is scheduled for 30 March 2004. The air tractor will be used for this operation.

Scientific and Technical Advisory Group Meeting

The Scientific and Technical Advisory Group met on 17 February 2004 to discuss the next steps in the painted apple moth eradication programme. Recommendations for the cessation of the aerial spray programme were made, according to set criteria. The Ministry of Agriculture and Forestry has agreed to the recommendations and has adopted the schedule for withdrawal. Four of the five aerial spray sites no longer require treatment with Ranui, the final site, scheduled for completion on 11 May 2004 if no further moths or live larvae are found.

Moth Trap Catches

No further wild male painted apple moths have been caught in the trapping grid since the Mt Eden catch in January 2004. A ground survey was conducted in February 2004 around the Mt Eden trap catch, no painted apple moth life stages were found.

The trapping grid will stay in place for 2 years after the last wild male moth is caught.

Sterile Male Moths

Two releases per week of sterile male moths continue at three hotspot sites as part of the eradication programme.

Contents of the Aerial Spray Foray 48b

Previous attempts by Council and the community to have the ingredients of the aerial spray, Foray 48b, released to the public have been denied by the Ministry of Agriculture and Forestry on the basis of commercial sensitivity of the product. The decision not to release the ingredients to the public has been upheld by the Ombudsman's Office.

Council has made a request to the Ombudsman's Office for the release of the Foray 48b ingredients to an independent, unbiased expert for the purpose of reporting, on behalf of Council, the health effects of the aerial spray programme in Waitakere City. The Ombudsman is considering this request and communicating with the manufacturer, Valent Biosciences in the United States of America, to have the ingredients released to an independent expert.

Wellington School of Medicine Health Study

The Ministry of Health has contracted the Wellington School of Medicine to undertake a review of health issues related to the aerial spraying of Foray 48b in Auckland. The review includes:

- An analysis of existing scientific information about the potential health effects of the spray;
- A summary of consultation with stakeholders and members of the public; and
- Recommendations for further study.

A draft focus group report has been prepared. The draft report is currently undergoing a second round of editing. At the time this report was written no date for the release of the final report had been provided to Council.

Pheromone Testing

Dr Pat Holland, an independent consultant, was commissioned by the Ministry of Agriculture and Forestry to evaluate the progress of pheromone development for painted apple moth. Both Dr. John Clearwater, an independent scientist, and HortResearch, contracted by the Ministry of Agriculture and Forestry, gave a presentation to Dr Holland and a subcommittee of the painted apple moth Science and Technical Advisory Group in February 2004. Feedback from the Ministry of Agriculture and Forestry has been that results from both parties show their pheromone is attractive to male moths, however, neither party has a product with the necessary longevity for use in the field.

Reinstatement of Host Removal Sites

A Council contract has been awarded for weed control and planting on 14 parks that have previously had painted apple moth host removal work undertaken by the Ministry of Agriculture and Forestry (refer Appendix 1 for a list of parks and reserves). Weed control works have already commenced with planting of 50,000 ecosourced natives scheduled to start in May 2004.

RESOURCES

It is not expected that Council will put any additional financial resources into the eradication operation as it is a matter of national biosecurity and is under the jurisdiction of the Ministry of Agriculture and Forestry through the Biosecurity Act 1993. Council has made provisions in the 2003/2004 Annual Plan for some revegetation of Council land where host removal work has been undertaken by the Ministry of Agriculture and Forestry. The 2004 / 2005 Draft Annual Plan provides \$125, 000 for further reinstatement work plus maintenance of parks planted in the current financial year.

CONCLUSION

The aerial spray programme has been reduced to a 21 day aerial spray cycle over 254 hectares in the Ranui area. No further wild male moths have been caught since January 2004 and a ground survey found no life stages. Sterile male moths continue to be released as part of the eradication programme. Pheromone development continues. Reinstatement of 14 parks where host removal works occurred has commenced.

If no further life stages of painted apple moth are found, the final aerial spray operation is scheduled for 11 May 2004.

RECOMMENDATION

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

Report prepared by: Kerry Bodmin, Parks Ecology and Policy Co-ordinator.



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

PURPOSE OF THE REPORT

The purpose of this report is to provide the Environmental Management Committee with an update on phase 2 consultation, in particular the indicative package for consultation and requests that members of the Committee consider the draft boundary for the Ranges project to be taken out in phase 2.

BACKGROUND

The Waitakere Ranges Protection project was initiated in response to concerns expressed by local people, local MP's, lobby groups, the Parliamentary Commissioner for the Environment and the West Coast Plan, that the Waitakere Ranges continue to be under pressure and further action is needed to ensure more secure protection for future generations. From the information gathered in Phase One of the community consultation for this project it is clear that most people believe that the Ranges are not currently protected enough now and for the future, and that something 'extra' is needed.

There are five key components to the Waitakere Ranges Protection project, which together are designed to provide for stakeholder involvement and integrated decision making: They include working closely with partners through the Political Liaison Group, research and information gathering on the area to determine current management weaknesses and gaps, community consultation, policy development to determine how the current management weaknesses and gaps might be filled and implementation. Councillors Hulse, Yates and Presland are Waitakere City Council's representatives on the Waitakere Ranges Political Liaison Group.

The goal of the Waitakere Ranges Protection Project is:

'Through a partnership of iwi, Waitakere City Council, Auckland Regional Council, Rodney District Council & local Members of Parliament, and in close consultation with stakeholders, to find and implement ways of achieving better long-term protection for the natural and landscape values of the Waitakere Ranges and West Coast.'

What does protection mean?

Central to this project is what is meant by 'protection'. The Concise Oxford Dictionary definition is 'to keep safe, guard against or defend'. However community responses gathered in the phase 1 consultation indicate that protection means different things to different people. This is demonstrated by the following sample of statements expressed at community workshops in response to whether they disagree or agree with the following statement 'The Ranges are protected now and for the future':

- 'would like to see in 50 years that it continues to be a beautiful place - people should come here for the beauty and not to make a buck out of the place. It's protected without going over the top'.
- 'limited development with minimal impact, with clear regulatory boundaries and guidelines'.
- 'Plan not protecting landscape - subdivision that is now non-complying should be prohibited'.
- 'unique, try to leave as it is'.
- "depends on what is meant by conservation - biodiversity versus trees - still a long way to go'.
- no more housing or unreasonable development'.

For the purposes of this report protection is defined as maintaining and where appropriate restoring the landscape, biophysical and cultural heritage values of the Ranges. The area encapsulated by the Ranges project includes varying types of areas from parkland to the coastal villages and foothills - a mixture of both public and private land. The solutions to the long-term protection of the Ranges would reflect this diversity and would provide for different levels of protection within this area.

Project to Date

The project began with an investigation to identify the values associated with the Ranges and find which of these values may not be adequately protected and why. This investigation is described in a December 2003 report by Waitakere City Council and the Auckland Regional Council entitled 'Protection of the Waitakere Ranges Area: Background Paper'. The results are summarised in a discussion paper that was used to stimulate feedback from the community on their views about whether the Ranges are well enough protected now and in the future, and if not, why not and what can be done.

Feedback was collected at 15 community workshops held between September - November 2003, from comment forms, from displays held by Community Boards in shopping malls and libraries and from a regional phone survey. The consultation feedback is reported in a February 2004 document entitled 'The Waitakere Ranges Project: Phase 1 Community Consultation: Summary and Workshop Notes'. All of these reports are now available on the Waitakere City Council web site. From Phase 1 of the public consultation on the Waitakere Ranges, it is clear that most people believe that the Ranges are not adequately protected, now and for the future. Work to date on the Waitakere Ranges project has identified gaps and weaknesses in the current management of the Ranges, and responses that could potentially plug these gaps.

Boundary

A21

For the purposes of the Phase 1 consultation, the Waitakere Ranges area was defined as shown on the map attached at page A21. The Ranges study area was essentially set as the eastern and northern boundary of the Foothills Environment, one of the 'Human Environments' or zones set out in the Waitakere City District Plan maps. The eastern extent of the Bush Living Environment at Titirangi defined the boundary in that area. The Human Environments within this area are as follows:

- **Open Space Environment** (Publicly owned land consisting of Auckland Regional parkland, Waitakere City Council parkland and Department of Conservation land located west of the above boundary.)
- **Waitakere Ranges Environment** (Privately owned land, generally quite large properties, substantially bush covered and with high or outstanding landscape values.)
- **The Bush Living Environment** (Privately owned, generally smaller bush covered properties)
- **Coastal Villages Environment** (Privately owned land in settlements along the West Coast and Manukau Harbour at Bethells/Te Henga, Piha, Karekare, Huia, Cornwallis and Parau.)
- **The Foothills Environment** (Generally quite large properties of an average size about 2.5 hectares, lying along the eastern foothills of the Waitakere Ranges, and out to Birdwood and Redhills.)
- **Rural Village Environment** (Waitakere Township is the only rural village in the midst of the Foothills.)

It was also acknowledged that part of Rodney District Council, particularly the Te Henga wetland, are an integral part of the Waitakere Ranges area.

There was some questioning of this boundary during the Phase 1 consultation, and a more detailed consideration of boundary issues is needed for Phase 2 of the consultation.

Phase 2 of the public consultation programme will take the potential responses out to the community for consideration. This phase is likely to be the key consultation phase for the Ranges project so a clear boundary is important for clarity for the community. If a clear boundary is not taken out in phase 2 then this is likely to impact on the scale required for the phase 3 consultation.

Indicative Package

The Environmental Management Committee's 9 March passed the following resolutions:

- “1. *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.*
2. *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.”*

362/2004

Further work is being undertaken on the indicative package for better protection of the Waitakere Ranges, particularly on the possible legislation options, and a verbal update will be presented at the meeting.

STRATEGIC CONTEXT

The Waitakere Ranges Protection project is a key project within the Green Network platform of the draft Long Term Council Community Plan. The 'Green Network' strategic platform contains a vision that would see streams and forests full of life, the Waitakere Ranges permanently protected and a Green Network in place linking the Ranges to the sea, as well as connecting the everyday lives of the people of Waitakere with the natural world.

Council has indicated a strong commitment to working on protection of the Ranges, whilst recognising that there are many different values relating to the Ranges, and that much is already being done to achieve protection. However, the tools for protection are many and varied, and community views diverse, so that a robust process is crucial.

ISSUES

Phase 2 Consultation

Planning for phase 2 is underway. This phase consists of randomly selected focus groups and 2 self selected community forums, which are open to the public. The details of the community forums are:

- Sunday, 18 April, Bible College, Lincoln Road Henderson, 10.00 am - 3.00 pm
- Tuesday, 27 April, Te Piringatahi O Te Maungarongo Marae, 5.30 pm - 9.00 pm

The purpose of the phase 2 consultation will be to seek feedback from the community on the indicative package as well as the role of the foothills in the protection of the Ranges.

Boundary

Phase 2 of the consultation will seek community feedback on the indicative package. A clear understanding of the boundary of the Waitakere Ranges protection project will be of critical interest to the community and will provide an important context for some of the components.

There are a number of existing policies and boundaries that could provide guidelines for a boundary of the Waitakere Ranges area. Work is currently being undertaken to determine the criteria to use in establishing the boundary and analysis of these existing policies and boundaries to provide a recommended boundary for the Waitakere Ranges. A verbal report on this work will be presented at the Committee's April meeting and a decision sought on the boundary for the project.

Indicative Package

Additional work is also been undertaken on the indicative package, particularly around the possible legislative options, and a verbal update will be presented to the Committee at its April meeting for feedback.

Where to after phase 2 consultation?

Feedback from phase 2 consultation will be reported to the partners and decisions made on alterations and amendments to the package, before a decision can be made on the final solution. After further investigation some of these responses in the indicative package may not be moved forward. From there an implementation plan will be developed.

RESOURCES

The Waitakere Ranges Protection project is resourced through the Annual Plan 2003/2004, together with additional funding voted to the project by the Council meeting of December 2003. A report for additional funding has been submitted to Council's March meeting.

CONCLUSION

Work is currently been undertaken on the proposed boundary for the Ranges project. For clarity, it will be important that the boundary for the Waitakere Ranges protection project be communicated as part of the phase 2 consultation, to be undertaken in late April. A verbal presentation of the proposed boundary will be given at the Committee's April meeting. A decision will then be sought on the boundary for the Waitakere Ranges Protection project, which will then be communicated through phase 2 of the consultation.

Additional work is also being undertaken on components in the indicative package and a verbal update will be given to the Committee for feedback.

RECOMMENDATIONS

1. That the Waitakere Ranges Protection Project - Boundary and Phase Two Consultation Update report be received.
2. That the Environmental Management Committee decide the appropriate geographical boundary of the Waitakere Ranges protection project subject to information provided at the April 2004 meeting.

Report prepared by: Kim Morreseey, Partnerships and Advocacy Leader - Environment.



10 ALTERATION OF STATE HIGHWAY 16 DESIGNATION - UPPER HARBOUR CORRIDOR

PURPOSE OF THE REPORT

The purpose of the report is to seek confirmation of the Environmental Management Committee's agreement to an alteration of the current SH16 designation to allow for the new designations, an alteration of the designation and a new designation as road for improvement and enhancement of the State highway.

BACKGROUND

Transit New Zealand (Transit) is a 'requiring authority' under the Resource Management Act, which gives them the power to 'designate' land for public works. In 1999, Transit lodged a Notice of Requirement for the State Highway 18 motorway running parallel with Hobsonville Road and the extension of the northwestern motorway (SH16) with the Council. The Notice of Requirement sought that a designation for the new motorways be incorporated within the Council's Proposed District Plan. The new motorway will extend from the Albany Highway in the east across a new duplicated Upper Harbour Bridge to the current terminus of the Northwestern Motorway. The alteration to the designation is required to include seven areas along the length of the State Highway 18 alignment where works associated with the construction and operation of the motorway are located outside the existing designation.

Table of Alterations to the SH18 Upper Harbour Corridor Designation (Hobsonville)

Nature of Works	Address	Legal Description	Owner	Written Agreement	Area to be included in the designation
Stormwater Channel Works	Hobsonville War Memorial Park Domain	Lot 2 DP 132292	Transit NZ	Not required	0.4741ha
		Lot 8 DP 89678	Transit NZ	Yes	
		Lot 10 DP 89678	WCC	Yes	
		Lot 12 DP 89678	WCC		
Earthworks associated with the southern head of the Brigham Creek Interchange	173 Brigham Creek Road	Allot 478 Waipareira Parish	Transit NZ	The written agreement of GC Laurensen, D Laurensen, S Withers and R and L Radich, being adjacent property owners has been obtained	0.8134ha
Brigham Creek Stormwater Pond	169 Brigham Creek Road	Lot 4 DP 182711	Transit NZ	Not required	1.5700ha

Nature of Works	Address	Legal Description	Owner	Written Agreement	Area to be included in the designation
Earthworks associated with Brigham Creek off-ramp and stormwater works	169 Brigham Creek Road	Lot 4 DP 182711	Transit NZ	Not required	0.5 ha
Decommissioning of an existing on-line pond	169 Brigham Creek Road	Lot 4 DP 182711	Transit NZ	Not required	0.2538ha
Earthworks on ex-Andrew Block (Transit owned)	50-52 Trig Road	Lot 1 DP 67207	Transit NZ	Not required	0.5200ha
Works areas (Crown Block)	Hobsonville Road	Section 1 SO 57198	Transit NZ	Not required	6.16ha

The total area of land affected by this modification to the designation is 10.2913 hectares.

STRATEGIC CONTEXT

The proposed SH 16 and 18 realignment have become an important catalyst for future development in the northern area of the City.

The establishment of the proposed motorway is provided for in the Regional Land Transport Strategy. In addition, the land between the proposed motorway and the existing alignment of Hobsonville Road has been identified in the Regional Growth Strategy as an area of future urban expansion.

The seven areas along the length of the State Highway 18 alignment where works associated with the construction and operation of the motorway are located outside the existing designation. Most of these works relate to the Brigham Creek Road Interchange Works. However, the settlement of the new location of the Brigham Creek Road Interchange is required to ensure that the works can be undertaken, is of vital strategic importance in that it is part of the total package that is necessary to ensure that the motorway goes ahead.

ISSUES

Proposed Alteration

Transit proposes to alter the designation boundary to accommodate a realigned and regraded watercourse and other alterations to the design have occurred as a result of re-locating the Brigham Creek Road Interchange north west as required by an Auckland Regional Council consent. This has meant that there are resulting changes to some parts of the design including earthworks, land required to accommodate a new stormwater pond and de-commissioning of an on-line stormwater pond.

The purpose of the alteration is to enable minor modifications to the design to be included within the designation that have mostly been brought about by changing the location of the original Brigham Creek Interchange and ancillary works. The designation alteration is intended to facilitate the construction and operation of the new motorway in a comprehensive and integrated manner. The owners of all sites where works will occur have given their written approvals.

The text of the District Plan has not yet been amended to refer to the amended SH16/18 designation. However it would be referred to in the Designation Appendix as reference number TSNZ5 and this alteration to the designation would be included within that reference number. The location would be described as "*Alterations to the SH18 Upper Harbour Corridor Designation (Hobsonville) including Brigham Creek Road Interchange*" and the designated purpose would be "*Works associated with State Highway Purposes*" with the legal description of *Lot 2 DP 132292, Lot 8 DP89678, Lot 10 DP89678, Lot 12 DP 89678, Allot 478 Waipareira Parish, Lot 4 DP 182711, Lot 1 DP 67207, Section 1 SO 57198*".

Statutory Process

Once a designation is in place, the Resource Management Act 1991 (the Act) provides a relatively simple procedure for making minor alterations. Section 181(3) of the Act states as follows:

"181(3)A territorial authority may at any time alter a designation in its district plan if-

- (a) The alteration-*
 - (i) Involves no more than a minor change to the effects on the environment associated with the use or proposed use of land or any water concerned; or*
 - (ii) Involves only minor changes or adjustments to the boundaries of the designation; and*
- (b) Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration; and*
- (c) Both the territorial authority and the requiring authority agree with the alteration-*

and sections 168 to 179 shall not apply to any such change."

A22-A52 The information provided by Transit in support of the designation alteration proposal is thorough, and addresses all the relevant issues. A copy is attached at pages A22 to A52. It is considered that the correct procedure has been followed in relation to the proposal.

A53-A59 It is considered that the alteration should proceed without going through the notification process required by Sections 168 - 179 of the Act. All affected landowners have given their consent to the alteration, as attached at pages A53 to A59 and it is considered that the alteration is minor in terms of its environmental effects and extent.

When considered against the environmental effects of the original proposal it is considered that there would be little change in environmental effects as essentially the same works are required albeit in a different location. The location of the proposed realignment does involve some environmental features such as streams and one patch of vegetation. However, the changes sought are due to a re-design and is consistent with the negotiated consent order signed by the Environment Court. The Auckland Regional Council has already granted consent to the earthworks. In terms of effects on the boundaries of the designation it is considered that the addition of a further 10.29 hectares would be insignificant in relation to the over 90 ha that makes up the Transit SH16/18 designation.

CONCLUSION

Transit proposes to alter the existing SH16 designation to provide for seven areas along the length of the State Highway 18 (SH18) alignment where works associated with the construction and operation of the motorway are located outside the existing designation. Several areas of works are associated with the Brigham Creek Road Interchange and the re-design was due to conditions imposed on consents issued by the Auckland Regional Council. The consent of all affected landowners has been obtained to the alteration.

RECOMMENDATIONS

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 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.

Report prepared by: Alina Hughes, Planner: Policy Implementation.



11 PROPOSED RESOLUTION OF APPEAL - SH16/18

PURPOSE OF THE REPORT

The purpose of this report is to seek a decision from the Environmental Management Committee to withdraw the Council's appeal lodged in respect of a decision of the Auckland Regional Council. The decision related to resource consent applications submitted by Transit New Zealand for the Upper Harbour Corridor project (SH16/18).

BACKGROUND

Transit New Zealand ("Transit") intends to construct a new alignment for SH18 to the North Shore, and extend SH16 to the north. Transit is proposing that the project would be developed in the form of a motorway.

Transit has designated the motorway corridor in the Council's Proposed District Plan. The effect of the designation is that it will allow Transit to construct the motorways without being subject to the rules of the Plan. However, the designation does not obviate the need for resource consents that are required under other planning documents. In particular, various resource consents are required from the Auckland Regional Council to provide for the discharge of stormwater, the diversion of watercourses, and the undertaking of bulk earthworks.

The requisite applications were publicly notified in the latter part of 2001. The Council lodged a submission supporting the proposal in principle, subject to certain matters being addressed.

The Auckland Regional Council conducted a hearing in late January 2002. Council staff and consultants appeared at the hearing to present evidence. The thrust of the Council's position was that consent should be refused or deferred unless certain matters were addressed to the Council's satisfaction.

The Auckland Regional Council subsequently released its decision on Transit's applications. The Council's concerns were largely ignored, aside from some minor modifications to conditions of consent. As a result, Council resolved to appeal the decision to the Environment Court.

STRATEGIC CONTEXT

The proposed SH18 realignment has become an important catalyst for future development in the northern area of the City.

The establishment of the proposed motorway is provided for in the Regional Land Transport Strategy. In addition, the land between the proposed motorway and the existing alignment of Hobsonville Road has been identified in the Regional Growth Strategy as an area of future urban expansion.

The design of the new motorway has the potential to have significant implications for the development of land in the northern part of Waitakere City. For example, it is important that the motorway embankment does not contribute to flooding of land that will inevitably become urbanised. In addition, access to key future development areas should be provided in a way that does not constrain appropriate development. Of particular relevance in this regard is the provision of an interchange to serve the Hobsonville Peninsula. Such a facility would significantly boost the development of this location, which is already subject to a substantial level of investment interest.

ISSUES

Council staff and Transit representatives have met on a number of occasions to discuss the appeal and consider how it might be resolved. These discussions have been fruitful.

Each of the concerns that were raised by Council through the appeal have now been satisfactorily addressed by Transit. Written undertakings and side agreements have been drafted to record the mutually acceptable arrangements that have been reached.

In particular, cost share agreements between EcoWater and Transit have ensured that culverts under the motorway will be appropriately sized to cater for future urban development in the Hobsonville corridor. As an aside, it is also noted that Transit have now confirmed that they will construct the Buckley Avenue interchange, with a contribution from Waitakere City. This interchange is an essential component of plans for the physical and economic development of the Hobsonville peninsula.

As each of the Council's original concerns has now been resolved, it is recommended that the appeal be withdrawn.

RESOURCES

Withdrawal of the appeal would not require any resources that are not already available through existing budgets.

CONCLUSION

Council lodged an appeal in relation to concerns arising from the SH16/18 Upper Harbour Corridor project. Those concerns have now been satisfactorily addressed, and it is proposed that the appeal be withdrawn.

Written undertakings and side agreements provide the Council with surety that the arrangements that have been negotiated to resolve the appeal will be implemented to Council's satisfaction.

RECOMMENDATIONS

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.

Report prepared by: Philip Brown, Group Manager: Planning and Community Services.



12 GREEN NETWORK COMMUNITY ASSISTANCE PROGRAMME UPDATE REPORT

PURPOSE OF THE REPORT

The purpose of this report is to update the Environmental Management Committee on the Green Network Community Assistance Programme as requested by the Committee resolution 2090/2003.

BACKGROUND

The Green Network Community Assistance Programme commenced in the 1998/1999 financial year. The purpose of the Green Network Community Assistance Programme is to support private landowners undertaking biodiversity protection and enhancement on their property. All participants qualify for some form of assistance, with those who have streams or significant bush remnants on their property qualifying for a higher level of assistance. The following table summarises the assistance offered as part of the Green Network Community Assistance Programme:

Type of Assistance	Explanation
Advice and information.	Telephone and site visit advice on management of natural areas as well as provision of leaflet information.
Ginger disposal.	Applicants are eligible for up to 6 bags to dispose of ginger roots free as part of the kerbside refuse collection. Free disposal at the Concourse is available for domestic trailer loads of ginger.
Provision of free herbicide.	Escort is provided for the control of large infestations of ginger
Provision of jumbo bins for weed disposal.	Applicants are eligible for 1 bin per property per year for the disposal of weeds when a large scale, comprehensive weed removal project is undertaken

Type of Assistance	Explanation
Subsidy for contractor control of weeds.	In priority areas where weed control by the landowner is difficult due to their circumstances or the nature of the weed infestation, a 50% subsidy up to a value of \$300 is offered for contractor removal of weeds. Generally the Weedfree Waitakere Trust has been the contractor undertaking this work.
Free ecosourced plants.	This is assessed on a site-by-site basis with a maximum of 200 plants available for major revegetation projects
Preparation of management plans.	Management plans are prepared for landowners to address environmental issues such as weeds, erosion control and revegetation.
Covenanted assistance.	Applicants are eligible for up to \$2000 towards the cost of covenanted their site.
Rates relief.	When a covenant is in place, applicants are eligible for rates relief according to the proportion of their site covenanted and its values. The average rates relief is \$720 per annum.
Subsidy for fencing.	For areas where stock is grazing bush or streamsides, applicants are eligible for a maximum of a 50% subsidy to \$1000 maximum towards fencing costs

Table 1: Assistance offered as part of the Green Network Community Assistance Programme.

The above programme is a tool to address biodiversity issues on private land. It meets a strong demand from landowners and is well supported by the community, central government and the international community. The programme was initially developed in 1997. At the 1992 Earth Summit in Rio de Janeiro, one of the key agreements adopted was the United Nations Convention on Biological Diversity. In 2000 the New Zealand Government produced The New Zealand Biodiversity Strategy. Also in 2000 a report was produced for the New Zealand Government on addressing the effects of private land management on indigenous biodiversity. These developments all result from the realisation that loss of species and environmental health will continue unless private landowners and land managers are brought into the picture. All of the above initiatives support the approach of Waitakere City's Green Network Community Assistance Programme that includes a combination of technical, educational, practical and moral encouragement, with a range of measures from easy-to-implement to the more in-depth programmes such as covenanted.

STRATEGIC CONTEXT

The 2020 Vision for the Green Network, as outlined in the Long Term Council Community Plan is that the Waitakere Ranges will be permanently protected. There will be a network of bush and trees (the Green Network) from the Ranges, through town centres and suburbs, to the coasts, bringing the natural world into people's everyday lives and filling the streams and forests with life. The Green Network - protecting and enhancing the flora and fauna of Waitakere City - is one of Council's strategic platforms and a key strategic objective.

Protection and enhancement is sought on both public and private land, community involvement is encouraged, as is the protection of landscapes, native plants, wildlife ecosystems, while providing friendly green areas throughout the City.

Council's tools for implementing the Green Network fall broadly into three categories:

- (1) Council's investment in stormwater management and parks weed control and revegetation.
- (2) Regulation of the activities of landowners, particularly development.
- (3) Partnerships and community programmes to encourage voluntary action by landowners.

The Green Network Community Assistance Programme is a partnership programme where Council provides advice and some assistance that supports and encourages private landowners who wish to improve the natural values on their land.

ISSUES

Participation

Participation in the programme for the 2003/2004 financial year is outlined in the table below. The various forms of financial assistance available are listed in the table with figures given for this year as at 31 March 2004.

Type of assistance and budget	Assistance received as at 31 March 2004	Comments
Ginger Disposal \$5,000.00	1,540 Ginger Bags Plus 30 Trailer Loads of Ginger	Budget spending is on target. Ginger bags continue to be a popular means of easy disposal. The budget for bags and trailers includes disposal costs at the Concourse.
Provision of free herbicide \$3,000.00	49 Properties	This budget is fully spent. Escort is an effective herbicide against ginger and useful where there are large infestations.
Provision of Jumbo Bins for Weed Disposal \$19,500.00	126 Bins	This budget is fully spent. The budget for bins includes disposal costs at the Concourse. Many people are happy to put in the labour to remove weeds if assisted with the disposal.
Subsidy for Contractor Control of Weeds \$10,000.00	30 Properties	Budget spending is on target. This is offered where a particularly difficult weed (e.g. giant reed) is being controlled or the initial control is beyond a land occupier's capabilities.
Free Ecosourced Plants \$16,000.00	7,693 Plants To 233 Properties	This budget is fully spent. The plants provided range from PB3 (a small garden centre plant) down to root trainers (small revegetation grade plants) that are relatively inexpensive to purchase (average of \$2 per plant) but need to be looked after to survive.
Preparation of Management Plans \$5,000.00	42 Properties Covering 31 Hectares	This budget is on target. Management plans are prepared for landowners by the Weedfree Waitakere Trust to address site specific issues.

Type of assistance and budget	Assistance received as at 31 March 2004	Comments
Covenancing Assistance \$30,000.00	4 New Enquiries 45 on Hold 17 Awaiting Covenant Finalisation	This budget is under spent. The covenancing document is being finalised by Council's Legal Department and Parks Planning. Those applications on hold are awaiting further contact from Council with an invitation to proceed with the covenancing process.
Rates Relief (See Covenancing Budget)	9 Properties	A covenant needs to be in place before residents qualify for rates relief. Properties currently receiving rates relief have a Queen Elizabeth II Trust covenant in place. Properties that sign up to a Council covenant will immediately be able to lodge an application for rates relief.
Subsidy for Fencing \$3,000.00	3 Properties	This budget is fully spent. No fencing flyer is available, promotion is by word of mouth and through covenancing enquiries.

Table 2: Financial assistance distributed under the Green Network Community Assistance Programme.

The budgets for weed bins, contractor assistance, provision of herbicide and ecosourced plants have all been fully spent prior to the end of the financial year for the last two years.

Wider Green Network Community Support

In addition to the non-regulatory Green Network Community Assistance Programme the Green Network provides wider community support through education, community liaison and liaison with native plant suppliers for the provision of ecosourced plants as outlined in the table below:

Type of Assistance and Budget	Explanation
Education and Public Relations \$15,000.00	Editing, updating and reprinting 'A Guide to Planting and Restoring the Nature of Waitakere City' is a major project for this year.
Community Liaison \$15,000.00	Leadership courses, community group project management and production of a Carex identification book.
Ecosourcing Project \$4,900.00	This year an audit of nurseries that have signed up to the Ecosourcing Code of Practice is taking place.

Table 3: Wider Green Network community support offered by Council.

Covenants and Rates Relief

The covenanting and rates relief aspects of the programme have received a lower level of uptake than was anticipated at the start of the financial year, partly because the Waitakere City covenant document is being finalised by the Legal and Parks Planning Departments. A number of covenant applications will however be processed once the covenant document is finalised and rates relief applications from these will subsequently be evaluated and awarded.

Undertaking a covenant is a substantial commitment that most people want to take their time to fully consider and consult. It is expected that as covenants become established and more 'normal' or familiar, that cautiousness to the idea will reduce. Significantly, many of the land parcels being considered border existing reserves or esplanades. This increases their value to the Green Network.

Provision of Information

A series of fliers have been produced which outline the types of assistance offered and include an application form. Most of these fliers are available on the internet or are sent out through Council's Call Centre. Word of mouth continues to be a significant tool of promotion with much discussion and passing on of information happening in the community as a result of the programme.

Delivery and Advocacy

The delivery of contractor assistance and management plans has largely been outsourced with The Weedfree Waitakere Trust the main supplier. The Trust also undertakes some community education and training on behalf of Council.

General advocacy of the Green Network Community Assistance Programme is promoted by several community groups, most notably The Weedfree Waitakere Trust, Titirangi Residents & Ratepayers Association through their new residents information pack, Friends of the Whau and Piha Coastcare.

Community Group Support

The number of community groups within the city involved in environmental projects or activities has risen from 7 in 1999 to 75 in March 2004. Many of these new groups have been significantly assisted in their ability to work with their community members by the support available through the Community Assistance Programme. Indeed, many of them would not have succeeded in even forming without the support of the programme. Thus the ability of the community to respond, to make a positive contribution to the Green Network and to be a part of the solution to issues such as weeds, is growing substantially as a result of access to support.

Project Twin Streams

Project Twin Streams has funding to address stormwater issues along the Oratia, Opanuku Swanson, Waikumete, Henderson Creek and Pixie streams. A major weed control and replanting programme will be carried out along a 15 metre wide strip either side of the streams. Residents and local community groups will be approached to participate in the Project Twin Streams programme and encouraged to continue the weed removal and replanting work on their land. This is expected to lead to an increase in demand for assistance offered through the Green Network Community Assistance Programme, particularly for weed bins, contractor assistance and plants.

RESOURCES

Council allocated an additional \$15,000 to the Green Network budget for the Community Assistance Programme and the wider support in the 2003/2004 financial year, bringing the budget to a total of \$122,900. The 2004/2005 Draft Annual Plan provides for a similar level of funding and assistance.

CONCLUSION

Community participation in the Green Network Community Assistance Programme, in groups and as individuals is significantly increasing the ability to contribute to the development of the Green Network and to address management of natural areas. The programme also provides an important alternative to regulation as an “other method” for implementation of Waitakere City’s District Plan.

The covenanting and rates relief aspects of the programme have received a lower level of uptake than was anticipated at the start of the financial year, partly because the Waitakere City covenant document is being finalised by the Legal and Parks Planning Departments. A number of covenant applications will however be processed once the covenant document is finalised and rates relief applications will subsequently be evaluated and awarded.

A dramatic increase in demand for assistance has happened since the inception of the programme and a further increase in demand is expected once the physical works on Project Twin Streams projects begin. Applications will need to be prioritised as no additional budget has been allocated.

RECOMMENDATION

That the Green Network community assistance programme Update Report be received.

Report prepared by: Kerry Bodmin, Parks Ecology and Policy Co-ordinator.



PART V - CONFIDENTIAL ITEM

13 HENDERSON VINEYARDS BUSINESS CAMPUS - UNIVERSAL DRIVE EXTENSION

This item will be considered in the Confidential Supplement of the agenda, and has been circulated to members separately with this agenda.

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

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 	The withholding of information is necessary in order to: <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). 	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 details that could affect Council's negotiations for possible property acquisitions.*

