

**MINUTES OF A MEETING OF THE PLANNING AND REGULATORY COMMITTEE HELD
IN THE COUNCIL CHAMBER, WAITAKERE CENTRAL, 6 HENDERSON VALLEY
ROAD, HENDERSON, WAITAKERE, ON TUESDAY, 13 JULY 2010,
COMMENCING AT 9.32 AM**

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PRESENT:

Councillors	VS	Neeson, JP (Chairman)
	WW	Flaunty, QSM, JP (Deputy Chairman)
	DQ	Battersby, QSM, JP
	JM	Clews, QSO, JP
	LA	Cooper, JP (from 9.37 am until 10.40 am) (from 10.50 am)
	AK	Corban, OBE, JP (from 9.34 am)
	RP	Dallow, QPM, JP (from 9.36 am)
	JP	Lawley, JP (from 9.34 am)
	PG	Mitchell (from 9.34 am)
Deputy Mayor	PA Hulse	(ex-officio) (from 9.41 am)

IN ATTENDANCE:

Acting Manager: Public Affairs
Solicitor/Team Leader: Legal - Regulatory
Principal Planner: Resource Management and Building
Contract Solicitor: D Collins
Alcohol Project Leader: Community Wellbeing
Strategic Advisor: Waitakere Ranges
Strategic Advisor: Sustainable Management
Committee Secretary: J Moore

ALSO IN ATTENDANCE:

Inspector Rod Fraser, New Zealand Police
Senior Sergeant Regan James, New Zealand Police
Constable Andrew Shields, New Zealand Police

PART A - OPENING OF MEETING

1 APOLOGIES

964/2010
MOVED by Cr Battersby, seconded Cr Corban:

That apologies from Crs Brady, Chan, Clow and Jolley for absence be received and sustained.

CARRIED

2 URGENT BUSINESS

There was no Urgent Business.

3 CONFLICTS OF INTEREST

Members were reminded via the agenda, of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have.

4 CONFIRMATION OF MINUTES

965/2010

MOVED by Cr Clews, seconded Cr Mitchell:

The Planning and Regulatory Committee resolved to:

Receive the minutes of the meeting of the Planning and Regulatory Committee held on Tuesday, 8 June 2010, as circulated, and that they be taken as read and now be confirmed.

CARRIED

PRECEDENCE OF BUSINESS

966/2010

MOVED by Cr Battersby, seconded Cr Flaunty:

That Part B - Regulatory/Enforcement, Item 6: Control of Liquor in Public Places Bylaw 2008 Report be accorded precedence at this time.

DECLARATION OF INTEREST

9.34 am Cr Corban declared an interest and withdrew from the table and took no part in the debate or decision on Item 6: Control of Liquor in Public Places Bylaw 2008 Report.

PART B - REGULATORY/ENFORCEMENT

6 CONTROL OF LIQUOR IN PUBLIC PLACES BYLAW 2008 REPORT

9.34 am Cr Lawley entered the meeting.

9.36 am Cr Dallow entered the meeting.

9.37 am Cr Cooper entered the meeting.

9.41 am Cr Hulse entered the meeting.

967/2010

MOVED by Cr Cooper, seconded Cr Hulse:

The Planning and Regulatory Committee resolved to:

1. **Receive** the Waitakere City Council Control of Liquor in Public Places Bylaw 2008 Report.
2. **Agree** to recommend to Council to amend the Waitakere City Council Control of Liquor in Public Places Bylaw 2008, pursuant to clause 7 of the Waitakere City Council Control of Liquor in Public Places Bylaw 2008 to:
 - (a) Extend the specified hours of liquor ban areas listed in the Second Schedule of the Bylaw from 9pm to 6am to 7pm to 7am.
 - (b) Remove five existing parks and reserves from the liquor ban areas listed in the Second Schedule:
 - (f) Map 12 - Te Pai Park - Henderson;
 - (j) Map 16 - Waikumete Cemetery - Glen Eden;
 - (m) Map 19 - Archibald Park - Kelston;

- (o) Map 21 - Ken Maunder Park - New Lynn; and
 - (s) Map 25 - Triangle Park - Massey.
- (c) Insert a Fourth Schedule with specified times of 24 hours, 7 days a week for the following parks and reserves:
- (a) Map 12 - Te Pai Park - Henderson;
 - (b) Map 16 - Waikumete Cemetery - Glen Eden;
 - (c) Map 19 - Archibald Park - Kelston;
 - (d) Map 21 - Ken Maunder Park - New Lynn; and
 - (e) Map 25 - Triangle Park - Massey.
3. **Agree** to recommend to Council to declare, pursuant to clause 7 of the Waitakere City Council Control of Liquor in Public Places Bylaw 2008, 11 new liquor ban areas as set out in the schedules and delineated in corresponding maps for the specified times:

New Liquor Ban Areas	Hours/days where liquor ban will be in place	Schedule	Proposed Map
Green Bay (CBD)	24 hours, 7 days a week	First	31
Harold Moody Park – Glen Eden	7.00pm – 7.00am	Second	32
Glen Eden Picnic Area – Glen Eden	7.00pm – 7.00am	Second	33
Otitori Bay (French Bay) - Titirangi	7.00pm – 7.00am	Second	34
Henderson Park (including Opanuku Reserve, Corban Park, Vintage Reserve and Rotary Park) – Henderson	24 hours, 7 days a week	Fourth	41
Te Rangi Hiroa Reserve (including Birdwood Winery and Birdwood Depot) - Ranui	7.00pm – 7.00am	Second	35
Hobsonville War Memorial Park - Hobsonville	7.00pm – 7.00am	Second	36
Northall Park – New Lynn	7.00pm – 7.00am	Second	37
Moire Park – Massey	7.00pm – 7.00am	Second	38
Lawson Park – New Lynn	7.00pm – 7.00am	Second	39
Manutewhau Reserve - Massey	7.00pm – 7.00am	Second	40

4. **Agree** to recommend to Council to resolve, pursuant to section 156(2)(a) of the Local Government Act 2002, to make a minor change to Map 24 (Herald Island) of the Waitakere City Council Control of Liquor in Public Places Bylaw 2008 in order to correct a drafting error and ensure that Map 24 is consistent with the corresponding reference in the Second Schedule to the “Public area adjacent to Herald Island wharf car park – Herald Island.”

CARRIED

10.15 am Cr Corban returned to the table.

The Order of Business resumed at Item 5: Legal Update.

5 LEGAL UPDATE (AS AT 30 JUNE 2010)

968/2010

MOVED by Cr Corban, seconded Cr Lawley:

The Planning and Regulatory Committee resolved to:

Receive the Legal Update (as at 30 June 2010) report.

CARRIED

6 CONTROL OF LIQUOR IN PUBLIC PLACES BYLAW 2008 REPORT

This item was dealt with following Item 4: Confirmation of Minutes.

PART C - DISTRICT PLAN / STRUCTURE PLANS

7 PROPOSED PLAN CHANGE 38 TE ATATU TOWN CENTRE AND VARIATION 2 TO PLAN CHANGE 17

10.40 am Cr Cooper left the meeting.

969/2010

MOVED by Cr Hulse, seconded Cr Lawley:

The Planning and Regulatory Committee resolved to:

1. **Receive** the Proposed Plan Change 38 Te Atatu Town Centre and Variation 2 to Plan Change 17 report.
2. **Agree** to adopt proposed Plan Change 38 Te Atatu Town Centre and Variation 2 to Plan Change 17.
3. **Agree** to undertake further landowner and stakeholder consultation prior to the notification of proposed Plan Change 38 Te Atatu Town Centre and Variation 2 to Plan Change 17.
4. **Agree** to delegate to the Chairman of the Planning and Regulatory Committee final approval of any minor amendments to proposed Plan Change 38 Te Atatu Town Centre and Variation 2 to Plan Change 17 resulting from feedback from landowners and stakeholders.
5. **Agree** to recommend to the new Auckland Council that it notifies Plan Change 38 Te Atatu Town Centre and Variation 2 to Plan Change 17 in accordance with the First Schedule of the Resource Management Act 1991 as soon as possible after November 2010.

CARRIED

PART D - ENVIRONMENTAL MANAGEMENT

**8 WAITAKERE CITY COUNCIL SUBMISSION ON PROPOSED VARIATION 4:
EXTENSION TO THE AIR QUALITY MANAGEMENT AREAS**

970/2010

MOVED by Cr Dallow, seconded Cr Mitchell:

The Planning and Regulatory Committee resolved to:

1. **Receive** the Waitakere City Council Submission on Proposed Variation 4: Extension to the Air Quality Management Areas report.

A80-A85

2. **Approve** the Waitakere City Council submission attached to these minutes as pages A80 to A81 and further submission attached as pages A84 to A85 on the Proposed Variation 4: Proposed Air, Land and Water Plan to the Auckland Regional Council.

CARRIED

PART E - REPORT OF THE SUBCOMMITTEE

9 SWIMMING POOL EXEMPTION SUBCOMMITTEE

10.50 am Cr Cooper returned to the meeting.

971/2010

MOVED by Cr Flaunty, seconded Cr Battersby:

The Planning and Regulatory Committee resolved to:

Receive the meeting report of the Swimming Pool Exemption Subcommittee held on Monday, 21 June 2010.

CARRIED

PART F - PUBLIC EXCLUDED MATTER

**10 REPORT ON MEDIATION OUTCOME - 543 TE ATATU ROAD, TE ATATU PENINSULA
PROCEDURAL MOTION TO EXCLUDE THE PUBLIC**

972/2010

MOVED by Cr Neeson, seconded Cr Dallow:

That the public be excluded from the following part of the proceedings of this meeting, namely, Report on Mediation Outcome – 543 Te Atatu Road, Te Atatu Peninsula.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to 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:

