

## MINUTES

# ENVIRONMENTAL MANAGEMENT COMMITTEE

---

MINUTES OF THE MEETING OF THE ENVIRONMENTAL MANAGEMENT COMMITTEE OF THE AUCKLAND REGIONAL COUNCIL HELD IN THE , GROUND FLOOR, 21 PITT STREET, AUCKLAND ON TUESDAY 8 DECEMBER 2009 AT 9.35 AM.

---

### PRESENT:

Cr	Dianne	Glenn	(Chair)
Cr	Judith	Bassett	<i>(Until 11.55am, Item C.5)</i>
Cr	Bill	Burrill	
Cr	Clive	Carter	<i>(Until 11.14am, Item C.3)</i>
Cr	Joel	Cayford	<i>(Until 11.14am, Item C.3)</i>
Cr	Sandra	Coney	<i>(Until 11.36am, Item C.3)</i>
Cr	Michael	Lee	<i>(From 9.40am, Item E.1)</i>
Cr	Brent	Morrissey	
Cr	Christine	Rankin	<i>(Until 11.35am, Item C.3)</i>
Cr	Christine	Rose	
Cr	Jan	Sinclair	
Cr	Paul	Walbran	<i>(From 9.43am, Item E.2)</i>

### APOLOGIES:

Cr	Michael	Barnett
----	---------	---------

### IN ATTENDANCE:

Ms	Judy-Ann	Ansen
Mr	Roger	Bannister
Ms	Janine	Bell
Ms	Julie	Bevan
Mr	Matthew	Davis
Mr	Hayden	Easton
Mr	Brett	Lane
Ms	Louise	Mason
Mr	Paul	Metcalf
Mr	Andrew	Millar
Ms	Elizabeth	Wells
Ms	Janet	Whiteside
	Supporting	Officers

## **A PROCEDURAL ITEMS**

### **A.1 MINUTES**

#### **RESOLVED**

That the minutes of the meeting held on 1 December 2009 be confirmed.

## **B ITEMS FOR DECISION**

### **B.1 ASSIGNMENT OF INDEPENDENT COMMISSIONERS TO NON NOTIFIED AUCKLAND REGIONAL COUNCIL CONSENTS C512-01**

#### **RESOLVED**

- a) That the report be received.
- b) That independent commissioner, Ms Jennie Hoadley, be delegated authority to grant or refuse consent, and to determine appropriate conditions of consent on behalf of the Auckland Regional Council in the above non-notified consents.
- c) That an alternate independent commissioner, Mr Les Simmons, be delegated authority to grant or refuse consent, and to determine appropriate conditions of consent on behalf of the Auckland Regional Council in the above non-notified consents, if required.

### **B.2 ASSIGNMENT OF COMMISSIONERS TO RESOURCE CONSENT HEARINGS C512-01**

No appointment of hearing commissioners was required at this meeting.

#### **RESOLVED**

That the report be received.

**ITEM D.1 WAS TAKEN AT THIS JUNCTURE.**

## **B.3 DELEGATION OF SETTLEMENT OF COURT PROCEEDINGS C512-12**

*Committee Secretary: 8 December 2009*

The Committee received a verbal update on two appeal cases from Ms Janine Bell, the Regulatory Services General Manager.

### **RESOLVED**

- a) That the verbal report be received
- b) That the Auckland Regional Council agrees to attend court-assisted mediation of Kahikatea Land Limited appeals.
- c) That the Environment Management Committee authorise councillors Dianne Glenn and Bill Burrill to attend any court assisted mediation of the Kahikatea Land Limited appeal(s) along with appropriate senior staff and legal counsel and, if appropriate, settle the appeal subject to delegation which would require authorisation from the Environmental Management Committee should the decision conflict with the original decision.
- d) That the Auckland Regional Council agrees to attend court-assisted mediation of the TR Group Limited appeal(s).
- e) That the Environment Management Committee authorise councillors Dianne Glenn and Paul Walbran to attend any court assisted mediation of the TR Group Limited appeal along with appropriate senior staff and legal counsel and, if appropriate, settle the appeal subject to delegation which would require authorisation from the Environmental Management Committee should the decision conflict with the original decision.

## **C ITEMS FOR INFORMATION**

### **C.1 REPORT FROM GENERAL MANAGER C736-P266-04, E01**

#### **RESOLVED**

That the report be received.

**C.2 ON-SITE WASTEWATER SYSTEM FAILURES: CAUSES AND PLAN TO IMPROVE PERFORMANCE**

**RESOLVED**

That the report be received.

**MORNING TEA ADJOURNMENT 10.58 AM – 11.14 AM.**

**C.3 ENVIRONMENTAL PROGRAMMES ACTIVITIES FOR THE 2009 FINANCIAL YEAR**

**P266-04**

**RESOLVED**

That the report be received.

**C.4 INTEGRATED CATCHMENT MANAGEMENT PLANS (ICMPS) PROGRESS 2009**

**S130-10**

**RESOLVED**

That the report be received.

**C.5 STORMWATER BEST PRACTICE GUIDELINES – REVIEW PROGRESS**

**P266-04**

**RESOLVED**

That the report be received.

**ITEM B.3 WAS TAKEN AT THIS JUNCTURE.**

## D ADMINISTRATIVE ITEMS

### D.1 PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

#### RESOLVED

That, pursuant to the provisions of Section 48(1)(a) of the Local Government Official Information & Meetings Act 1987, the public be excluded from the following proceedings of this meeting; the subject matter, the reasons and specific grounds for exclusions are set below:

<b>E.1:</b>	<b>Recommendation For Prosecution – Work At Saratoga Estate Winery In Breach of The Resource Management Act 1991</b>
<b>Reason:</b>	Prejudice to the maintenance of the law.
<b>Grounds:</b>	The disclosure to the public of this report will prejudice the maintenance of the law, including the prevention, maintenance, and detection of offences, and the right to a fair trial – s6(a).
<b>Specifics:</b>	This report discloses information gathered during an investigation which may result in court action and the disclosure to the public of such reports would seriously prejudice the ability to investigate future breaches of the Resource Management Act 1991 and could prejudice the right to a fair trial.
<b>E.2:</b>	<b>Environment Court Appeal – Watercare Services Limited, Puketutu Island</b>
<b>Reason:</b>	Legal Professional Privilege
<b>Grounds:</b>	Withholding of the information is necessary to maintain legal professional privilege - Section 7(2)(g) of the Act
<b>Specifics:</b>	This report contains information that is subject to legal professional privilege.

**ITEMS E.1 AND E.2 WERE TAKEN AT THIS JUNCTURE.**

**ITEM C.1 WAS TAKEN AT THIS JUNCTURE.**

**THE MEETING CLOSED AT 12.03 PM.**