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## Regional Strategy and Policy Committee

### OPEN MINUTES

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Minutes of a meeting of the Regional Strategy and Policy Committee held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Tuesday, 4 February 2014 at 9.30am.

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#### PRESENT

##### Acting Chairperson Members

Anae Arthur Anae	
Cr Cameron Brewer	
Cr Dr Cathy Casey	
Cr Bill Cashmore	
Cr Ross Clow	Until 11.23am, Item 10
Cr Linda Cooper, JP	Until 12:25pm item 11
Cr Chris Darby	
Cr Hon Chris Fletcher, QSO	From 9.50am, Item 9
Cr Penny Hulse	From 9.34am, Item 9
Cr Denise Krum	
Cr Mike Lee	From 9.50am, Item 9; until 12:54pm item 12
Kris MacDonald	
Cr Calum Penrose	
Cr Dick Quax	Until 12:01pm, item 11
Cr Sharon Stewart, QSM	
Cr Sir John Walker, KNZM, CBE	
Cr Wayne Walker	
Cr John Watson	From 9.37am, Item 9
Glenn Wilcox	

#### APOLOGIES

Cr George Wood, CNZM  
Mayor Len Brown, JP  
Cr Alf Filipaina  
Cr Penny Webster

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**1 Apologies**

Resolution number REG/2014/15

MOVED by Acting Chairperson AJ Anae, seconded by Cr WB Cashmore:

**That the Regional Strategy and Policy Committee:**

- a) **accept the apologies from Chairperson Cr GS Wood for illness, Mayor Len Brown and Cr MP Webster for absence on council business, and Cr R Clow for early departure.**

**CARRIED**

**2 Declaration of Interest**

There were no declarations of interest.

**3 Confirmation of Minutes**

Resolution number REG/2014/16

MOVED by Acting Chairperson AJ Anae, seconded by Cr WD Walker:

**That the Regional Strategy and Policy Committee:**

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 5 December 2013, including the confidential section, as a true and correct record.**

**CARRIED**

**4 Petitions**

There were no petitions.

**5 Public Input**

There was no public input.

**6 Local Board Input**

There was no local board input.

**7 Extraordinary Business**

There was no extraordinary business.

**8 Notices of Motion**

There were no notices of motion.

## 9 Grass and Vegetation Management

Officers were in attendance and gave a power point presentation in support of the item.

A copy of the presentation has been placed on the official copy of these minutes and will be available on the Auckland Council website.

*Cr Hulse entered the meeting at 9.34am*

*Cr Watson entered the meeting at 9.37am*

*Cr Fletcher entered the meeting at 9.50am*

*Cr Lee entered the meeting from at 9.50am*

Resolution number REG/2014/17

MOVED by Acting Chairperson AJ Anae, seconded by Cr CE Fletcher:

**That the Regional Strategy and Policy Committee:**

a) **receive the report.**

**CARRIED**

Resolution number REG/2014/18

MOVED by Cr CE Brewer, seconded by Cr DA Krum an amendment by way of addition:

**That the Regional Strategy and Policy Committee:**

b) **thank Auckland Council Parks department and Auckland Transport for taking a more pragmatic and responsive approach to the managing of overgrown berms, and support their commitment of getting on top of any unsightly berms by autumn.**

**CARRIED**

MOVED by Cr ME Lee, seconded Cr C Fletcher by way of addition:

That the Regional Strategy and Policy Committee:

c) **in light of public concerns, the grass berm mowing policy be reviewed.**

A division was called for, voting on which was as follows:

<b><u>For</u></b>	<b><u>Against</u></b>	<b><u>Abstained</u></b>
Cr CE Brewer	Acting Chairperson AJ Anae	
Cr CM Casey	Cr WB Cashmore	
Cr CE Fletcher	Cr RI Clow	
Cr DA Krum	Cr LA Cooper	
Cr ME Lee	Cr C Darby	
Member K MacDonald	Cr PA Hulse	
Member G Wilcox	Cr CM Penrose	
	Cr D Quax	
	Cr SL Stewart	
	Cr JG Walker	
	Cr WD Walker	
	Cr J Watson	

The division was declared LOST by 12 votes to 7.

### **Attachments**

A Attachment

The meeting adjourned at 11.05am and reconvened at 11.11am.

**10 Proposed draft Auckland Energy Resilience and Low Carbon Action Plan**

Officers were in attendance and gave a presentation in support of the item.

A copy of the presentation has been placed on the official copy of these minutes and is available on the Auckland Council website.

*Cr PA Hulse left the meeting at 11.11 am.*

*Cr C Penrose left the meeting at 11.11 am.*

*Cr RI Clow retired from the meeting at 11.23 am.*

*Cr PA Hulse returned to the meeting at 11.24 am.*

*Cr C Penrose returned to the meeting at 11.24 am.*

Resolution number REG/2014/19

MOVED by Acting Chairperson AJ Anae, seconded by Cr WD Walker:

**That the Regional Strategy and Policy Committee:**

- a) **approve Attachment A of the report, “Low Carbon Auckland Draft Action Plan”, to be released for informal public feedback**
- b) **agree that any editorial amendments be delegated for approval to the Chair and Deputy Chair of the committee, Cr Wayne Walker and the Chief Planning Officer**
- c) **note that the report be circulated to local boards, the Independent Māori Statutory Board and advisory panels for their information and feedback.**

**CARRIED**

**Attachments**

A Attachment

B Attachment

**11 Auckland Council's submission on the Local Government Act 2002 Amendment Bill (No 3)**

Officers were in attendance and gave a presentation in support of the item.

A copy of the presentation has been placed on the official copy of these minutes and is available on the Auckland Council website.

*Cr PA Hulse left the meeting at 11.58 am.*

*Cr CE Fletcher left the meeting at 12.00 pm.*

*Cr D Quax retired the meeting at 12.01 pm.*

*Cr CE Fletcher returned to the meeting at 12.30 pm.*

*Cr PA Hulse returned to the meeting at 12.30 pm.*

Resolution number REG/2014/20

MOVED by Acting Chairperson AJ Anae, seconded by Cr LA Cooper:

That the Regional Strategy and Policy Committee:

- a) **approve the draft submission on the Local Government Act (2002) Amendment Bill (No 3)**

**CARRIED**

*Cr LA Cooper retired from the meeting at 12.25 pm.*

Secretarial note: Items b) v. vii. and xvi. were taken separately.

Resolution number REG/2014/21

MOVED by Acting Chairperson AJ Anae, seconded by Cr WD Walker:

That the Regional Strategy and Policy Committee:

- b) **approve the following policy positions as the basis for the submission on the Local Government Act (2002) Amendment Bill (No 3). That Auckland Council:**

- i. support provisions to enable local boards to be established elsewhere in New Zealand as part of local authority reorganisation proposals
- ii. seek clarification as to whether the local board provisions set out in new sub-part 1A of the Bill are to apply to Auckland Council in the event of a reorganisation proposal
- iii. suggest that the Local Government (Auckland Council) Act 2009 (LGACA) be amended to be consistent with the Bill by confirming that local boards across New Zealand do not have separate legal standing from the council
- iv. suggest the deletion of sections 23(2) and (3) from the LGACA as the obligations they set out in relation to the audited statements of local board are duplicated in the Bill
- vi. oppose provisions in the Bill that would enable governing body members to be appointed to sit on local boards in the event of a reorganisation
- viii. support the proposed changes to the special consultative procedure process itself
- ix. suggest removal from other Acts of the mandatory requirement to use the special consultative procedure
- x. support proposals to allow for the greater use of technology in council meetings but suggests that rules around the physical quorum required for meetings be addressed in council standing orders rather than legislation
- xi. support changes to the consultation processes for the long term and annual plans
- xii. support the requirement that councils develop a significance and engagement policy but request that the adoption date be pushed back to no later than 1 July 2015
- xiii. support the requirement for councils to develop a 30 year infrastructure strategy
- xiv. seek inclusion in the Bill of provisions to enable councils to specify, following appropriate community consultation, bylaw breaches that would be subject to an infringement notice
- xv. support the general intent of new section 17A that councils review their service provision arrangements on a periodic basis but suggests the scope of the review be limited to significant public facing services, and that councils be given more discretion to determine how often they conduct the review
- xvi. support the reinstatement in the Local Government (Auckland Council) Act 2009 of governing body responsibility for Auckland Council decision making for transport networks and infrastructure
- xviii. suggest that a broader definition of what constitutes a working day, more in keeping with the Local Government Official Information and Meetings Act and the Resource Management Act rather than the Local Government Act, be adopted in relation to the proposed independent objections process for development contributions
- xix. seek changes to the definition of community infrastructure to include libraries, swimming pools, sports infrastructure and other public amenities
- xx. seek an additional principle to allow councils to continue to perform an individual development contribution assessment based on category and geographical location
- xxi. suggest that as an alternative to the proposed review process the Bill offers the option to councils to have their development contributions polices reviewed on an ex-ante basis, with subsequent disputes to be resolved on the basis of

whether they are consistent with that policy

- xxii. seek to amend the independent objection process to take into account the amended principles including the additional principle of averaging
- xxiii. seek changes to the commencement date for the new community infrastructure definition to align with the 2015-2025 Long-term Plan
- xxiv. seek a number of technical amendments to the development contributions provisions, as documented in the appended table to the draft submission.

**CARRIED**

Resolution number REG/2014/22

MOVED by Cr CM Penrose, seconded by Cr C Darby:

That the Regional Strategy and Policy Committee:

- b) approve the following policy positions as the basis for the submission on the Local Government Act (2002) Amendment Bill (No 3). That Auckland Council:
  - v. suggest that a restriction be included in the Bill and LGACA limiting successful local board candidates to membership of a single local board

A division was called for, voting on which was as follows:

<b><u>For</u></b>	<b><u>Against</u></b>	<b><u>Abstained</u></b>
Acting Chairperson AJ Anae	Cr CE Brewer	
Cr CM Casey	Cr CE Fletcher	
Cr WB Cashmore	Member K MacDonald	
Cr C Darby	Cr CM Penrose	
Cr PA Hulse	Cr JG Walker	
Cr DA Krum	Member G Wilcox	
Cr ME Lee		
Cr SL Stewart		
Cr WD Walker		
Cr J Watson		

The division was declared **CARRIED** by 10 votes to 6.

**CARRIED**

Resolution number REG/2014/23

MOVED by Acting Chairperson AJ Anae, seconded by Cr WD Walker:

That the Regional Strategy and Policy Committee:

- b) approve the following policy positions as the basis for the submission on the Local Government Act (2002) Amendment Bill (No 3). That Auckland Council:
  - vii. support the removal of the mandatory requirement to use the special consultative procedure in most circumstances

A division was called for, voting on which was as follows:

<b><u>For</u></b>	<b><u>Against</u></b>	<b><u>Abstained</u></b>
Acting Chairperson AJ Anae	Cr CM Casey	
Cr CE Brewer	Cr C Darby	
Cr WB Cashmore	Cr PA Hulse	
Cr CE Fletcher	Cr ME Lee	
Cr DA Krum	Cr WD Walker	
Member K MacDonald	Cr J Watson	
Cr CM Penrose		
Cr SL Stewart		
Cr JG Walker		
Member G Wilcox		

The division was declared **CARRIED** by 10 votes to 6.

**CARRIED**

MOVED by Acting Chairperson AJ Anae, seconded by Member G Wilcox by way of amendment by removal:

That the Regional Strategy and Policy Committee:

- b) approve the following policy positions as the basis for the submission on the Local Government Act (2002) Amendment Bill (No 3). That Auckland Council:
  - xvi) seek clarification of matters on potential legal challenges to the mana whenua selection body for membership of the Independent Maori Statutory Board

LOST

Resolution number REG/2014/24

MOVED by Acting Chairperson AJ Anae, seconded by Cr WD Walker:

That the Regional Strategy and Policy Committee:

- c) agree that any editorial amendments be delegated to the Chair or Deputy Chair of the committee and the Chief Planning Officer.

CARRIED

For clarity, following is the resolution in its entirety:

**That the Regional Strategy and Policy Committee:**

- a) **approve the draft submission on the Local Government Act (2002) Amendment Bill (No 3)**
- b) **approve the following policy positions as the basis for the submission on the Local Government Act (2002) Amendment Bill (No 3). That Auckland Council:**
  - i. **support provisions to enable local boards to be established elsewhere in New Zealand as part of local authority reorganisation proposals**
  - ii. **seek clarification as to whether the local board provisions set out in new sub-part 1A of the Bill are to apply to Auckland Council in the event of a reorganisation proposal**
  - iii. **suggest that the Local Government (Auckland Council) Act 2009 (LGACA) be amended to be consistent with the Bill by confirming that local boards across New Zealand do not have separate legal standing from the council**
  - iv. **suggest the deletion of sections 23(2) and (3) from the LGACA as the obligations they set out in relation to the audited statements of local board are duplicated in the Bill**
  - v. **suggest that a restriction be included in the Bill and LGACA limiting successful local board candidates to membership of a single local board**
  - vi. **oppose provisions in the Bill that would enable governing body members to be appointed to sit on local boards in the event of a reorganisation**
  - vii. **support the removal of the mandatory requirement to use the special consultative procedure in most circumstances**
  - viii. **support the proposed changes to the special consultative procedure process itself**
  - ix. **suggest removal from other Acts of the mandatory requirement to use the special consultative procedure**
  - x. **support proposals to allow for the greater use of technology in council meetings but suggests that rules around the physical quorum required for meetings be addressed in council standing orders rather than legislation**
  - xi. **support changes to the consultation processes for the long term and annual plans**

- xii. support the requirement that councils develop a significance and engagement policy but request that the adoption date be pushed back to no later than 1 July 2015
  - xiii. support the requirement for councils to develop a 30 year infrastructure strategy
  - xiv. seek inclusion in the Bill of provisions to enable councils to specify, following appropriate community consultation, bylaw breaches that would be subject to an infringement notice
  - xv. support the general intent of new section 17A that councils review their service provision arrangements on a periodic basis but suggests the scope of the review be limited to significant public facing services, and that councils be given more discretion to determine how often they conduct the review
  - xvi. seek clarification of matters on potential legal challenges to the mana whenua selection body for membership of the Independent Maori Statutory Board
  - xvii. support the reinstatement in the Local Government (Auckland Council) Act 2009 of governing body responsibility for Auckland Council decision making for transport networks and infrastructure
  - xviii. suggest that a broader definition of what constitutes a working day, more in keeping with the Local Government Official Information and Meetings Act and the Resource Management Act rather than the Local Government Act, be adopted in relation to the proposed independent objections process for development contributions
  - xix. seek changes to the definition of community infrastructure to include libraries, swimming pools, sports infrastructure and other public amenities
  - xx. seek an additional principle to allow councils to continue to perform an individual development contribution assessment based on category and geographical location
  - xxi. suggest that as an alternative to the proposed review process the Bill offers the option to councils to have their development contributions policies reviewed on an ex-ante basis, with subsequent disputes to be resolved on the basis of whether they are consistent with that policy
  - xxii. seek to amend the independent objection process to take into account the amended principles including the additional principle of averaging
  - xxiii. seek changes to the commencement date for the new community infrastructure definition to align with the 2015-2025 Long-term Plan
  - xxiv. seek a number of technical amendments to the development contributions provisions, as documented in the appended table to the draft submission.
- c) agree that any editorial amendments be delegated to the Chair or Deputy Chair of the committee and the Chief Planning Officer.

**CARRIED**

#### Attachments

A Attachment

**12 Auckland Council Submission on the Proposed Amendments to the National Policy Statement Freshwater Management 2011**

Officers were in attendance and gave a presentation in support of the item.

A copy of the presentation has been placed on the official copy of these minutes and is available on the Auckland Council website.

*Cr ME Lee retired from the meeting at 12.54 pm.*

Resolution number REG/2014/25

MOVED by Acting Chairperson AJ Anae, seconded by Cr WD Walker:

**That the Regional Strategy and Policy Committee:**

- a) **distribute the draft submission to councillors 48 hours prior to it being lodged, to allow for any final input**
- b) **delegate responsibility for approving the Auckland Council submission on the Proposed Amendments to the National Policy Statement for Freshwater Management 2011 to the Acting Chair Cr Arthur Anae, Cr Cashmore, Cr Darby, Cr Wayne Walker and one Independent Maori Statutory Board member.**

**CARRIED**

**Attachments**

A Attachment

**13 Waitākere Ranges Heritage Area Six Monthly Report**

Resolution number REG/2014/26

MOVED by Acting Chairperson AJ Anae, seconded by Cr PA Hulse:

**That the Regional Strategy and Policy Committee:**

- a) **note the resolutions of the Waitākere Ranges Local Board regarding residual trap catch targets for possum control and refer consideration of additional \$150,000 to the annual plan process**
- b) **agree that the report be referred to the Whau Local Board**
- c) **agree that a formal engagement begin as soon as possible with the Te Kawarau a Maki and Ngati Whatua.**

**CARRIED**

**14 Urgent decision report - Auckland Council submission on the legal framework for burial and cremation in New Zealand – A First principles review**

Resolution number REG/2014/27

MOVED by Acting Chairperson AJ Anae, seconded by Cr CM Casey:

**That the Regional Strategy and Policy Committee:**

- a) **note the urgent decision 'Auckland Council submission on the legal framework for burial and cremation in New Zealand – A First principles review' presented to the Law Commission.**

**CARRIED**

**15 Consideration of Extraordinary Items**

There was no consideration of extraordinary items.

1.13 pm

The Chairperson thanked members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD  
AT A MEETING OF THE REGIONAL STRATEGY  
AND POLICY COMMITTEE HELD ON

**DATE:**.....

**CHAIRPERSON:**.....