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# Auckland Development Committee

## OPEN MINUTES

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Minutes of an extraordinary meeting of the Auckland Development Committee held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Thursday, 26 February 2015 at 1.55pm.

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### PRESENT

**Chairperson**  
**Deputy Chairperson**  
**Members**

Deputy Mayor Penny Hulse  
Cr Chris Darby  
Cr Anae Arthur Anae  
Cr Cameron Brewer  
Mayor Len Brown, JP  
Cr Dr Cathy Casey  
Cr Bill Cashmore  
Cr Ross Clow  
Cr Linda Cooper, JP  
Cr Alf Filipaina  
Cr Denise Krum  
Cr Mike Lee  
Member Liane Ngamane  
Cr Calum Penrose  
Cr Dick Quax  
Cr Sharon Stewart, QSM  
Member David Taipari  
Cr Sir John Walker, KNZM, CBE  
Cr Wayne Walker  
Cr John Watson  
Cr Penny Webster  
Cr George Wood, CNZM

From 2.03pm, Item 3

Until 4.23pm, Item C1

### ALSO PRESENT

Shale Chambers  
Mike Cohen  
Kay McIntyre  
Pippa Coom

Waitematā Local Board Chair  
Devonport-Takapuna Local Board Chair  
Kaipātiki Local Board Chair  
Waitematā Local Board Deputy Chair

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## 1 Apologies

There were no apologies.

## 2 Declaration of Interest

Cr CE Fletcher declared an interest in Item C1 as she is a member of the Hauraki Gulf Marine Park Forum, a founding trustee of the Motatapu Restoration Trust (1994), and the Chair of the Motatapu Restoration Trust since 2000.

Cr WD Walker, Deputy Chairperson C Darby, and Cr MP Webster declared interests in Item C1 as they are members of the Hauraki Gulf Marine Park Forum.

Member L Ngamane declared an interest in Item C1 as she is the Chair of the Hauraki Gulf Marine Park Forum.

Members remained in the room, participated in the debate and voted on Item C1.

## 3 Procedural motion to exclude the public

*Cr CE Brewer entered the meeting at 2.03 pm.*

Resolution number AUC/2015/25

MOVED by Cr D Quax, seconded by Cr LA Cooper:

**That the Auckland Development Committee:**

- a) agree that, pursuant to Standing Order 3.13.1(c), the motion under debate now be put to a vote.**

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

**For**

Cr AJ Anae  
Cr CE Brewer  
Mayor LCM Brown  
Cr WB Cashmore  
Cr LA Cooper  
Cr AM Filipaina  
Chairperson PA Hulse  
Cr DA Krum  
Cr CM Penrose  
Cr D Quax  
Cr SL Stewart  
Cr JG Walker  
Cr MP Webster  
Cr GS Wood

**Against**

Cr CM Casey  
Cr RI Clow  
Deputy Chairperson C Darby  
Cr CE Fletcher  
Cr ME Lee  
Member L Ngamane  
Member DE Taipari  
Cr WD Walker  
Cr J Watson

**Abstained**

The motion was declared **CARRIED** by 14 votes to 9.

**CARRIED**

Resolution number AUC/2015/26

MOVED by Chairperson PA Hulse, seconded by Cr LA Cooper:

**That the Auckland Development Committee:**

- a) exclude the public from the following part(s) of the proceedings of this meeting.
- b) agree that Bill Loutit (Simpson Grierson), and Ian Cowper (Meredith Connell) be permitted to remain for Confidential Item C1: Notice of Motion - Councillor Chris Darby - Proposed Auckland Unitary Plan – Council Position for Mediation and Hearings – City Centre Port Precinct after the public has been excluded, because of their knowledge of the matter, which will help the Auckland Development Committee in its decision-making.

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

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 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

**C1 Notice of Motion - Councillor Chris Darby - Proposed Auckland Unitary Plan – Council Position for Mediation and Hearings – City Centre Port Precinct**

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.  In particular, the report and attachments contain legal advice and Legal Services staff will be present to provide advice to support the discussion and decisions on this item.	s48(1)(a)  The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

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

**For**

Cr AJ Anae  
Cr CE Brewer  
Mayor LCM Brown  
Cr WB Cashmore  
Cr LA Cooper  
Cr AM Filipaina  
Chairperson PA Hulse  
Cr DA Krum  
Cr CM Penrose  
Cr D Quax  
Cr SL Stewart  
Cr JG Walker  
Cr MP Webster  
Cr GS Wood

**Against**

Cr CM Casey  
Cr RI Clow  
Deputy Chairperson C Darby  
Cr CE Fletcher  
Cr ME Lee  
Member L Ngamane  
Member DE Taipari  
Cr WD Walker  
Cr J Watson

**Abstained**

The motion was declared **CARRIED** by 14 votes to 9.

The text of these resolutions is made available to the public who are present at the meeting and form part of the minutes of the meeting.

**CARRIED**

2.38pm The public was excluded.

The meeting adjourned at 2.38pm and reconvened at 2.45pm.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.

4.39pm The public was re-admitted.

### **RESTATEMENTS**

It was resolved while the public was excluded:

#### **C1 Notice of Motion - Councillor Chris Darby - Proposed Auckland Unitary Plan – Council Position for Mediation and Hearings – City Centre Port Precinct**

The motion was put in parts.

MOVED by Deputy Chairperson C Darby, seconded by Cr CM Casey:

That the Auckland Development Committee:

- a) revoke the following decision carried at the 12 February 2015 meeting of the Auckland Development Committee:

*Resolution number AUC/2015/20*

- b) *support providing for small-scale reclamation (0.6 Hectares) within the Port Precinct identified inner basin area as a restricted discretionary activity (non-notified), limited to no greater than 2 Hectares of reclamation within any 10 year period.*

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 CM Casey	Cr AJ Anae	
Cr RI Clow	Cr CE Brewer	
Deputy Chairperson C Darby	Mayor LCM Brown	
Cr CE Fletcher	Cr WB Cashmore	
Cr ME Lee	Cr LA Cooper	
Member Ngamane	Cr AM Filipaina	
Member DE Taipari	Chairperson PA Hulse	
Cr WD Walker	Cr DA Krum	
Cr J Watson	Cr CM Penrose	
Cr GS Wood	Cr D Quax	
	Cr SL Stewart	
	Cr MP Webster	

The motion was declared **LOST** by 10 votes to 12.

MOVED by Deputy Chairperson C Darby, seconded by Cr CM Casey:

That the Auckland Development Committee:

- b) revoke the following decision carried at the 12 February 2015 meeting of the Auckland Development Committee:

*Resolution number AUC/2015/21*

- c) *support amending the activity status for reclamation for rehabilitation or remedial works from discretionary to restricted discretionary (non-notified).*

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr CM Casey	Cr AJ Anae	
Cr RI Clow	Cr CE Brewer	
Deputy Chairperson C Darby	Mayor LCM Brown	
Cr CE Fletcher	Cr WB Cashmore	
Cr ME Lee	Cr LA Cooper	
Member Ngamane	Cr AM Filipaina	
Member DE Taipari	Chairperson PA Hulse	
Cr WD Walker	Cr DA Krum	
Cr J Watson	Cr CM Penrose	
Cr GS Wood	Cr D Quax	
	Cr SL Stewart	
	Cr MP Webster	

The motion was declared LOST by 10 votes to 12.

MOVED by Deputy Chairperson C Darby, seconded by Cr CM Casey:

That the Auckland Development Committee:

- c) revoke the following decision carried at the 12 February 2015 meeting of the Auckland Development Committee:

*Resolution number AUC/2015/22*

- d) *support amending the activity status for reclamation or drainage not otherwise provided for from non-complying to fully notified discretionary, within the area south of the current port precinct boundary in accordance with the Ports of Auckland Ltd 2013 consultation document.*

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr CM Casey	Cr AJ Anae	
Cr RI Clow	Cr CE Brewer	
Deputy Chairperson C Darby	Mayor LCM Brown	
Cr CE Fletcher	Cr WB Cashmore	
Cr ME Lee	Cr LA Cooper	
Member Ngamane	Cr AM Filipaina	
Member DE Taipari	Chairperson PA Hulse	
Cr WD Walker	Cr DA Krum	
Cr J Watson	Cr CM Penrose	
Cr GS Wood	Cr D Quax	
	Cr SL Stewart	
	Cr MP Webster	

The motion was declared LOST by 10 votes to 12.

MOVED by Deputy Chairperson C Darby, seconded by Cr CM Casey:

That the Auckland Development Committee:

- d) endorse non-complying activity status for any further reclamation beyond current consented activity within the Port precinct, and reconfirm resolution number AUC/2015/19 carried at the 12 February 2015 meeting of the Auckland Development Committee, copied below:

Reclamation

- a) *support retaining the restricted discretionary activity status for minor reclamation within the Port Precinct for the purpose of maintaining, repairing or upgrading a lawful reclamation.*

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr CM Casey	Cr AJ Anae	
Cr RI Clow	Cr CE Brewer	
Deputy Chairperson C Darby	Mayor LCM Brown	
Cr CE Fletcher	Cr WB Cashmore	
Cr ME Lee	Cr LA Cooper	
Member Ngamane	Cr AM Filipaina	
Member DE Taipari	Chairperson PA Hulse	
Cr WD Walker	Cr DA Krum	
Cr J Watson	Cr CM Penrose	
Cr GS Wood	Cr D Quax	
	Cr SL Stewart	
	Cr MP Webster	

The motion was declared LOST by 10 votes to 12.

Resolution number AUC/2015/28

MOVED by Chairperson PA Hulse, seconded by Cr MP Webster:

That the Auckland Development Committee:

- e) note that the report and attachments regarding – Notice of Motion – Councillor Chris Darby – Proposed Auckland Unitary Plan – Council Position for Mediation and Hearings – City Centre Port Precinct – will remain confidential until the conclusion of the Auckland Unitary Plan Hearings.
- f) note that only decisions a) to d) regarding – Notice of Motion – Councillor Chris Darby – Proposed Auckland Unitary Plan – Council Position for Mediation and Hearings – City Centre Port Precinct – will be restated in the open section of the minutes and reflected in the draft provisions on the Proposed Auckland Unitary Plan Independent Hearings Panel (PAUPIHP) website as soon as practicable after today's meeting, and are no longer confidential.

CARRIED

Secretarial Note: Pursuant to Standing Order 3.15.5, Cr ME Lee, Cr CM Casey, Cr J Watson, Cr WD Walker, and Cr CE Fletcher requested that their votes against recommendations e) and f) be recorded.

4.39 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 AUCKLAND  
DEVELOPMENT COMMITTEE HELD ON

**DATE:**.....

**CHAIRPERSON:**.....