



Auckland Development Committee

OPEN MINUTES

Minutes of a meeting of the Auckland Development Committee held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Tuesday, 24 March 2015 at 3.39pm.

PRESENT

Deputy Chairperson Members

Cr Chris Darby
Mayor Len Brown, JP From 3.41pm, Item 2
Cr Dr Cathy Casey
Cr Bill Cashmore
Cr Alf Filipaina
Cr Denise Krum
Member Liane Ngamane
Cr Sharon Stewart, QSM
Member David Taipari
Cr Sir John Walker, KNZM, CBE Until 5.22pm, Item C1
Cr Wayne Walker
Cr John Watson

ABSENT

Cr Anae Arthur Anae
Cr Cameron Brewer
Cr Ross Clow
Cr Linda Cooper, JP
Cr Hon Christine Fletcher, QSO
Chairperson Deputy Mayor Penny Hulse
Cr Mike Lee
Cr Dick Quax
Cr Calum Penrose
Cr Penny Webster
Cr George Wood, CNZM

ALSO PRESENT

Kay McIntyre

Kaipatiki Local Board Chair

1 Apologies

Resolution number AUC/2015/47

MOVED by Cr AM Filipaina, seconded by Cr CM Casey:

That the Auckland Development Committee:

- a) **accept the apologies from Cr AJ Anae, Cr CE Brewer, Cr RI Clow, Cr LA Cooper, Cr CE Fletcher, Cr D Quax, Cr CM Penrose, Cr MP Webster, and Cr GS Wood for absence, and Chairperson PA Hulse for absence on council business.**

CARRIED

2 Declaration of Interest

Mayor LCM Brown entered the meeting at 3.41 pm.

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number AUC/2015/48

MOVED by Deputy Chairperson C Darby, seconded by Cr WB Cashmore:

That the Auckland Development Committee:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 12 March 2015, 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 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

10 Procedural motion to exclude the public

Resolution number AUC/2015/49

MOVED by Deputy Chairperson C Darby, seconded by Cr WD Walker:

That the Auckland Development Committee:

- a) **exclude the public from the following part(s) of the proceedings of this meeting.**
- b) **agree that Chloe Trenouth, Consultant, Hill Young Cooper, Jennifer Caudwell, Lawyer, Buddle Findlay, Leigh Walker Lawyer, Buddle Findlay, Paul Beverley, be permitted to remain for Confidential Item C1: Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Mana Whenua overlays, Cultural Impact Assessments and Accidental Discovery Protocols, 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 Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Mana Whenua overlays, Cultural Impact Assessments and Accidental Discovery Protocols

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 contains legal advice.	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.

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

3.45pm The public was excluded.

5.53pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Mana Whenua overlays, Cultural Impact Assessments and Accidental Discovery Protocols

Secretarial Note: Cr SL Stewart declared an interest on this item. She did not participate in the debate, and abstained from voting.

The Chair put the motion in parts.

Resolution number AUC/2015/50

MOVED by Deputy Chairperson C Darby, seconded by Mayor LCM Brown:

That the Auckland Development Committee:

- a) endorse retaining the requirement for Cultural Impact Assessments (CIA) for a range of activities subject to amendments to:
 - i) clarify that a CIA is the documentation of the process to determine whether an activity will have adverse effects on Mana Whenua values and how to avoid, remedy or mitigate any such effects;
 - ii) clarify that the requirement for a CIA is not a rule but a special information requirement associated with activities that require consent and potentially adversely affect Mana Whenua values; and
 - iii) refine the activities that require a CIA to those that are likely to have adverse effects on Mana Whenua values.

The motion was put to the vote by a show of hands and was declared CARRIED by seven votes to four.

Secretarial Note: Pursuant to Standing Order 3.15.5, Cr J Watson and Cr W Walker requested that their dissenting votes against a) i) – iii) be recorded. Cr C Casey requested that her dissenting vote against a) iii) be recorded.

Resolution number AUC/2015/51

MOVED by Deputy Chairperson C Darby, seconded by Mayor LCM Brown:

That the Auckland Development Committee:

- b) endorse retaining the Sites and Places of Value overlay subject to amendments to:
 - i) remove 70 sites that are identified to be either of non- Māori origin or duplicates;
 - ii) amend the location of 400 sites where the correct location has been confirmed;
 - iii) remove any sites that are identified by Mana Whenua as not being of value;

Resolution number AUC/2015/52

MOVED by Deputy Chairperson C Darby, seconded by Mayor LCM Brown:

That the Auckland Development Committee:

- b) endorse retaining the Sites and Places of Value overlay subject to amendments to:
 - iv) remove approximately 750 sites where an accurate location has not been confirmed;

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Mayor LCM Brown	Cr CM Casey	Cr SL Stewart
Cr WB Cashmore	Cr AM Filipaina	
Deputy Chairperson C Darby	Member Ngamane	
Cr DA Krum	Member DE Taipari	
Cr WD Walker		
Cr J Watson		

The motion was declared CARRIED by 6 votes to 4.

Resolution number AUC/2015/53

MOVED by Deputy Chairperson C Darby, seconded by Mayor LCM Brown:

That the Auckland Development Committee:

- b) endorse retaining the Sites and Places of Value overlay subject to amendments to:
 - v) amend the overlay map to reduce the size of the purple circles to a radius of 50m for those sites that are of smaller scale; and
 - vi) delete the reference to a further 50m buffer from the Sites and Places of Value to Mana Whenua in the activity table.

Secretarial Note: Pursuant to Standing Order 3.15.5, Cr W Walker requested that his dissenting vote against b) v) and vi) be recorded.

Resolution number AUC/2015/54

MOVED by Member DE Taipari, seconded by Deputy Chairperson C Darby:

That the Auckland Development Committee:

- c) endorse amending the activities that trigger the need for resource consent in the Sites and Places of Significance overlay to:
 - i) remove activities that would not result in additional adverse effects on the values of the site (e.g. alterations to buildings that do not change the footprint of the building and changes of use within an existing building); and
 - ii) remove inconsistencies and refine the thresholds for resource consent to provide greater certainty.

Resolution number AUC/2015/55

MOVED by Member DE Taipari, seconded by Cr WB Cashmore:

That the Auckland Development Committee:

- d) endorse amending the Sites and Places of Value (SPV) and Sites and Places of Significance (SPS) overlays to include additional sites nominated by submitters where sufficient evidence is provided prior to the hearings to determine value and significance against the criteria in the Regional Policy Statement chapter of the Proposed Auckland Unitary Plan, and landowner approval is provided (or the site is on council land).

Resolution number AUC/2015/56

MOVED by Deputy Chairperson C Darby, seconded by Mayor LCM Brown:

That the Auckland Development Committee:

- e) endorse retaining the approach to managing the effects of network utilities in the Mana Whenua overlays subject to amendments to enable infrastructure where effects on cultural heritage can be avoided, remedied or mitigated.

Resolution number AUC/2015/57

MOVED by Cr WD Walker, seconded by Deputy Chairperson C Darby:

That the Auckland Development Committee:

- f) endorse retaining the Accidental Discovery Protocols in the Proposed Auckland Unitary Plan (PAUP) as a general information requirement with any rules to be contained within the relevant section of the PAUP (i.e. earthworks), subject to amendments to resolve inconsistencies and duplications with requirements under the Heritage New Zealand Pouhere Taonga Act (HNZPTA) 2014 and Protected Objects Act (POA) 1975.

Resolution number AUC/2015/58

MOVED by Cr AM Filipaina, seconded by Member DE Taipari:

That the Auckland Development Committee:

- g) note that the report and attachments regarding – Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Mana Whenua overlays, Cultural Impact Assessments and Accidental Discovery Protocols– will remain confidential until the conclusion of the Auckland Unitary Plan Hearings.
- h) note that decisions a) – g) above 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 the meeting.

5.53 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:.....