
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 Thursday, 16 April 2015 at 9.30am.

PRESENT

Chairperson	Deputy Mayor Penny Hulse	
Deputy Chairperson	Cr Chris Darby	
Members	Mayor Len Brown, JP	From 1.24pm, Item C2, Until 2.22pm, Item C4 Until 3.38pm, Item C4
	Cr Dr Cathy Casey	
	Cr Bill Cashmore	
	Cr Ross Clow	
	Cr Linda Cooper, JP	
	Cr Alf Filipaina	
	Member Liane Ngamane	
	Cr Calum Penrose	
	Cr Dick Quax	From 10.28am, Item 11, Until 1.57pm, Item C3
	Cr Sharon Stewart, QSM	
	Member David Taipari	
	Cr Sir John Walker, KNZM, CBE	From 10.35am, Item 11, Until 12.40pm, Item C2
	Cr John Watson	From 9.38am, Item 9
	Cr Penny Webster	
	Cr George Wood, CNZM	

ABSENT

Cr Anae Arthur Anae
Cr Cameron Brewer
Cr Christine Fletcher
Cr Denise Krum
Cr Wayne Walker
Cr Mike Lee

ALSO PRESENT

Andy Baker, Franklin Local Board Chair

1 Apologies

Resolution number AUC/2015/64

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

That the Auckland Development Committee:

- a) **accept the apologies from Cr AJ Anae and Cr DA Krum for absence, Mayor LCM Brown, Cr CE Fletcher and Cr D Quax for lateness, and Cr WD Walker and Cr CE Brewer for absence on council business.**

CARRIED

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number AUC/2015/65

MOVED by Cr LA Cooper, seconded by Cr MP Webster:

That the Auckland Development Committee:

- a) **confirm the ordinary minutes of its meeting, held on Wednesday, 1 April 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 Auckland Council Submission of Feedback on Five Policies of Heritage New Zealand Pouhere Taonga

The Independent Māori Statutory Board Members tabled additional information. A copy of this document has been placed in the official minutes and is available in the Auckland Council website as a meetings attachment.

Cr J Watson entered the meeting at 9.38 am.

Resolution number AUC/2015/66

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

That the Auckland Development Committee:

- a) **endorse the Submission on Heritage New Zealand Pouhere Taonga- Five General Statements of Policy and Guidelines set out in Attachment A of the agenda report, and include the submission points raised by the Independent Māori Statutory Board at the meeting (attached to these minutes).**
- b) **request the Manager Heritage forward the submission to Heritage New Zealand Pouhere Taonga.**

CARRIED

Secretarial Note: Pursuant to Standing Order 3.15.5, Cr WB Cashmore, Cr CM Penrose, Cr SL Stewart and Cr J Watson requested that their dissenting votes be recorded.

Attachments

- A 16 April 2015 - Auckland Development Committee - Item 9 - Auckland Council Submission of Feedback on Five Policies of Heritage New Zealand Pouhere Taonga - Independent Maori Statutory Board Tabled Information

10 City Centre Integration Progress Update to 8 April 2015

Resolution number AUC/2015/67

MOVED by Chairperson PA Hulse, seconded by Member DE Taipari:

That the Auckland Development Committee:

- a) **receive the City Centre Integration progress update to 8 April 2015.**
- b) **note the following corrections:**

- i) **paragraph 3a:**

Progress and key issues are also reported for City Centre Strategies and Initiatives. Of note is:

Aotea Framework - a workshop with Councillors is proposed for late April June 2015, to explore key issues and opportunities in and around the Aotea precinct, and provide direction for the draft Framework.

- ii) **paragraph 38:**

It is acknowledged that the separate Port Study to be commissioned by the Mayor's Office (as described in the Auckland Development Committee's resolution no. AUC/2015/61) will inform the availability and timing of access to Captain Cook Wharf for potential redevelopment (primarily for cruise facilities as proposed in Option 4), and that this study is likely to be carried out through 2015-16.

CARRIED

11 Auckland Development Committee - Reports Pending Status Update

*Cr D Quax entered the meeting at 10.28 am.
Cr JG Walker entered the meeting at 10.35 am.*

Resolution number AUC/2015/68

MOVED by Deputy Chairperson C Darby, seconded by Chairperson PA Hulse:

That the Auckland Development Committee:

- a) **note the status of Auckland Development Committee resolutions requiring follow up reports.**

CARRIED

12 Auckland Development Committee - Summary of information memos and briefings

Resolution number AUC/2015/69

MOVED by Deputy Chairperson C Darby, seconded by Chairperson PA Hulse:

That the Auckland Development Committee:

- a) **note the items referred to in the report that have been previously circulated to committee members.**

CARRIED

13 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

14 Procedural motion to exclude the public

Resolution number AUC/2015/70

MOVED by Chairperson PA Hulse, seconded by Cr AM Filipaina:

That the Auckland Development Committee:

- a) **exclude the public from the following part(s) of the proceedings of this meeting.**
- b) **agree that Trevor Mackie, Hill Young Cooper, be permitted to remain for Confidential Item C4: Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Special Purpose - School zone and Confidential Item C5: Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Special Purpose - Tertiary Education zone, 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 Additional New Special Housing Area Request - April 2015 Recommendation

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
<p>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.</p>	<p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>In particular, the report contains commercially sensitive information in regards to the development proposals.</p>	<p>s48(1)(a)</p> <p>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.</p>

C2 Special Housing Areas - April 2015 Recommendations

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
<p>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.</p>	<p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>In particular, the report contains commercially sensitive information in regards to the development proposals..</p> <p>s7(2)(c)(i) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied.</p> <p>In particular, the report contains commercially sensitive information in regards to the development proposals.</p>	<p>s48(1)(a)</p> <p>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.</p>

C3 Special Housing Area Programme for 2015

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
<p>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.</p>	<p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>In particular, the report contains commercially sensitive information and information that could potentially give certain parties a commercial advantage if released.</p> <p>s7(2)(c)(i) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied.</p> <p>In particular, the report contains commercially sensitive information and information that could potentially give certain parties a commercial advantage if released.</p>	<p>s48(1)(a)</p> <p>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.</p>

C4 Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Special Purpose - School zone

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
<p>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.</p>	<p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.</p> <p>In particular, the report contains legal advice.</p>	<p>s48(1)(a)</p> <p>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.</p>

C5 Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Special Purpose - Tertiary Education zone

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

10.37am The public was excluded.

The meeting adjourned at 10.37am, and reconvened at 10.47am.

Cr CM Casey left the meeting at 3.08 pm.

Quorum was lost at 3.08pm. Pursuant to Standing Order 3.5.1, the meeting lapsed due to lack of quorum at 3.38pm.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Additional New Special Housing Area Request - April 2015 Recommendation

Resolution number AUC/2015/71

MOVED by Cr WB Cashmore, seconded by Cr CM Penrose:

That the Auckland Development Committee:

- c) agree that the decisions, report and attachments regarding the 'Additional New Special Housing Area Request – April 2015 Recommendation' remain confidential until all due processes have been concluded; and that the Mayor/Deputy Mayor be delegated responsibility to release information on the Special Housing Areas as may be required.

C2 Special Housing Areas - April 2015 Recommendations

Resolution number AUC/2015/72

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

That the Auckland Development Committee:

- d) agree that the decisions, report and attachments regarding the 'Special Housing Areas – April 2015 Recommendations' remain confidential until all due processes have been concluded; and that the Mayor/Deputy Mayor be delegated responsibility to release information on the Special Housing Areas as may be required.

C3 Special Housing Area Programme for 2015

Resolution number AUC/2015/73

MOVED by Cr LA Cooper, seconded by Cr WB Cashmore:

That the Auckland Development Committee:

- f) agree that the report and attachments regarding the 'Special Housing Area Programme for 2015' remain confidential until all due processes have been concluded; and that the Mayor/Deputy Mayor be delegated responsibility to release information on the Special Housing Areas as may be required.

C4 Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Special Purpose - School zone

Resolution number AUC/2015/74

MOVED by Cr AM Filipaina, seconded by Cr MP Webster:

That the Auckland Development Committee support:

Issue 1: Zoning

- a) existing private and integrated schools being zoned Special Purpose – School, as per the notified Proposed Auckland Unitary Plan
- b) the Special Purpose – School zone not applying to existing state schools. School use of existing state schools should be regulated by Ministry of Education designations
- c) rezoning state schools based on an appropriate zone for each school's context and area. This work will be discussed with the Unitary Plan Committee as part of the rezoning hearing topic
- d) the activity status for education facilities being retained across the business and residential zones to allow new schools to be developed, and also existing schools to change beyond their existing boundaries
- e) amending the business, rural and residential zone activity tables to permit community use of education facilities
- f) deleting provisions for concept plans in the Special Purpose-School zone

Secretarial Note: Pursuant to Standing Order 3.15.5, Cr CM Casey requested that her dissenting vote be recorded.

Resolution number AUC/2015/75

MOVED by Cr AM Filipaina, seconded by Cr GS Wood:

That the Auckland Development Committee support:

Issue 2: Provide for school development within the Special Purpose – School zone while managing effects

- g) adding the following objective to complement objective 1 for the development of school sites:
 - i) School activities, including appropriate redevelopment, intensification and expansion, are provided for.
- h) amending policy 1 as follows:
 - i) Enable a range of activities including education, recreation, early childhood learning services, worship and residential accommodation, and appropriate accessory activities.
- i) amending the activity table to provide for parking buildings and structures as a restricted discretionary activity and surface parking (and associated vehicle access) as a permitted activity
- j) deleting the activity ‘workers accommodation’ and inserting ‘dwellings’ as a permitted activity
- k) amending the land use controls to allow for dwelling density up to 1:2,000m²

Resolution number AUC/2015/76

MOVED by Cr AM Filipaina, seconded by Chairperson PA Hulse:

That the Auckland Development Committee support:

Issue 2: Provide for school development within the Special Purpose – School zone while managing effects

- l) amending the maximum height rule to allow buildings up to 16m within 20m of the school boundary on sites that do not have a boundary with a residential or public open space zone or the Future Urban zone
- m) amending the maximum height rule to allow for floodlights up to 16m as a permitted activity, subject to controls on design (i.e pole diameter and colour), yards and height in relation to boundary. Controls on light spill, noise and hours of operation should continue to be managed through other provisions in the Proposed Auckland Unitary Plan
- n) amending the maximum height rule to allow church spires to exceed the maximum height by no more than 6m as a permitted activity provided they are contained within a four sided pyramid measuring 2m x 2m at the base

Resolution number AUC/2015/77

MOVED by Cr AM Filipaina, seconded by Cr GS Wood:

That the Auckland Development Committee support:

Issue 2: Provide for school development within the Special Purpose – School zone while managing effects

- o) amending the land use controls to include noise standards that take into account schools as follows:

Monday to Saturday 7:00am to 10:00pm Sunday 9:00am to 6:00pm	55 dB $L_{Aeq(15\ min)}$
All other times	45 dB $L_{Aeq(15\ min)}$ 75 L_{Amax}

These noise levels will not apply to noise from standard school outdoor recreational activities occurring between 8.00am and 6.00pm Monday to Saturday. No more than 8 events in any 12 month period which occurs on the school grounds after 10pm at night. Three of these events must be finished by 12.30am and five of these events must be finished by 11.30pm.

- p) amending the school designations and Chapter H, section 6.2 (Noise and vibration) to be consistent with Special Purpose - School zone noise provisions

Resolution number AUC/2015/78

MOVED by Cr AM Filipaina, seconded by Cr MP Webster:

That the Auckland Development Committee support:

Issue 2: Provide for school development within the Special Purpose – School zone while managing effects

- q) retaining the maximum building coverage and maximum impervious area controls at 50 and 70 percent respectively
- r) amending the Community Public Open Space zone to require a yard where the zone adjoins the Special Purpose - School zone
- s) amending the business zone development controls to include the following:
- i) height in relation to boundary 8m+60 degree control applying to centre zones when adjoining the Special Purpose - School zone;
 - ii) 3m yard applying to centre zones when adjoining the Special Purpose - School zone;
 - iii) height in relation to boundary 8m+18 degree control applying to industrial zones when adjoining the Special Purpose - School zone;
 - iv) 5m yard applying to industrial zones when adjoining the Special Purpose - School zone

Resolution number AUC/2015/79

MOVED by Cr AM Filipaina, seconded by Cr LA Cooper:

That the Auckland Development Committee support:

Issue 3: Community use of school facilities

- t) the principle of enabling the community use of school facilities as set out in objective 2 of the Special Purpose – School zone
- u) amending objective 2 to read: *'Opportunities for local communities to use school facilities, and for the co-location of school and community facilities, are provided'*
- v) amending the landuse controls for community facilities and/or community use of education facilities, so that places of worship directly associated with the school purposes are exempt from these controls

Resolution number AUC/2015/80

MOVED by Cr AM Filipaina, seconded by Member L Ngamane:

That the Auckland Development Committee:

Restatement

- w) note that the report and attachments regarding – Proposed Auckland Unitary Plan submissions – council position for mediation and hearings – Special Purpose – School zone will remain confidential until the conclusion of the Proposed Auckland Unitary Plan Hearings

- x) note that decisions a) – v) 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 website as soon as practicable after the meeting.

C5 Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Special Purpose - Tertiary Education zone

This item was not considered as the meeting had lapsed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF THE AUCKLAND
DEVELOPMENT COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....