



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, 13 August 2015 at 9.43am.

PRESENT

Chairperson	Deputy Mayor Penny Hulse	
Deputy Chairperson	Cr Chris Darby	Until 2.43pm, Item C3
Members	Cr Anae Arthur Anae	
	Cr Cameron Brewer	Until 4.22pm, after item C4
	Cr Dr Cathy Casey	
	Cr Bill Cashmore	
	Cr Ross Clow	From 2.27pm, Item C2
	Cr Linda Cooper, JP	From 10.30am, Item 7
	Cr Alf Filipaina	
	Cr Hon Christine Fletcher, QSO	
	Cr Denise Krum	Until 4.22pm, after item C4
	Cr Mike Lee	
	Member Liane Ngamane	From 11.41am, Item 11, until 3.23pm, Item C4
	Cr Calum Penrose	
	Cr Dick Quax	
	Member David Taipari	From 9.44am, Item 4, until 3.23pm, Item C4
	Cr Sir John Walker, KNZM, CBE	From 10.13am, Item 6.1 until 1.59pm, Item 14
	Cr Wayne Walker	
	Cr John Watson	From 9.52am, Item 5.1
	Cr George Wood, CNZM	

ABSENT

Mayor Len Brown, JP
Cr Penny Webster
Cr Sharon Stewart

ALSO PRESENT

Andrew Baker	Franklin Local Board
Joseph Bergin	Devonport-Takapuna Local Board
Shale Chambers	Waitemata Local Board
David Collings	Howick Local Board
Dr Grant Gillon	Devonport-Takapuna Local Board
Peter Haynes	Albert-Eden Local Board
Julia Parfitt	Hibiscus & Bays Local Board
Simon Randall	Maungakiekie-Tamaki Local Board
Vernon Tava	Waitemata Local Board
Rob Thomas	Waitemata Local Board
Lisa Whyte	Upper Harbour Local Board

1 Apologies

Resolution number AUC/2015/157

MOVED by Chairperson PA Hulse, seconded by Cr CE Brewer:

That the Auckland Development Committee:

- a) **accept the apologies from Mayor Brown, Cr MP Webster and Cr SL Stewart for absence and Cr RI Clow, Cr LA Cooper and Cr J Watson for lateness.**

CARRIED

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number AUC/2015/158

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

That the Auckland Development Committee:

- a) **confirm the ordinary minutes of its meeting, held on Tuesday 7 July 2015, including the confidential section, as a true and correct record.**

CARRIED

4 Petitions

Member DE Taipari entered the meeting at 9.44 am.

There were no petitions.

5 Public Input

5.1 Ben Ross : Manukau Interchange

A PowerPoint presentation was provided. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Cr J Watson entered the meeting at 9.52 am.

Resolution number AUC/2015/159

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

That the Auckland Development Committee:

- a) **thank Ben Ross for his attendance and presentation.**
- b) **request a status report from Auckland Transport on the Manukau Interchange project be presented to the Auckland Development Committee.**

CARRIED

Attachments

A 13 August 2015 - Item 5.1 Ben Ross - Manukau Interchange

6 Local Board Input

6.1 Devonport-Takapuna Local Board : Port Future Study Stakeholder Reference Group

Joe Bergin, Chair and Dr Grant Gillon, Deputy Chair of Devonport-Takapuna Local Board addressed the committee to reconsider the inclusion of local board members on the Port Future Study Stakeholder Reference Group.

Cr JG Walker entered the meeting at 10.13 am.

Cr CE Brewer left the meeting at 10.13 am.

Cr CE Brewer returned to the meeting at 10.20 am.

Resolution number AUC/2015/160

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

That the Auckland Development Committee:

- a) **thank Joe Bergin and Dr. Grant Gillon of Devonport-Takapuna Local Board for their address regarding the Port Future Study Stakeholder Reference Group membership.**

CARRIED

7 Extraordinary Business

7.1 Proposed Auckland Unitary Plan – Topic 076 Major Recreation Facilities – Eden Park

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

That the Auckland Development Committee:

- a) accept an extraordinary item regarding the Proposed Auckland Unitary Plan - Topic 076 - Major Recreation Facilities - Eden Park as Confidential Item C4 of the agenda:
 - i) the reason the item was not on the agenda was that the matter came to staff's attention after the agenda had been printed.
 - ii) the reason for urgency is that the council's rebuttal evidence was due on 11 August 2015 and is now overdue.

MOVED by Cr CM Casey, seconded by Cr CE Fletcher by way of amendment:

That the Auckland Development Committee:

- a) defer the consideration of the Proposed Auckland Unitary Plan – Topic 076 Major Recreation Facilities – Eden Park.

Resolution number AUC/2015/161

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

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:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr CE Brewer	Cr CM Casey	
Cr WB Cashmore	Cr CE Fletcher	
Cr LA Cooper	Cr ME Lee	
Deputy Chairperson C Darby	Cr WD Walker	
Cr AM Filipaina	Cr J Watson	
Chairperson PA Hulse		
Cr DA Krum		
Cr CM Penrose		
Cr D Quax		
Member DE Taipari		
Cr JG Walker		
Cr GS Wood		

The motion was declared CARRIED by 12 votes to 5.

CARRIED

MOVED by Cr CM Casey, seconded by Cr CE Fletcher:

That the Auckland Development Committee:

- b) defer the consideration of the Proposed Auckland Unitary Plan – Topic 076
Major Recreation Facilities – Eden Park.

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr CE Brewer	Cr AJ Anae	
Cr CM Casey	Cr WB Cashmore	
Cr CE Fletcher	Deputy Chairperson C Darby	
Cr ME Lee	Cr AM Filipaina	
Cr D Quax	Chairperson PA Hulse	
Member DE Taipari	Cr DA Krum	
Cr WD Walker	Cr CM Penrose	
Cr J Watson	Cr JG Walker	
	Cr GS Wood	

The motion was declared LOST by 9 votes to 8.

LOST

Cr LA Cooper entered the meeting at 10.30 am.

Cr AJ Anae left the meeting at 10.36 am.

Resolution number AUC/2015/162

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

That the Auckland Development Committee:

- b) **accept an extraordinary item regarding the Proposed Auckland Unitary Plan - Topic 076 - Major Recreation Facilities - Eden Park as Confidential Item C4 of the agenda:**
- ii) **the reason the item was not on the agenda was that the matter came to staff's attention after the agenda had been printed.**
 - ii) **the reason for urgency is that the council's rebuttal evidence was due on 11 August 2015 and is now overdue.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr WB Cashmore	Cr CE Brewer	Cr AJ Anae
Cr LA Cooper	Cr CM Casey	
Deputy Chairperson C Darby	Cr CE Fletcher	
Cr AM Filipaina	Cr ME Lee	
Chairperson PA Hulse	Cr D Quax	
Cr DA Krum	Member DE Taipari	
Cr CM Penrose	Cr WD Walker	
Cr JG Walker	Cr J Watson	
Cr GS Wood		

The motion was declared CARRIED by 9 votes to 8.

CARRIED

8 Notices of Motion

There were no notices of motion.

9 Reports Pending Status Update

Cr CM Penrose left the meeting at 10.43 am.

Cr GS Wood left the meeting at 10.43 am.

Resolution number AUC/2015/163

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

That the Auckland Development Committee:

- a) **receive the reports pending status update.**

CARRIED

10 Summary of information memos and briefings - 13 August 2015

Resolution number AUC/2015/164

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

That the Auckland Development Committee:

- a) **receive the summary of information memos and briefings – 13 August 2015.**

CARRIED

11 Towards an Aotea Quarter Framework – Consultation Document

The City Design and Delivery Manager was in attendance for the item.

A copy of the proposed changes on the Towards an Aotea Quarter Framework – Consultation Framework - Consultation document from the Independent Maori Statutory Board was tabled at the meeting.

A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Cr CM Penrose returned to the meeting at 10.46 am.

Cr AJ Anae returned to the meeting at 10.46 am.

Cr GS Wood returned to the meeting at 10.46 am.

Member L Ngamane entered the meeting at 11.41 am.

Cr D Quax left the meeting at 11.48 am.

Cr D Quax returned to the meeting at 11.55 am.

Note: Changes to the original motion were made to clauses b) and c) with the agreement of the meeting.

Resolution number AUC/2015/165

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

That the Auckland Development Committee:

- a) **approve the release of Towards an Aotea Quarter Framework – Consultation Document for stakeholder and community engagement, subject to amendments or feedback from the meeting.**
- b) **agree to extend the consultation to the end of October 2015 to enable engagement with stakeholders, partners and the public.**
- c) **authorise the delegation of any editorial changes to the Towards an Aotea Quarter Framework – Consultation Document to the chair and deputy of the Auckland Development Committee including the tabled proposed changes from the Independent Maori Statutory Board.**

CARRIED

Attachments

- A 13 August 2015 - Auckland Development Committee, Item 11: Towards an Aotea Quarter Framework - Consultation Document - Proposed changed from Independent Maori Statutory Board

Adjournment of Meeting

Resolution number AUC/2015/166

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

That the Auckland Development Committee:

- a) **agree to adjourn the meeting for five minutes. The meeting adjourned at 11.49am and reconvened at 11.58am.**

CARRIED

Member DE Taipari, Member L Ngamane, Cr WD Walker, Cr CM Penrose, Cr CE Fletcher were not present when the meeting reconvened.

12 Auckland Council's submission to the Productivity Commission's Using Land for Housing Draft Report

The Manager Strategic Advice was in attendance and provided a PowerPoint presentation in support of the item. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Cr WD Walker and Cr CM Penrose returned at 12.02 pm.

Cr CE Fletcher returned at 12.03 pm.

Member L Ngamane returned to the meeting at 12.07 pm.

Member DE Taipari returned to the meeting at 12.09 pm.

Note: The additional clause b) was incorporated with the agreement of the meeting.

Resolution number AUC/2015/167

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

That the Auckland Development Committee:

- a) **endorse Auckland Council's submission to the Productivity Commission's *Using land for housing* draft report, which includes the council's responses to the commission's findings, recommendations and questions.**

- b) support the following amendment to paragraph 46 of the National Policy Statement on urban issues submission:

“The council understands there is a concern about the varied approaches taken by local authorities in relation to papakainga and marae development on Maori land and Treaty settlement land. Some national level guidance would be useful and it is suggested that a National Policy Statement for Maori and Treaty settlement land use and papakainga development would help to ensure consistency across local authorities. This could form part of the NPS on urban issues or be a stand-alone document.”

- c) authorise the Committee Chair and Deputy Chair to finalise and approve the council’s submission on the Productivity Commission’s *Using land for housing draft report*.

CARRIED

Attachments

- A 13 August 2015 - Auckland Development Committee : Item 12: Auckland Council's submission to the Productivity Commission's Using Land for Housing - presentation

13 Local Government (Auckland Council) Act 2003 Amendment Bill (No 3) Auckland Council's Submission

The Policy and Planning Manager Local Boards was in attendance for this item.
Resolution number AUC/2015/168

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

That the Auckland Development Committee:

- a) endorse the Auckland Council’s submission to the Local Government (Auckland Council) Amendment Bill (No 3).
b) authorise the delegation of any editorial changes to the submission to the chair and deputy chair of the Auckland Development Committee.

CARRIED

Adjournment of Meeting

Resolution number AUC/2015/169

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

That the Auckland Development Committee:

- a) agree to adjourn the meeting for thirty minutes. The meeting adjourned at 1.19pm and reconvened at 1.59pm.

CARRIED

The meeting adjourned at 1.19 pm and reconvened at 1.59 pm. Cr JG Walker and Cr ME Lee were not present when the meeting reconvened.

14 Consideration of Extraordinary Items

The extraordinary business was considered as item C4: in the Confidential agenda.

15 Procedural motion to exclude the public

Resolution number AUC/2015/170

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

That the Auckland Development Committee:

- a) **exclude the public from the following part(s) of the proceedings of this meeting.**
- b) **agree that Michelle Hewitt, from Morrison Low, be permitted to remain for Confidential Item No. C2: Proposed Auckland Unitary Plan - Interim Guidance from the Independent Hearings Panel - Historic/Special Character and the Pre-1944 Demolition Control Overlay after the public has been excluded, because of her knowledge of heritage planning issues, 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 Confidential Reports Pending Status Update

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 regarding 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>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>

	In particular, the report contains commercially sensitive information regarding development proposals.	
--	--	--

C2 Proposed Auckland Unitary Plan - Interim Guidance from the Independent Hearings Panel - Historic/Special Character and the Pre-1944 Demolition Control Overlay

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.

C3 Proposed Auckland Unitary Plan - Interim Guidance from the Independent Hearings Panel - Viewshafts

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.

C4 Proposed Auckland Unitary Plan - Topic 076 Major Recreation Facilities - Eden Park

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 was made available to the public who were present at the meeting and formed part of the minutes of the meeting.

CARRIED

2.00pm The public was excluded.

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

4.29pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Confidential Reports Pending Status Update

Resolution number AUC/2015/171

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

That the Auckland Development Committee:

- a) note the Reports Pending Status Update of confidential resolutions requiring follow-up as at 13 August 2015.
- b) agree resolution a) be released to the open minutes.

C2 Proposed Auckland Unitary Plan - Interim Guidance from the Independent Hearings Panel - Historic/Special Character and the Pre-1944 Demolition Control Overlay

Note: The additional clause b) was incorporated with the agreement of the meeting.

Resolution number AUC/2015/172

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

That the Auckland Development Committee:

- a) note the interim guidance released by the Independent Hearings Panel is not a formal recommendation and is not binding on submitters, the council or the Panel.
- b) noting that interim guidance has been provided by the Independent Hearings Panel part-way through the hearing process for Topics 029 and 030 (Special Character and Pre-1944) and that the evidence both in terms of the mapping and the benefits/costs is to be produced for the 079 (Special Character and Pre-1944 mapping) mediation process, occurring before December this year, and hearing scheduled to begin on 1 February 2016. The Independent Hearings Panel is aware of the significant survey work being undertaken by Auckland Council to review the extent of the Pre-1944 overlay in advance of mediation process and February hearing.
- c) note at this point in the hearing process:
 - i) continues to support the current Historic Character and Pre-1944 Building Demolition Control policy approach in the Proposed Auckland Unitary Plan
 - ii) continues to support the surveying of the Pre-1944 overlay to reduce the spatial extent of the overlay
 - iii) recognises the two key components of managing the potential loss of significant historic heritage places and historic character areas that the Pre-1944 overlay gives in the Proposed Auckland Unitary Plan
 - iv) continues to support a sunset clause for the duration of the Pre-1944 overlay that will cease to exist three years after the relevant provisions of the Historic Heritage, Historic Character and Pre-1944 overlays become operative
 - v) reconfirms its support for the refinement of the spatial extent of the historic character overlay in Newmarket, and Isthmus B and C
 - vi) reconfirms that Howick's special characteristics should be managed by a precinct as it does not meet the historic character criteria in the Regional Policy Statement chapter of the Proposed Auckland Unitary Plan.
- d) note that the report and attachments regarding – Proposed Auckland Unitary Plan – Interim Guidance from the Independent Hearings Panel – Historic/Special Character and the Pre-1944 Demolition Control Overlay will remain confidential until the conclusion of the Proposed Auckland Unitary Plan hearings.
- e) note that decisions a) to c) above will be restated in the open section of the minutes.

C3 Proposed Auckland Unitary Plan - Interim Guidance from the Independent Hearings Panel - Viewshafts

Note: The additional clause b) was incorporated with the agreement of the meeting.

Resolution number AUC/2015/173

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

That the Auckland Development Committee:

- a) note the interim guidance released by the Independent Hearings Panel is not a formal recommendation and is not binding on submitters, the council or the Panel
- b) noting that interim guidance has been provided by the Independent Hearings Panel part-way through the hearing process for Topic 020 Viewshafts, with the Independent Hearings Panel only having heard evidence on the objectives, policies and rules, and six of the 87 viewshafts (being the hearings process required by the Independent Hearings Panel's directions in Procedural Minute No. 12).

Resolution number AUC/2015/174

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

That the Auckland Development Committee:

- c) at this point in the hearings process:
 - i) support the council's case team working with Housing New Zealand and other submitters on a review of the criteria in the Proposed Auckland Unitary Plan for regionally significant views and the development of criteria for locally significant views
 - ii) support the council's case team undertaking a further review of the impacts of the viewshafts on development and reporting back to the committee if this results in any recommended changes to the Proposed Auckland Unitary Plan

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr AJ Anae	Cr CM Casey	
Cr CE Brewer	Cr CE Fletcher	
Cr WB Cashmore	Cr ME Lee	
Cr RI Clow	Cr WD Walker	
Cr LA Cooper		
Cr AM Filipaina		
Chairperson PA Hulse		
Cr DA Krum		
Member L Ngamane		
Cr CM Penrose		
Cr D Quax		
Member DE Taipari		
Cr J Watson		
Cr GS Wood		

The motion was declared **CARRIED** by 14 votes to 4.

Note: The additional clause d) was incorporated with the agreement of the meeting.

Resolution number AUC/2015/175

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

That the Auckland Development Committee:

- d) agree that the tabled letter from the Maunga Authority be forwarded to the Independent Hearings Panel and officers to seek guidance from the Independent Hearing Panel on the status of the Maunga Authority, given it was not in existence at the time of the Proposed Auckland Unitary Plan.

- e) note that the report regarding – Proposed Auckland Unitary Plan – Interim Guidance from the Independent Hearings Panel – Viewshafts will remain confidential until the conclusion of the Proposed Auckland Unitary Plan hearings.
- f) note that decisions a) to d) above will be restated in the open section of the minutes.

C4 Proposed Auckland Unitary Plan - Topic 076 Major Recreation Facilities - Eden Park

Resolution number AUC/2015/176

MOVED by Cr CM Casey, seconded by Cr CE Fletcher:

That the Auckland Development Committee:

- b) note that the report regarding – Proposed Auckland Unitary Plan – Topic 076 Major Recreation Facilities - Eden Park will remain confidential until the conclusion of the Proposed Auckland Unitary Plan hearings.
- c) agree that the resolution, report and vote remain confidential.

4.30 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:.....