
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, 10 September 2015 at 9.30am.

PRESENT

Deputy Chairperson Members

Cr Chris Darby
Cr Anae Arthur Anae
Cr Cameron Brewer
Cr Bill Cashmore
Cr Ross Clow
Cr Linda Cooper, JP
Cr Hon Christine Fletcher, QSO From 9.51am, part item 5.1
Cr Denise Krum
Cr Mike Lee From 9.33am item 5.1 until
10.25am, part item 11
Member Glen Wilcox From 9.34am, part item 5.1
Cr Calum Penrose
Cr Dick Quax
Cr Sharon Stewart, QSM
Member David Taipari
Cr Sir John Walker, KNZM, CBE From 9.39am, part item 5.1
Cr Wayne Walker From 9.48am, part item 5.1
Cr John Watson
Cr Penny Webster

ABSENT

Cr Dr Cathy Casey
Mayor Len Brown, JP On council Business
Cr Alf Filipaina
Cr George Wood On council business
Deputy Mayor Penny Hulse
Member Liane Ngamane

1 Apologies

Resolution number AUC/2015/178

MOVED by Deputy Chairperson C Darby, seconded by Cr CE Brewer:

That the Auckland Development Committee:

- a) **accept the apologies from Mayor LCM Brown and Cr GS Wood for absence on council business, Cr C Casey, Cr A Filipaina, Member Liane Ngamane and Deputy Mayor PA Hulse for absence, Cr Webster and Cr Wayne Walker for early departure.**

CARRIED

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number AUC/2015/179

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

That the Auckland Development Committee:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 13 August 2015, including the confidential section, as a true and correct record.**

CARRIED

4 Petitions

There were no petitions.

5 Public Input

5.1 Downtown development consents and processes (land bounded by Lower Queen, Quay, and Lower Albert streets and Custom Street).

Dr Joel Cayford presented a powerpoint presentation in relation to the Downtown development consents and processes (land bounded by Lower Queen, Quay, and Lower Albert streets and Custom Street).

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

Resolution number AUC/2015/180

MOVED by Cr ME Lee, seconded by Cr LA Cooper:

That the Auckland Development Committee:

- a) **thank Dr Joel Cayford for his presentation.**

CARRIED

Attachments

- A 10 September 2015 - Auckland Development Committee, Item 5.1: Downtown development consents and processes (land bounded by Lower Queen, Quay and Lower Albert Streets and Custom Street

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 Reports Pending Status Update

Resolution number AUC/2015/181

MOVED by Deputy Chairperson C Darby, seconded by Cr MP Webster:

That the Auckland Development Committee:

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

CARRIED

10 Summary of information memos and briefings - 10 September 2015

Resolution number AUC/2015/182

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

That the Auckland Development Committee:

- a) **receive the summary of information memos and briefings – 10 September 2015.**

CARRIED

11 Special Housing Area programme for 2015/16

Cr ME Lee left the meeting at 10.04 am.

Cr WD Walker left the meeting at 10.04 am.

Cr WD Walker returned to the meeting at 10.12 am.

Cr ME Lee returned to the meeting at 10.12 am.

Cr ME Lee left the meeting at 10.25 am.

Ree Anderson, Project Director for Housing, David Clelland, Manager Growth & Infrastructure Strategy and Katherine Anderson, Director Legal and Risk were in attendance for this item.

Resolution number AUC/2015/183

MOVED by Deputy Chairperson C Darby, seconded by Cr LA Cooper:

That the Auckland Development Committee:

- a) **note that on 10 September 2013 the Governing Body endorsed criteria for the definition and establishment of Special Housing Areas in accordance with the Housing Accords and Special Housing Areas Act 2013 and the Auckland Housing Accord (10 September 2013, item 12, resolution number GB 2013/93).**
- b) **note that on 16 April 2015 the Auckland Development Committee agreed to a special housing area programme for the remainder of 2015 that applies the existing Special Housing Area (SHA) establishment criteria with additional considerations (16 April 2015, item C3, resolution number AUC/2015/75).**

- c) note that these additional considerations were communicated to individuals and organisations on the Housing Project Office's (HPO) list of SHA requesters and developers.
- d) agree that the SHA establishment criteria and additional considerations would be improved by refining and consolidating the criteria in a single document, and adopting the following format:
 - i) presentation of the criteria in question and answer form;
 - ii) adopting guidance to explain how each criterion can be applied.
- e) agree that the amended refined and consolidated criteria and explanatory guidance for assessing SHA requests in Attachment D of the report CP2015/16690, be referred for endorsement to the Governing Body meeting on 24 September 2015 and applied from the day following the Governing Body's endorsement.
- f) agree that the refined and consolidated SHA criteria will be communicated to interested parties and put on the council's website.
- g) agree that those with pending SHA requests will be invited to provide additional information to supplement that already provided to the HPO.
- h) note that the criteria are non-exhaustive and that the council has the discretion whether or not to recommend a SHA, having taken into account the criteria and any other relevant matters.
- i) note that clause 3.1 of the Governing Body Terms of Reference provide that the Auckland Development Committee has responsibility for SHA designations.
- j) agree that the Auckland Development Committee exercise its delegated authority to make recommendations on behalf of Council to the Minister of Building and Housing on the designation of SHAs unless timing of committee meetings or special circumstances exist, that justify the matter to go to the Governing Body.
- k) agree that in consultation with the chair and deputy chair the HPO may decide not to refer to the Committee for consideration SHA requests that do not satisfy the criteria 1 – 3 in Attachments C and D of the report CP2015/16690, which relate to section 16(3) of the Housing Accords and Special Housing Areas Act 2013. The HPO would still report to the committee on those requests that are supported, or where the HPO takes the view that the request does not satisfy one or more of the council's criteria, other than criteria 1 – 3 in Attachments C and D of the report CP2015/16690.
- l) note that on 26 August 2015 there were 41 SHA requests under consideration by the Housing Project Office.
- m) note that assessing criteria 4 (Strategic Location), proximity to existing and emerging employment areas will take account of average travel/commute times.
- n) note criteria 5 (yield) is to include consideration of exemplar proposals for brownfield locations where the yield is less than 50.
- o) note that given a preference for higher yielding brownfield sites, early consultation with Local boards and local councillors remains a priority for the Housing Project Office noting Accord timeframes.

CARRIED

12 Consideration of Extraordinary Items

There were no extraordinary items.

13 Procedural motion to exclude the public

Resolution number AUC/2015/184

MOVED by Cr RI Clow, 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.**

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>In particular, the report contains commercially sensitive information regarding 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 Proposed Auckland Unitary Plan Submissions - Council position for Mediation and Hearing - Puhinui Rural Urban Boundary

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 Stormwater Land Acquisition - Hugh's Way, Flat Bush

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)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). In particular, the report contains information regarding the valuation of the proposed land to be acquired. s7(2)(j) - The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage. In particular, the report contains information regarding the valuation of the proposed land to be acquired.	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 Compulsory acquisition of easements for stormwater purposes

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)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). In particular, the report contains information which could impact on property values and negotiations with landowners.	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

11.14 am 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.

11.59 am The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Confidential Reports Pending Status Update

Resolution number AUC/2015/185

MOVED by Cr Darby, seconded by member D Taipari:

That the Auckland Development Committee:

- a) receive the reports pending status update.
- b) agree that resolution a) be released to the open minutes.

C2 Proposed Auckland Unitary Plan Submissions - Council position for Mediation and Hearing - Puhinui Rural Urban Boundary

Resolution number AUC/2015/186

MOVED by Cr CM Penrose, seconded by Cr D Quax:

That the Auckland Development Committee:

- b) agree that the report and attachments regarding – Proposed Auckland Unitary Plan – council position for mediation and hearing – Puhinui Rural Urban Boundary will remain confidential until the conclusion of the Proposed Auckland Unitary Plan hearings.
- c) agree that decision a) will be made publically available concurrently with the submission of the council's evidence to the Independent Hearings Panel in respect of the Rural Urban Boundary.

C3 Stormwater Land Acquisition - Hugh's Way, Flat Bush

Resolution number AUC/2015/187

MOVED by Cr D Quax, seconded by Cr SL Stewart:

- b) confirm there be no restatement of the confidential report, attachments or resolutions for the acquisition/compensation of the property in Flat Bush until settlement of the purchase, and then only the resolution is to be restated.

C4 Compulsory acquisition of easements for stormwater purposes

Resolution number AUC/2015/188

MOVED by Deputy Chairperson C Darby, seconded by Cr AJ Anae:

- b) agree that there be no restatement of the confidential report, or the resolutions of the Auckland Development Committee.

12.00 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:.....