

I hereby give notice that an ordinary meeting of the Planning Committee will be held on:

Date: Tuesday, 7 February 2017
Time: 9.30am
Meeting Room: Reception Lounge
Venue: Auckland Town Hall
301-305 Queen Street
Auckland

Planning Committee

OPEN AGENDA

MEMBERSHIP

Chairperson	Chris Darby	
Deputy Chairperson	Denise Lee	
Members	Cr Dr Cathy Casey	Cr Daniel Newman, JP
	Deputy Mayor Bill Cashmore	IMSB Member Liane Ngamane
	Cr Ross Clow	Cr Dick Quax
	Cr Fa'anana Efeso Collins	Cr Greg Sayers
	Cr Linda Cooper, JP	Cr Desley Simpson, JP
	Cr Alf Filipaina	Cr Sharon Stewart, QSM
	Cr Hon Christine Fletcher, QSO	Cr Sir John Walker, KNZM, CBE
	Mayor Hon Phil Goff, JP	Cr Wayne Walker
	IMSB Member Hon Tau Henare	Cr John Watson
	Cr Richard Hills	
	Cr Penny Hulse	
	Cr Mike Lee	

(Quorum 11 members)

Elaine Stephenson
Senior Governance Advisor

1 February 2017

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TERMS OF REFERENCE

Responsibilities

This committee guides the physical development and growth of Auckland through a focus on land use planning, housing and the appropriate provision of infrastructure and strategic projects associated with these activities. Key responsibilities include:

- Relevant regional strategy and policy
- Infrastructure strategy and policy
- Unitary Plan
- Spatial plans
- Plan changes to operative plans
- Housing policy and projects
- Special Housing Areas
- City centre development
- Tamaki regeneration
- Built heritage
- Urban design
- Environmental matters relating to the committee's responsibilities
- Acquisition of property relating to the committee's responsibilities and within approved annual budgets
- Activities of the following Council Controlled Organisations:
 - Panuku Development Auckland
 - Auckland Transport
 - Watercare Services Limited

Powers

- (i) All powers necessary to perform the committee's responsibilities, including:
 - (a) approval of a submission to an external body
 - (b) establishment of working parties or steering groups.
- (ii) The committee has the powers to perform the responsibilities of another committee, where it is necessary to make a decision prior to the next meeting of that other committee.
- (iii) The committee does not have:
 - (a) the power to establish subcommittees
 - (b) powers that the Governing Body cannot delegate or has retained to itself (section 2).

Exclusion of the public – who needs to leave the meeting

Members of the public

All members of the public must leave the meeting when the public are excluded unless a resolution is passed permitting a person to remain because their knowledge will assist the meeting.

Those who are not members of the public

General principles

- Access to confidential information is managed on a “need to know” basis where access to the information is required in order for a person to perform their role.
- Those who are not members of the meeting (see list below) must leave unless it is necessary for them to remain and hear the debate in order to perform their role.
- Those who need to be present for one confidential item can remain only for that item and must leave the room for any other confidential items.
- In any case of doubt, the ruling of the chairperson is final.

Members of the meeting

- The members of the meeting remain (all Governing Body members if the meeting is a Governing Body meeting; all members of the committee if the meeting is a committee meeting).
- However, standing orders require that a councillor who has a pecuniary conflict of interest leave the room.
- All councillors have the right to attend any meeting of a committee and councillors who are not members of a committee may remain, subject to any limitations in standing orders.

Independent Māori Statutory Board

- Members of the Independent Māori Statutory Board who are appointed members of the committee remain.
- Independent Māori Statutory Board members and staff remain if this is necessary in order for them to perform their role.

Staff

- All staff supporting the meeting (administrative, senior management) remain.
- Other staff who need to because of their role may remain.

Local Board members

- Local Board members who need to hear the matter being discussed in order to perform their role may remain. This will usually be if the matter affects, or is relevant to, a particular Local Board area.

Council Controlled Organisations

- Representatives of a Council Controlled Organisation can remain only if required to for discussion of a matter relevant to the Council Controlled Organisation.

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1 Apologies

An apology from Cr J Watson has been received.

2 Declaration of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

3 Confirmation of Minutes

That the Planning Committee:

- a) confirm the ordinary minutes of its meeting, held on Tuesday, 29 November 2016, including the confidential section, as a true and correct record.

4 Petitions

At the close of the agenda no requests to present petitions had been received.

5 Public Input

Standing Order 7.7 provides for Public Input. Applications to speak must be made to the Democracy Advisor, in writing, no later than **one (1) clear working day** prior to the meeting and must include the subject matter. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders. A maximum of **thirty (30) minutes** is allocated to the period for public input with **five (5) minutes** speaking time for each speaker.

At the close of the agenda no requests for public input had been received.

6 Local Board Input

Standing Order 6.2 provides for Local Board Input. The Chairperson (or nominee of that Chairperson) is entitled to speak for up to **five (5) minutes** during this time. The Chairperson of the Local Board (or nominee of that Chairperson) shall wherever practical, give **one (1) day's** notice of their wish to speak. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders.

This right is in addition to the right under Standing Order 6.1 to speak to matters on the agenda.

At the close of the agenda no requests for local board input had been received.

7 Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the public,-
 - (i) The reason why the item is not on the agenda; and
 - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
 - (i) That item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

8 Notices of Motion

At the close of the agenda no requests for notices of motion had been received.

Creation of political working party to consider the Government's discussion document "Review of the Unit Titles Act 2010".

File No.: CP2017/00331

Item 9

Purpose

1. To approve membership of a political working group to consider the Government's discussion document "Review of the Unit Titles Act 2010" and to prepare a submission for approval by the Planning Committee at its 7 March 2017 meeting.

Executive summary

2. On 24 January 2017, Councillor Denise Lee, as Deputy Chair of the Planning Committee, sent an email to Planning Committee members and Local Board chairs asking for expressions of interest to be part of a political working group to consider the Government's discussion document "Review of the Unit Titles Act 2010".
3. The discussion document focuses on changes that could make property law around high-density living housing operate more effectively and provide more protection for people buying or living in a unit title complex.
4. The political working group will work with staff to prepare a submission to the discussion document to be reported to the 7 March 2017 Planning Committee for approval. Auckland Council has until 10 March 2017 to make a submission.

Recommendation/s

That the Planning Committee:

- a) agree to make a submission in respect of the Government's "Review of the Unit Titles Act 2010" discussion document
- b) establish a political working group to work with staff on a draft submission to the "Review of the Unit Titles Act 2010" discussion document
- c) review and consider the draft submission to the "Review of the Unit Titles Act 2010" discussion document at the 7 March 2017 Planning Committee meeting

Attachments

There are no attachments for this report.

Signatories

Author	Megan Tyler - Executive Officer CPO
Authoriser	Jim Quinn - Chief of Strategy

Exclusion of the Public: Local Government Official Information and Meetings Act 1987

That the Planning 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 Auckland Unitary Plan (Operative in Part) - Appeals Direction - North/West Appeals

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 a discussion of matters that are the subject of appeals to the Environment Court and High Court and any public disclosure could compromise the council's case.	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.

C2 Auckland Unitary Plan (Operative in Part) - Appeals Direction - Central/South Appeals

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 discussion of matters that are subject of an appeal to the Environment Court and any public disclosure could compromise the council's case.	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 Auckland Unitary Plan (Operative in Part) - Appeals Direction - Auckland-wide Appeals

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 a discussion of matters that are the subject of appeals to the Environment Court and any public disclosure could compromise the council's case.	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 Auckland Unitary Plan (Operative in Part) - Record of Urgent Decisions Made Under Delegated Authority

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 discussion of matters that are subject of appeals to the High Court and Environment Court and any public disclosure could compromise the council's case.	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.