

## Planning Committee

### OPEN MINUTES

Minutes of a meeting of the Planning Committee held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Tuesday, 7 February 2017 at 9.37am.

#### PRESENT

<b>Chairperson</b>	Cr Chris Darby	
<b>Deputy Chairperson</b>	Cr Denise Lee	
<b>Members</b>	Cr Dr Cathy Casey	Until 12.09pm, Item C2
	Deputy Mayor Bill Cashmore	
	Cr Ross Clow	From 12.26pm, Item C1
	Cr Fa'anana Efeso Collins	
	Cr Linda Cooper, JP	
	Cr Alf Filipaina	
	Cr Hon Christine Fletcher, QSO	
	Mayor Hon Phil Goff, JP	
	IMSB Member Hon Tau Henare	
	Cr Richard Hills	
	Cr Penny Hulse	From 9.41am, Item 9
	Cr Mike Lee	From 9.41am, Item 9
	Cr Daniel Newman, JP	From 10.37am, Item C2
	IMSB Member Liane Ngamane	
	Cr Dick Quax	
	Cr Greg Sayers	From 9.43am, Item 9
	Cr Desley Simpson, JP	
	Cr Sir John Walker, KNZM, CBE	
	Cr Wayne Walker	Until 10.23am, Item C2

#### ABSENT

Cr Sharon Stewart  
Cr John Watson

#### ALSO PRESENT

Lemauga Lydia Sosene	Chair Māngere-Ōtāhuhu Local Board
Togiatolu Walter Togiamua	Deputy Chair Māngere-Ōtāhuhu Local Board
Andy Baker	Deputy Chair Franklin Local Board



## 1 Apologies

Resolution number PLA/2017/1

MOVED by Chairperson C Darby, seconded by Cr E Collins:

**That the Planning Committee:**

- a) **accept the apologies from Cr S Stewart and Cr J Watson for absence, from Cr R Clow and Cr D Newman for lateness and from Cr C Casey for early departure.**

**CARRIED**

## 2 Declaration of Interest

Deputy Mayor B Cashmore declared an interest in Item C3 - Auckland Unitary Plan (Operative in Part) – Appeals Direction – Auckland-wide Appeals - Topics 005, 056/057.

Deputy Chairperson D Lee declared an interest in Item C1 - Auckland Unitary Plan (Operative in Part) – Appeals Direction – North/West Appeals - Topics 016/080/081.

Cr R Clow subsequently declared an interest at Item C1 - Auckland Unitary Plan (Operative in Part) - Appeals Direction - North/West Appeals - Topic 075.

## 3 Confirmation of Minutes

Resolution number PLA/2017/2

MOVED by Chairperson C Darby, seconded by IMSB Member L Ngamane:

**That the Planning Committee:**

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 29 November 2016, 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

Local Board input relating to confidential Items C2 and C3 was heard in the confidential section of the meeting .

## 7 Extraordinary Business

There was no extraordinary business.

**8 Notices of Motion**

There were no notices of motion.

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

*Cr P Hulse entered the meeting at 9.41am.*

*Cr M Lee entered the meeting at 9.41am.*

*Cr G Sayers entered the meeting at 9.43am.*

Resolution number PLA/2017/3

MOVED by Chairperson C Darby, seconded by Cr M Lee:

**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. Members of the working group to be:**
  - i) **Chairperson C Darby**
  - ii) **Cr L Cooper**
  - iii) **Cr R Hills**
  - iv) **Cr M Lee**
  - v) **an Independent Māori Statutory Board member**
  - vi) **a local board member.**
- 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.**

**CARRIED**

**10 Consideration of Extraordinary Items**

There was no consideration of extraordinary items.

**11 Procedural motion to exclude the public**

Resolution number PLA/2017/4

MOVED by Chairperson C Darby, seconded by Cr C Casey:

**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	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.	s48(1)(a)  The public conduct of the part of the meeting would be likely to result in the disclosure of

reason for withholding exists under section 7.	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.	information for which good reason for withholding exists under section 7.
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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**

9.49am 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.

12.49pm The public was re-admitted.

### **RESTATEMENTS**

It was resolved while the public was excluded:

#### **C1 Auckland Unitary Plan (Operative in Part) - Appeals Direction - North/West Appeals**

Resolution number PLA/2017/5

MOVED by Chairperson C Darby, seconded by Cr E Collins:

That the Planning Committee:

- d) agree that the report relating to Waitakere Ranges (CIV-2016-404-002290), Weiti (CIV-2016-404-002306) and Okura (Joint topic Number ENV-2016-304-000137) referred to in the report will remain confidential until the final determination of the appeals by the High Court and Environment Court, any appeal or review of that decision by any Court, and any decision made in relation to costs for any associated proceeding.

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

Resolution number PLA/2017/6

MOVED by Chairperson C Darby, seconded by Cr G Sayers:

That the Planning Committee:

- f) agree that the report and attachments relating to ENV-2016-AKL-000199 Self Family Trust will remain confidential until the final determination of the appeal by the Environment Court, any appeal or review of that decision by any Court, and any decision made in relation to costs for any associated proceeding.

#### **C3 Auckland Unitary Plan (Operative in Part) - Appeals Direction - Auckland-wide Appeals**

Resolution number PLA/2017/7

MOVED by Chairperson C Darby, seconded by Cr A Filipaina:

That the Planning Committee:

- c) agree that the report and attachments relating to ENV-2016-AKL-000189 Cabra Rural Developments, Rahopoara Farms, Rauhori Forest Ltd, Monowai Properties Ltd, & Karepiro Investments Ltd, ENV-2016-AKL-000206 Cato Bolam Consultants Ltd, ENV-2016-AKL-000207 David Mason and Others, ENV-2016-AKL-000212 Smithies Family Trust, ENV-2016-AKL-000215 Man O'War, ENV-2016-AKL-000216 Zakara Investments Limited, ENV-2016-AKL-000219 Houghton Family Trust, ENV-2016-AKL-000227 and ENV-2016-AKL-000186 Viaduct Harbour Holdings Ltd will remain confidential until the final determination of the appeals by the Environment Court, any appeal or review of that decision by any Court, and any decision made in relation to costs for any associated proceedings.

**C4 Auckland Unitary Plan (Operative in Part) - Record of Urgent Decisions Made Under Delegated Authority**

Resolution number PLA/2017/8

MOVED by Chairperson C Darby, seconded by Cr C Fletcher:

That the Planning Committee:

- b) agree that the report and attachments relating to the urgent decisions made by the delegated members of the Planning Committee in respect of the Auckland Unitary Plan appeals will remain confidential until the final determination of the appeals by the Environment Court, any appeal or review of that decision by any Court, and any decision made in relation to costs for any associated proceeding.

12.50pm

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 PLANNING COMMITTEE  
HELD ON

**DATE:**.....

**CHAIRPERSON:**.....