
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, 28 March 2017 at 9.35am.

PRESENT

| | | |
|---------------------------|--------------------------------|--|
| Chairperson | Cr Chris Darby | |
| Deputy Chairperson | Cr Denise Lee | |
| Members | Deputy Mayor Bill Cashmore | |
| | Cr Ross Clow | Until 3.49pm, Item C3 |
| | Cr Fa'anana Efeso Collins | Until 12.31pm, Item 12 |
| | Cr Linda Cooper, JP | From 11.48am, Item 11 Until 2.58pm, Item 22 |
| | Cr Alf Filipaina | |
| | Cr Hon Christine Fletcher, QSO | Until 2.22pm, Item 17 |
| | Mayor Hon Phil Goff, JP | |
| | IMSB Member Hon Tau Henare | Until 2.49, Item 18 |
| | Cr Richard Hills | |
| | Cr Penny Hulse | |
| | Cr Mike Lee | From 9.39am, Item 5.1 |
| | Cr Daniel Newman, JP | |
| | IMSB Member Liane Ngamane | |
| | Cr Dick Quax | |
| | Cr Greg Sayers | From 1.08pm, Item 13 |
| | Cr Desley Simpson, JP | |
| | Cr Sharon Stewart, QSM | |
| | Cr Sir John Walker, KNZM, CBE | From 9.45am, Item 5.1 Until 1.10, Item 13 |
| | Cr Wayne Walker | From 9.46am, Item 5.1 |
| | Cr John Watson | From 9.43am, Item 5.1 |

ABSENT

Cr Cathy Casey
Cr Dick Quax

1 Apologies

Resolution number PLA/2017/27

MOVED by Chairperson C Darby, seconded by Cr D Simpson:

That the Planning Committee:

- a) **accept the apologies from Cr C Casey and Cr D Quax for absence, from Cr G Sayers and Cr W Walker for lateness, from Cr L Cooper for lateness on council business, from Cr E Collins for early departure, and from Cr R Clow and Mayor P Goff for absence from part of the meeting on council business.**

CARRIED

2 Declaration of Interest

Cr S Stewart declared an interest in Item C1 – Auckland Unitary Plan (Operative in Part): Proposed local viewshaft plan change.

Cr S Stewart subsequently declared an interest at Item 17 – Development of Plan Change to Auckland Unitary Plan (Operative in Part) and the Auckland Council District Plan (Hauraki Gulf Islands Section): Sites of Significance to Mana Whenua.

3 Confirmation of Minutes

Resolution number PLA/2017/28

MOVED by Chairperson C Darby, seconded by Cr R Clow:

That the Planning Committee:

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 7 March 2017, including the confidential section, as a true and correct record.**

CARRIED

4 Petitions

There were no petitions.

5 Public Input

5.1 Public Input - Michael Goldwater - Waterfront Planning and Implementation

Cr M Lee entered the meeting at 9.39 am.

Cr J Watson entered the meeting at 9.43 am.

Cr J Walker entered the meeting at 9.45 am.

Cr W Walker entered the meeting at 9.46 am.

Shane Vuletich, Richard Didsbury, Sir Stephen Tindall, and Julie Stout representing Urban Auckland, Committee for Auckland and Stop Stealing Our Harbour, were present to address the meeting regarding Waterfront planning and implementation.

Supporting information was tabled and a PowerPoint presentation was provided. Copies have been placed on the official minutes and are available on the Auckland Council website as minutes attachments.

Resolution number PLA/2017/29

MOVED by Chairperson C Darby, seconded by Cr D Simpson:

That the Planning Committee:

- a) **receive the public input presentation by Shane Vuletich, Richard Didsbury, Sir Stephen Tindall, and Julie Stout regarding Waterfront planning and implementation and thank them for their attendance.**

CARRIED

Attachments

- A 28 March 2017 - Planning Committee - Item 5.1 - Public Input - supporting information (Ports Future Study Summary)
- B 28 March 2017 - Planning Committee - Item 5.1 - Public Input - PowerPoint presentation

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 The engagement approach and proposed options for the Auckland Plan Refresh

Resolution number PLA/2017/30

MOVED by Chairperson C Darby, seconded by Deputy Chairperson D Lee:

That the Planning Committee:

- a) **approve option 2, outlined in the agenda report, to refresh the Auckland Plan as a streamlined spatial plan.**
- b) **approve the approach for early engagement with the communities of Auckland on the refresh of the Auckland Plan.**
- c) **approve the approach for engagement with other key partners and stakeholders throughout the preparation and development of the refreshed Auckland Plan.**
- d) **approve the use of the Special Consultative Procedure on the draft refreshed Auckland Plan, concurrent with the draft Long-term Plan, in 2018.**

CARRIED

10 Auckland City Centre Masterplan (2012): Delivery and Implementation Progress Update

Note: Changes to the original recommendation were incorporated with the agreement of the meeting.

*IMSB Member T Henare left the meeting at 10.52 am.
IMSB Member T Henare returned to the meeting at 11.02 am.
Mayor P Goff left the meeting at 11.15 am.*

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

Resolution number PLA/2017/31

MOVED by Chairperson C Darby, seconded by Deputy Chairperson D Lee:

That the Planning Committee:

- a) **reiterate support for the vision articulated in the Auckland City Centre Masterplan 2012, including the nine outcomes and targets attached to that vision, and the three key transformational moves connected to the current Implementation Plan:**
 - i) **Move 6 The Green Link: Connecting Victoria Park, Albert Park and the Auckland Domain as Part of a Blue-Green Park network**
 - ii) **Move 1 The Harbour Edge Stitch: Quay Street Harbour Edge and uniting the Waterfront with the City Centre**
 - iii) **Move 3 The Engine Room: Queen Street valley, the CBD and Retail District.**
- b) **agree the proposed approach and timeline for updating the Implementation Plan for the Auckland City Centre Masterplan for the following three projects, reflected by the three key transformational moves:**
 - i) **Victoria Linear Park and Midtown East–West Public Transport**
 - ii) **Quay Street Harbour Edge Boulevard and Hobson Street Flyover**
 - iii) **Queen Street - Issue Identification and Project Implications.**

CARRIED

Attachments

- A 28 March 2017 - Planning Committee - Item 10 - Auckland City Centre Masterplan (2012): Delivery and Implementation Progress presentation

11 Waterfront Planning and Implementation

Note: Changes to the original motion were incorporated with the agreement of the meeting.

Cr S Stewart left the meeting at 11.47 am.

Cr L Cooper entered the meeting at 11.48 am.

Cr S Stewart returned to the meeting at 11.52 am.

Cr W Walker left the meeting at 11.53 am.

Cr W Walker returned to the meeting at 11.59 am.

Resolution number PLA/2017/32

MOVED by Chairperson C Darby, seconded by Deputy Mayor B Cashmore:

That the Planning Committee:

- a) **agree in principle to the inner dolphin off Queens Wharf, as preferred by the Auckland Council group and Ports of Auckland, to enable large cruise ships to berth in Auckland from the 2018/19 cruise season, subject to further technical work and risk assessment, and all consent approvals being obtained.**
- b) **delegate decisions regarding budget allocation of capital costs to the Chief Executive of Auckland Council.**
- c) **agree that Auckland Council will recover the capital cost of the inner dolphin, over time, through cruise ship passenger levies imposed and collected by Ports of Auckland Limited.**
- d) **note that a resource consent will be prepared and lodged by Panuku Development Auckland.**
- e) **note the targeted refresh of the Waterfront Plan has commenced, focussed on Wynyard Point and the Central Wharves.**

CARRIED

12 Update on Panuku Work Programme

Note: Clause b) was incorporated with the agreement of the meeting.

IMSB Member T Henare left the meeting at 12.25 pm.

Cr R Clow left the meeting at 12.30 pm.

Cr E Collins left the meeting at 12.31 pm.

Resolution number PLA/2017/33

MOVED by Cr R Clow, seconded by Cr W Walker:

That the Planning Committee:

- a) **endorse the inclusion of Avondale in the Panuku Development Auckland work programme as an “Unlock” location and note that, accordingly, a High Level Project Plan will come to the Planning Committee later in the year for approval.**
- b) **request Auckland Transport expedite the transfer of land assets, no longer required for transport projects or operations for which they were acquired, to Panuku Development Auckland for regeneration.**

CARRIED

The meeting was adjourned at 12.35pm.

The meeting reconvened at 1.08pm. Cr J Walker and Cr W Walker were not present.

13 Onehunga High Level Project

Cr G Sayers entered the meeting at 1.08 pm.

IMSB Member Tau Henare returned to the meeting at 1.08pm.

Cr W Walker entered the meeting at 1.10pm.

Resolution number PLA/2017/34

MOVED by Deputy Chairperson D Lee, seconded by Cr D Newman:

That the Planning Committee:

- a) **adopt the Onehunga High Level Project Plan.**
- b) **endorse Panuku Development Auckland as the lead council agency for the Onehunga regeneration project, given its status as a Panuku Development Auckland Transform location.**
- c) **note that the Finance and Performance Committee will need to approve the disposal of the five Auckland Council properties within the Transform project area listed below and referenced in the Onehunga High Level Project Plan, to contribute to achieving the outcomes in the Onehunga High Level Project Plan and with the objective of achieving urban regeneration, urban renewal and housing:**
 - i) **3 Paynes Lane, Onehunga (NA43B/710, NA717716)**
 - ii) **45 Waller Street, Onehunga (NA717717)**
 - iii) **61-65 Selwyn Street, Onehunga (NA320/187, NA349/112, NA51B/525)**
 - iv) **Lots 3 and 4, DP 60645 Waiapu Lane, Onehunga (NA20A/51, NA20A/52)**
 - v) **230 Onehunga Mall, Onehunga (NA714641)**
 - vi) **1 Waiapu Lane, Onehunga (NA43D/1068, NA679/89, NA591/224, NA591/221, NA591/222, NA43D/1066, NA320/70)**
 - vii) **9-21 Waller Street, Onehunga (NA394690, NA928/267, NA271015);**
 - **subject to the satisfactory conclusion of the required statutory processes.**
 - **subject to agreement with Auckland Transport on the transport outcomes required for the sites listed in vi) and vii).**
- d) **note that the Finance and Performance Committee will need to approve the reinvestment of proceeds from the sale of development sites in the Transform project area, into projects and initiatives that progress the intent of the Onehunga High Level Project Plan and Framework Plan in line with the reinvestment approach in Transform areas.**
- e) **note that Panuku Development Auckland will consider service properties and community facilities in the Transform project area as part of the Framework Planning exercise, will engage with the business owners and Local Board and seek further approval from the council if it recommends optimisation of these properties.**
- f) **note that Panuku Development Auckland will enter into a more formalised governance arrangement or partnership with Crown entities and other parties as necessary to provide leadership and accountability in the implementation of the project.**

CARRIED

14 Submission on Draft Government Policy Statement on Land Transport

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.

Resolution number PLA/2017/35

MOVED by Chairperson C Darby, seconded by Cr L Cooper:

That the Planning Committee:

- a) **approve the submission on the *Draft Government Policy Statement on Land Transport 2017/18 – 2027-28* appended in Attachment A to the agenda report.**
- b) **authorise the chairperson and deputy chairperson of the Planning Committee to make any minor amendments to the submission prior to lodgment on Friday 31 March 2017.**

CARRIED

Attachments

- A 28 March 2017 - Planning Committee - Item 14 - Submission on Draft Government Policy Statement presentation

15 Northern Corridor Improvements Project - Political Reference Group and Delegations

Resolution number PLA/2017/36

MOVED by Cr J Watson, seconded by Cr G Sayers:

That the Planning Committee:

- a) **delegate authority to the Northern Corridor Improvements Political Reference Group to work with staff throughout the course of the Board of Inquiry process in order to provide timely directions or decisions during hearings, mediation and consideration of any draft conditions and notices.**
- b) **agree that a minimum of three Northern Corridor Improvements Political Reference Group members from the Planning Committee are required to make decisions throughout the course of the Board of Inquiry process.**

CARRIED

Note: The Chair accorded precedence to Item 19 – Auckland Plan (Operative in Part) – Future Plan Changes and processing of Private Plan Changes.

19 Auckland Unitary Plan (Operative in Part) - Future Plan Changes and processing of Private Plan Changes

Mayor P Goff returned to the meeting at 1.38 pm.

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

Resolution number PLA/2017/37

MOVED by Deputy Chairperson D Lee, seconded by Cr L Cooper:

That the Planning Committee:

- a) **endorse the following criteria to be used by council staff to determine the appropriateness of any private plan changes requested during the two years post-15 November 2016 (i.e. the date on which the Auckland Unitary Plan became operative in part):**
- i) **any matter specified in Section 25 of the First Schedule to the Resource Management Act 1991;**
 - ii) **whether the outcomes of any plan change:**
 - **align with the Future Urban Land Supply Strategy, and**
 - **give effect to the Auckland Plan, and**
 - **follow Appendix 1 – Structure Plan Guidelines of the Auckland Unitary Plan for any structure planning related plan change, and**
 - **give effect to the environmental outcomes expected and effectiveness of the Auckland Unitary Plan.**
- b) **endorse staff investigating potential future plan changes to the Auckland Unitary Plan (Operative in Part) and reporting them back to the Planning Committee for any decision to proceed.**

CARRIED

Attachments

- A 28 March 2017 - Planning Committee - Item 19 - Auckland Unitary Plan (Operative in Part) - Future Plan Changes and processing of Private Plan Changes tabled document

16 Draft Whenuapai Plan Change - Approval and Public Engagement

Cr R Clow returned to the meeting at 2.11 pm.

Resolution number PLA/2017/38

MOVED by Cr L Cooper, seconded by Cr J Watson:

That the Planning Committee:

- a) **approve the Draft Whenuapai Plan Change for pre-notification public comment from 10 April to 14 May 2017.**
- b) **delegate to the General Manager Plans and Places and the Manager North West Planning the power to approve minor editorial amendments to the Draft Whenuapai Plan Change if these are required in advance of its public release for comment.**

- c) request that council staff engage with iwi, stakeholders and the public about the draft Whenuapai Plan Change.
- d) request that council staff report back to the Planning Committee for approval to publicly notify a revised Plan Change under Schedule 1 of the Resource Management Act 1991.

CARRIED

17 Development of Plan Change to Auckland Unitary Plan (Operative in Part) and the Auckland Council District Plan (Hauraki Gulf Islands Section): Sites of Significance to Mana Whenua

Cr S Stewart declared an interest in this item and took no part in the discussion or voting on this matter.

Cr C Fletcher retired from the meeting at 2.22 pm.

Resolution number PLA/2017/39

MOVED by IMSB Member L Ngamane, seconded by Cr P Hulse:

That the Planning Committee:

- a) approve engagement with mana whenua and landowners for the 270 nominated Sites of Significance to Mana Whenua in order to develop a draft plan change to the Auckland Council Unitary Plan (Operative in Part) and Auckland Council District Plan (Hauraki Gulf Islands Section).
- b) request that staff report back to the Planning Committee on mana whenua and landowner feedback and provisions of a proposed plan change for notification.

CARRIED

Note: Pursuant to Standing Order 1.8.3, Cr D Simpson requested that her abstention be recorded.

18 Auckland Unitary Plan (Operative in Part) - Assessment of errors to produce the first two administrative plan changes

Note: Clause e) was incorporated with the agreement of the meeting.

IMSB Member T Henare retired from the meeting at 2.49 pm.

Resolution number PLA/2017/40

MOVED by Mayor P Goff, seconded by Cr A Filipaina:

That the Planning Committee:

- a) agree to develop the first administrative plan change to correct technical matters and anomalies identified in the Auckland Unitary Plan (Operative in Part).
- b) agree to develop a second plan change to make corrections to Schedule 10 Notable Trees Schedule in the Auckland Unitary Plan (Operative in Part).
- c) request that staff report the proposed administrative plan change and corrections to Schedule 10 Notable Trees Schedule plan change to the Planning Committee for approval for public notification, under Schedule 1 of the Resource Management Act 1991.

- d) note the possibility that future plan change/s may be required to address matters that are outside the scope of the first administrative plan change to enable the Auckland Unitary Plan (Operative in part) to be effective.
- e) request staff to investigate a comprehensive review of tree protection under the Auckland Unitary Plan (Operative in Part) as part of the Auckland Council Tree Strategy and report back on prioritisation and timeframes.

CARRIED

Item 19 – Auckland Plan (Operative in Part) – Future Plan Changes and processing of Private Plan Changes was considered after Item 15 - Northern Corridor Improvements Project - Political Reference Group and Delegations.

20 Summary of Planning Committee information memos and briefings - 28 March 2017

Resolution number PLA/2017/41

MOVED by Chairperson C Darby, seconded by Deputy Mayor B Cashmore:

That the Planning Committee:

- a) receive the Summary of Planning Committee information memos and briefings – 28 March 2017.

CARRIED

21 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

22 Procedural motion to exclude the public

Resolution number PLA/2017/42

MOVED by Chairperson C Darby, seconded by Cr D Simpson:

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): Proposed local viewshaft plan change

| 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. | <p>s7(2)(c)(ii) - 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 damage the public interest.</p> <p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.</p> <p>In particular, the report contains statutory options available to the council on the matter of a future plan change to the Auckland Unitary Plan (Operative in Part).</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 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. | <p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.</p> <p>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.</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 Lodgement of Appeal on the High Court Interim Decision: Transpower New Zealand Ltd vs Auckland Council

| 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. | <p>s7(2)(c)(ii) - 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 damage the public interest.</p> <p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.</p> <p>In particular the report contains information relating to an appeal.</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> |

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

Cr L Cooper left the meeting at 2.58 pm.

Cr J Watson left the meeting at 2.58 pm.

2.58pm 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.

3.50pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

Extension of Meeting Time

Resolution number PLA/2017/43

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

That the Planning Committee

- a) **agree pursuant to standing order 1.1.3, that an extension of time until the business of the meeting is complete be granted.**

CARRIED

C1 Auckland Unitary Plan (Operative in Part): Proposed local viewshaft plan change

Resolution number PLA/2017/44

MOVED by Mayor P Goff, seconded by Cr D Newman:

That the Planning Committee:

- d) note that the report and resolutions will remain confidential until the plan change is publicly notified.

C2 Auckland Unitary Plan (Operative in Part) - Record of Urgent Decisions Made Under Delegated Authority

Resolution number PLA/2017/45

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

That the Planning Committee:

- c) note 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 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.

C3 Lodgement of Appeal on the High Court Interim Decision: Transpower New Zealand Ltd vs Auckland Council

Resolution number PLA/2017/46

MOVED by Cr D Newman, seconded by Cr G Sayers:

That the Planning Committee:

- b) agree that the report remain confidential.

3.50 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 PLANNING COMMITTEE
HELD ON

DATE:.....

CHAIRPERSON:.....