

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 November 2017 at 9.31am.

PRESENT

Chairperson Members

Cr Chris Darby	
Cr Dr Cathy Casey	
Deputy Mayor Bill Cashmore	
Cr Fa'anana Efeso Collins	From 9.48am, Item 6.1 Until 3.38pm, Item C2
Cr Linda Cooper, JP	
Cr Alf Filipaina	
Cr Hon Christine Fletcher, QSO	From 9.33am, Item 1
Mayor Hon Phil Goff, CNZM, JP	From 9.34am, Item 3 Until 2.12pm, Item 11 Until 2.10pm, Item 11
IMSB Member Hon Tau Henare	
Cr Richard Hills	
Cr Mike Lee	
Cr Daniel Newman, JP	
IMSB Member Liane Ngamane	
Cr Dick Quax	
Cr Greg Sayers	From 9.44am, Item 5.1
Cr Desley Simpson, JP	
Cr Sir John Walker, KNZM, CBE	From 10.37am, Item 6.1 Until 2.12pm, Item 11
Cr Wayne Walker	
Cr John Watson	From 9.36am, Item 5

ABSENT

Cr Ross Clow
Cr Penny Hulse
Cr Sharon Stewart

ALSO PRESENT

Grant Gillon
George Wood

Chair, Devonport-Takapuna Local Board
Deputy Chair, Devonport-Takapuna Local Board

Mike Cohen
Jan O'Connor
Michael Sheehy
Tracy Mulholland

Devonport-Takapuna Local Board
Devonport-Takapuna Local Board
Devonport-Takapuna Local Board
Chair, Whau Local Board

IN ATTENDANCE

David Rankin, Chief Operating Officer Panuku
Clive Fuhr, Project Development Director Central Panuku

1 Apologies

Resolution number PLA/2017/134

MOVED by Chairperson C Darby, seconded by Cr W Walker:

That the Planning Committee:

- a) **accept the apologies from Cr E Collins and Cr G Sayers for lateness, Cr R Clow and Cr P Hulse for absence on council business, and Cr S Stewart for absence.**

CARRIED

Cr C Fletcher joined the meeting at 9.35 am.

2 Declaration of Interest

Cr R Hills subsequently declared an interest in Item 11 – Consideration of hearing panel's report on change of use at 40 Anzac Street, Takapuna.

Cr C Fletcher subsequently declared an interest in Item C2 - Auckland Unitary Plan (Operative in Part) - Proposed Plan Change - Addition of Historic Heritage Places.

3 Confirmation of Minutes

Mayor P Goff joined the meeting at 9.34 am.

Resolution number PLA/2017/135

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

That the Planning Committee:

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 10 October 2017 as a true and correct record.**

CARRIED

4 Petitions

There were no petitions.

5 Public Input

Cr J Watson joined the meeting at 9.36 am.

5.1 Public Input - Marian Kohler - Request to identify 6 Herne Bay Road, Herne Bay as a contributing site within the Herne Bay Historic Heritage Area

Marian Kohler was present to speak to speak to the committee.

Cr G Sayers joined the meeting at 9.44 am.

Resolution number PLA/2017/136

MOVED by Cr M Lee, seconded by Cr C Fletcher:

That the Planning Committee:

- a) **thank Marian Kohler for her presentation regarding her request to identify 6 Herne Bay Road, Herne Bay as a contributing site within the Herne Bay Historic Heritage Area and thank her for her attendance.**

CARRIED

6 Local Board Input

6.1 Local Board Input - Devonport-Takapuna Local Board - Proposed change of use of 40 Anzac Street

Devonport-Takapuna Local Board Chair, Grant Gillon, Deputy Chair George Wood and members Mike Cohen, Jan O'Connor and Michael Sheehy were present to speak to the committee.

Cr E Collins joined the meeting at 9.48 am.

Cr A Filipaina left the meeting at 10.20 am.

IMSB Member T Henare left the meeting at 10.24 am.

Cr A Filipaina returned to the meeting at 10.28 am.

IMSB Member T Henare returned to the meeting at 10.31 am.

Cr J Walker joined the meeting at 10.37 am.

Resolution number PLA/2017/137

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

That the Planning Committee:

- a) **thank Devonport-Takapuna Local Board Chair, Grant Gillon, Deputy Chair George Wood and members Mike Cohen, Jan O'Connor and Michael Sheehy for their presentation regarding the proposed change of use of 40 Anzac Street, Takapuna and thank them for their attendance.**

CARRIED

7 Extraordinary Business

There was no extraordinary business.

8 Notices of Motion

There were no notices of motion.

9 Auckland Plan refresh: Report on targeted engagement

Cr D Quax left the meeting at 10.56 am.

Cr W Walker left the meeting at 10.57 am.

Cr D Newman left the meeting at 10.58 am.

Cr M Lee left the meeting at 10.58 am.

Resolution number PLA/2017/138

MOVED by Cr C Fletcher, seconded by Deputy Mayor B Cashmore:

That the Planning Committee:

- a) **receive the feedback from targeted engagement with local boards, partners and stakeholders for the Auckland Plan refresh and note how the feedback has been addressed in the development of the Auckland Plan.**
- b) **note that staff will report back to stakeholders on how their feedback has been incorporated into the draft plan.**

CARRIED

10 Digital Auckland Plan and approval of draft content

Two documents were tabled. Copies have been placed on the official minutes and are available on the Auckland Council website as minutes attachments.

Note: Changes to the original motion were incorporated under clause a) with the addition of i) to iii), with the agreement of the meeting.

Cr M Lee returned to the meeting at 11.05 am.

Cr D Newman returned to the meeting at 11.05 am.

Cr W Walker returned to the meeting at 11.15 am.

Mayor P Goff left the meeting at 11.23 am.

IMSB Member T Henare left the meeting at 11.26 am.

The meeting adjourned at 11.30am and reconvened at 11.47am.

Mayor P Goff returned to the meeting at 11.48 am.

Resolution number PLA/2017/139

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

That the Planning Committee:

- a) **approve Auckland Plan phase one draft content for the Transport and Access, and Belonging and Participation outcomes as shown in Attachment B of the agenda report with the following inclusions:**
 - i) **that homelessness be included in Focus Area 2 and also linking to the homelessness case study**
 - ii) **strategic direction 2 – improve health and well-being for all Aucklanders by reducing harm and disparities in opportunities**
 - iii) **of the Treaty of Waitangi as bicultural foundation of New Zealand and Tamaki Makaurau is provided for and measured within the Belonging and Participation outcome or an alternative option within the plan**
- b) **note the building of the digital Auckland Plan will start in November to ensure it is ready for public consultation commencing 28 February 2018.**
- c) **delegate authority to the Chair of the Planning Committee, the Deputy Mayor, the Chair of Environment and Community Committee, the Chair of Finance and Performance Committee and an Independent Māori Statutory Board Member, to review and approve any changes to the draft Auckland Plan for consultation which are required as a result of feedback from this meeting or the 28 November 2017 Planning Committee meeting.**

CARRIED

Attachments

- A 7 November 2017, Planning Committee - Item 10: Digital Auckland Plan and approval of draft content, replacement pages 60 - 72
- B 7 November 2017, Planning Committee - Item 10: Digital Auckland Plan and approval of draft content, Schedule of changes following 30 October Planning Committee workshop

11 Consideration of hearing panel's report on change of use at 40 Anzac Street, Takapuna

Cr R Hills declared an interest in this item and did not take part in discussion or voting on the matter.

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

That the Planning Committee:

- a) approve the recommendation of the hearing panel to change the use of 40 Anzac Street, Takapuna from a carpark to mixed use with the following conditions:
 - i) include a town square
 - ii) investigate short-stay public parking in the surrounding streets
 - iii) complete the Gasometer car park before the Anzac car park is closed
 - iv) undertake further community engagement on the design of public space at 40 Anzac Street.
- b) in relation to next steps:
 - i) recommends that Panuku put in place urban design and community engagement processes in consultation with the Devonport Takapuna Local Board that reflect the importance of this metropolitan centre, and the opportunity this change of use creates.
 - ii) notes that in terms of the approved High Level Project Plan, both council and Panuku are committed to utilising this site and adjacent land to make a significant contribution to forming a town centre that attracts the community in terms of its quality design of public open space, place activation, people orientation and improved access across the commercial centre and to the beach.
 - iii) recommends that Panuku ensures the creation of civic space (Open Space Provision Policy 2016 – Metropolitan Centre) for hosting medium scale events and performance, public gathering and markets in any proposed design of public space within Central Takapuna.
 - iv) notes that Panuku will engage independent experts to review and critique future design proposals for this land.
 - v) notes that Panuku will ensure sustainable and universal design principles are reflected overall and that Panuku commits to at least 6 Homestar Built Rating for any residential development.
 - vi) recommends that Panuku re-establish the Greater Takapuna Reference Group or similar, to strengthen community engagement and provide advice to Panuku and wider council on design development.
 - vii) note that Panuku has purchased 30 Hurstmere Road Takapuna for \$2m which gives greater flexibility for delivering the objectives of the Unlock Takapuna High Level Project Plan.
 - viii) requests Panuku to bring its draft proposed design solutions to the Devonport Takapuna Local Board and to a Planning Committee workshop.

Closure Motion

MOVED by Cr E Collins, seconded by Cr W Walker:

That the Planning Committee:

- a) agree that under Standing Order 1.6.7, the motion now under debate, be put to the vote.

LOST

IMSB Member L Ngamane left the meeting at 2.10 pm.

IMSB Member T Henare retired from the meeting at 2.10 pm.

Resolution number PLA/2017/140

MOVED by Cr D Quax, seconded by Cr C Fletcher as an amendment by way of replacement:

That the Planning Committee:

- a) **defer the decision relating to the change of use for 40 Anzac Street, Takapuna, so as to allow Panuku to consult with the Devonport Takapuna Local Board as to how this process can be progressed with report back to the Planning Committee by March 2018.**

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

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr C Casey	Deputy Mayor B Cashmore	
Cr E Collins	Cr A Filipaina	
Cr L Cooper		
Chairperson C Darby		
Cr C Fletcher		
Mayor P Goff		
Cr M Lee		
Cr D Newman		
Cr D Quax		
Cr G Sayers		
Cr D Simpson		
Cr J Walker		
Cr W Walker		
Cr J Watson		

The motion was declared CARRIED by 14 votes to 2.

CARRIED

Mayor P Goff retired from the meeting at 2.12pm.

Cr J Walker retired from the meeting at 2.12pm.

The meeting adjourned at 2.12pm.

The meeting reconvened at 2.44pm.

Cr D Newman and Cr G Sayers were not present.

The substantive motion was put.

Resolution number PLA/2017/141

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

That the Planning Committee:

- a) **defer the decision relating to the change of use for 40 Anzac Street, Takapuna, so as to allow Panuku to consult with the Devonport Takapuna Local Board as to how this process can be progressed with report back to the Planning Committee by March 2018.**

CARRIED

12 Avondale High Level Project Plan

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.

Note: Clause c) was amended with the agreement of the meeting.

Cr G Sayers returned to the meeting at 2.49 pm.

Cr D Newman returned to the meeting at 2.49 pm.

Cr C Fletcher left the meeting at 2.49 pm.

Cr C Fletcher returned to the meeting at 2.57 pm.

Resolution number PLA/2017/142

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

That the Planning Committee:

- a) **endorse the Unlock Avondale High Level Project Plan as shown in Attachment A of the agenda report.**
- b) **endorse Panuku as Auckland Council's lead delivery agency for Avondale.**
- c) **endorse Panuku to dispose the Auckland Council owned property listed below should this site be no longer required for community facilities:**
 - i) **93-99 Rosebank Road, Avondale (Lot 1 DP 68893 - CT NA25A/557 and Pt Lot 26 DP 177, Pt Lot 26 Allotment 7 Parish of Titirangi, Pt Lot 1 DP 8900 – CT NA133/52, NA133/53, NA218/152 (All Part-Cancelled))**
 - ii) **subject to the satisfactory conclusion of the required statutory processes and agreement that final terms and conditions be approved under the appropriate delegations.**
- d) **authorise Panuku to initiate the process of revoking the reserve status of the Tait Park (103-109 Rosebank Road Pt Lot 1 & Lot 2 DP 21092 NA475/232, NA46A/901) and the road stopping of Community Lane to enable better development outcomes, subject to statutory processes.**
- e) **note that the Finance and Performance Committee will need to approve the disposal of the property in c) above and as referenced in the High Level Project Plan.**

CARRIED

Attachments

- A 7 November 2017, Planning Committee - Item 12: Avondale High Level Project Plan, Presentation

13 Auckland Council's submission on the proposed Northland Regional Plan

Resolution number PLA/2017/143

MOVED by Cr A Filipaina, seconded by Cr W Walker:

That the Planning Committee:

- a) **endorse the draft Auckland Council submission as council's response to the Proposed Northland Regional Plan;**
- b) **authorise the Planning Committee Chair and the Environment and Community Committee Chair to review and approve council's final submission on the Proposed Northland Regional Plan.**

CARRIED

14 Auckland Unitary Plan (Operative in Part) - Proposed Plan Change - Historic Heritage Schedule (Errors, Anomalies and Information Update)

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/2017/144

MOVED by Cr L Cooper, seconded by Cr D Newman:

That the Planning Committee:

- a) **approve the public notification of the proposed plan change to amend 145 historic heritage places in Schedule 14 to correct errors and anomalies, and to update information, included as Attachments 1, 2 and 3 to the agenda report.**
- b) **endorse the section 32 evaluation report included as Attachment 4 to the agenda report.**
- c) **agree that the proposed plan change should have immediate legal effect from the date of public notification.**
- d) **endorse the decision to notify owners and occupiers of land affected by the proposed plan change at the same time as the proposed plan change is publicly notified.**
- e) **delegate to the Heritage Manager the authority to approve minor amendments to the proposed plan change, if required, in advance of public notification.**

CARRIED

Attachments

- A 7 November 2017, Planning Committee - Item 14: Auckland Unitary Plan (Operative in Part) - Proposed Plan Change - Historic Heritage Schedule (Errors, Anomalies and Information Update), Presentation

15 Summary of Planning Committee information memos and briefings - 7 November 2017

Resolution number PLA/2017/145

MOVED by Cr C Casey, seconded by Cr C Fletcher:

That the Planning Committee:

- a) **receive the Summary of Planning Committee information memos and briefings – 7 November 2017.**

CARRIED

16 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

17 Procedural motion to exclude the public

Resolution number PLA/2017/146

MOVED by Chairperson C Darby, seconded by Cr W Walker:

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 Avondale High Level Project Plan - Confidential

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)(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>s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</p> <p>In particular, the report contains financial information that may affect council's ability to undertake negotiations, and reference to commercial agreements which are subject to confidentiality agreements.</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) - Proposed Plan Change - Addition of Historic Heritage Places

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)(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>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>

	<p>In particular, the report involves decisions about Historic Heritage places that are not yet legally protected. Historic Heritage is a s6 matter of national importance under the Resource Management Act and disclosure of plan change materials or deliberations before a plan change is notified may result in the loss of heritage places before they are considered for scheduling.</p>	
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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

3.14pm 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.

3.41pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Avondale High Level Project Plan - Confidential

Resolution number PLA/2017/147

MOVED by Cr D Simpson, seconded by Cr C Fletcher:

That the Planning Committee:

- e) confirm that this report and recommendations remain confidential until all contractual negotiations have been completed.

C2 Auckland Unitary Plan (Operative in Part) - Proposed Plan Change - Addition of Historic Heritage Places

Resolution number PLA/2017/149

MOVED by Cr M Lee, seconded by Cr D Newman:

That the Planning Committee:

- g) confirm that the decisions, report and attachments remain confidential until the proposed plan change is publicly notified.

3.41 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:.....