Komiti Whakarite Mahere / 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, 2 July 2019 at 9.38am.

PRESENT

Chairperson
Cr Chris Darby
Cr Richard Hills
Cr Josephine Bartley
Deputy Mayor Cr Bill Cashmore
Cr Ross Clow
Cr Fa’anana Efeso Collins
Cr Alf Filipaina
Mayor Hon Phil Goff, CNZM, JP
IMSB Member Hon Tau Henare
Cr Penny Hulse
Cr Daniel Newman, JP
IMSB Member Liane Ngamane
Cr Greg Sayers
Cr Sharon Stewart, QSM
Cr Sir John Walker, KNZM, CBE
Cr Wayne Walker
Cr John Watson
Cr Paul Young

Deputy Chairperson
From 9.38am, Item 5.1
From 9.39am, Item 5.1
From 10.00am, Item 5.2
From 10.34am, Item 8
From 9.52am, Item 5.2
Until 12.09pm, Item 11
From 9.46am, Item 5.1
From 10.43am, Item 8
Until 12.09pm

Members

ABSENT

Cr Dr Cathy Casey
Cr Linda Cooper
Cr Christine Fletcher
Cr Desley Simpson
Cr Mike Lee
1 **Apologies**

Resolution number PLA/2019/58

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

That the Planning Committee:

a) accept the apologies from Cr L Cooper, Cr C Fletcher, Cr M Lee, Cr D Simpson and Cr C Casey for absence, Mayor P Goff, Cr Hills and Cr P Hulse for lateness, and Cr E Collins for lateness on council business.

CARRIED

2 **Declaration of Interest**

There were no declarations of interest.

3 **Confirmation of Minutes**

Resolution number PLA/2019/59

MOVED by Chairperson C Darby, seconded by Cr P Young:

That the Planning Committee:

a) confirm the ordinary minutes of its meeting, held on Tuesday, 4 June 2019, including the confidential section, as a true and correct record.

CARRIED

4 **Petitions**

There were no petitions.

5 **Public Input**

5.1 **Public Input: Boopsie Maran – Input on Road Closures for Town Centre throughout the Auckland Region**

A presentation was given in support of the item. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Deputy Chairperson R Hills entered the meeting at 9.38 am.
Cr J Bartley entered the meeting at 9.39 am.
Cr S Stewart left the meeting at 9.46 am.
Cr P Hulse entered the meeting at 9.48 am.

Resolution number PLA/2019/60

MOVED by Cr W Walker, seconded by IMSB Member L Ngamane:

That the Planning Committee:

a) receive the public input from Boopsie Maran regarding road closures for town centres throughout the Auckland region and thank her for her attendance.

CARRIED
Attachments
A  2 July 2019, Planning Committee: Item 5.1 - Public Input: Boopsie Maran – Input on Road Closures for Town Centre throughout the Auckland Region, Presentation

5.2 Public Input: Auckland City Centre Advisory Board - City Centre Masterplan

Cr S Stewart returned to the meeting at 9.53 am.
Mayor P Goff entered the meeting at 9.52 am.
Cr R Clow entered the meeting at 10.00 am.

Resolution number PLA/2019/61

MOVED by Deputy Chairperson R Hills, seconded by Cr W Walker:

That the Planning Committee:

a) thank Viv Beck, Chairperson Auckland City Centre Advisory Board for her presentation regarding the City Centre Masterplan and thank her for her attendance.

CARRIED

6 Local Board Input

There was no local board input.

7 Extraordinary Business

There was no extraordinary business.

8 City Centre Masterplan refresh

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

IMSB Member T Henare left the meeting at 10.09am.
Cr A Filipaina left the meeting at 10.19am.
IMSB Member T Henare returned to the meeting at 10.20am.
Cr A Filipaina returned to the meeting at 10.29am.
Cr E Collins entered the meeting at 10.34 am.
Cr D Newman entered the meeting at 10.44 am.

Resolution number PLA/2019/62

MOVED by Chairperson C Darby, seconded by Mayor P Goff:

That the Planning Committee:

a) approve for public consultation the refresh of City Centre Masterplan content set out in paragraphs 36-61 of this report, starting in mid-August 2019.

b) delegate to the Chair and Deputy Chair of the Planning Committee and an Independent Māori Statutory Board member the power to correct any identified errors or minor edits, and to give effect to changes requested by the committee at this meeting.

c) approve the proposed approach to public consultation from mid-August to late September 2019 on the City Centre Masterplan refreshed as outlined in Attachment A of the agenda report.
d) note that a refreshed City Centre Masterplan which will reflect public consultation, will be reported to the relevant committee for adoption in early 2020.

Attachments
A 2 July 2019, Planning Committee: Item 8 - City Centre Masterplan refresh, Presentation

9 Kāinga Ora - Homes and Communities Bill, Auckland Council Submission
Resolution number PLA/2019/63
MOVED by Cr P Hulse, seconded by Deputy Chairperson R Hills:
That the Planning Committee:

a) approve the draft submission (Attachment A of the agenda report) to the Kāinga Ora – Homes and Communities Bill subject to receiving input from local boards which will be appended to the submission and incorporating any changes requested by this committee.

b) delegate authority to the Chair and Deputy Chair of the Planning Committee, and an Independent Māori Statutory Board member to approve the final submission.

CARRIED

10 Auckland Plan 2050 Six-monthly update
Cr R Clow left the meeting at 11.26 am.
Deputy Mayor BC Cashmore left the meeting at 11.29 am.
Resolution number PLA/2019/64
MOVED by Cr P Hulse, seconded by Chairperson C Darby:
That the Planning Committee:

a) receive the six-monthly update on the Auckland Plan 2050.

b) approve changes to the digital Auckland Plan 2050 as set out in the report.


CARRIED

Attachments
A 2 July 2019, Planning Committee: Item10 - Auckland Plan 2050 Six-monthly update, Presentation

Note: The Chairperson deferred consideration of Item 11 – Converting Road Reserve, Unformed Legal Roads and pedestrian Accessways to Open Space and Item 12 – Auckland Unitary Plan (Operative in Part) – proposed private plan change request – Cadness Loop Reserve, Northcote until later in the meeting.
13  Auckland Unitary Plan (Operative in Part) - Private Plan Change Request from James Kirkpatrick Group Limited at 1, 3, 5, 7, 10 and 12 Florence Carter Avenue, Flat Bush

Deputy Mayor BC Cashmore returned to the meeting at 11.35 am.
Cr R Clow returned to the meeting at 11.37 am.

Resolution number PLA/2019/65

MOVED by Cr A Filipaina, seconded by Cr E Collins:

That the Planning Committee:

a) accept the private plan change request by James Kirkpatrick Group Limited for the rezoning of land (comprising 9.34 ha) at 1, 3, 5, 7, 10 and 12 Florence Carter Avenue, Flat Bush included as Attachment A to the agenda report pursuant to clause 25(2)(b) of Part 2 of Schedule 1 to the Resource Management Act 1991 for the following reasons:
   i) having regard to relevant case law the request does not meet the limited grounds for rejection under clause 25(4); and
   ii) it is more appropriate to accept the request than 'adopt' it or treat it as a resource consent application.

b) delegate authority to the Manager Central and South Planning to undertake the required notification and other statutory processes associated with processing the private plan change request by James Kirkpatrick Group Limited pursuant to Schedule 1 to the Resource Management Act 1991.

CARRIED

14  Request to make Plan Change 10: Historic Heritage Schedule (errors, anomalies and information update) operative in part

Resolution number PLA/2019/66

MOVED by Cr R Clow, seconded by Deputy Chairperson R Hills:

That the Planning Committee:

a) approve the proposed amendments under Plan Change 10: Historic Heritage Schedule (errors, anomalies and information update) that are not subject to appeal or subject to the provisions of the regional coastal plan, being the proposed amendments to the 142 historic heritage places set out in Attachment A to the agenda report.

b) adopt proposed amendments to the historic heritage places subject to the provisions of the regional coastal plan, set out in Attachment B to the agenda report, and refer to the Minister of Conservation for approval.

c) request the General Manager, Plans and Places to undertake the steps in Schedule 1 of the Resource Management Act 1991 to make operative in part Plan Change 10 to the Auckland Unitary Plan (operative in part).

d) request the General Manager, Plans and Places to undertake the steps in Schedule 1 of the Resource Management Act 1991 to make the parts of Plan Change 10 to the Auckland Unitary Plan (operative in part) subject to the provisions of the regional coastal plan operative once they are approved by the Minister of Conservation.

CARRIED
15 **Summary of Planning Committee information memos and briefings - 2 July 2019**

Resolution number PLA/2019/67

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

**That the Planning Committee:**

a) receive the Summary of Planning Committee information memos and briefings – 2 July 2019.

CARRIED

11 **Converting Road Reserve, Unformed Legal Roads and Pedestrian Accessways to Open Space**

Note: amended wording of the original recommendation h) ii) was made by staff and agreed to by the meeting.

MOVED by Chairperson C Darby, seconded by Cr P Hulse:

That the Planning Committee:

a) note that unutilised road reserve and unformed legal roads (paper roads) are already being managed as an open space resource.

b) note that unutilised road reserve and unformed legal roads (paper roads) do not necessarily need to be “stopped” and/or rezoned to open space to be used as open space, and that the road stopping process can be complex, expensive and protracted.

c) acknowledge that while not a simple process, the “stopping” of unformed legal roads and/or formed legal roads and offering the land back to Mana Whenua as the former owners can potentially provide a number of benefits, and therefore request that engagement with Mana Whenua on any road stopping is undertaken as early as possible in the process and is guided by:

i) the Treaty of Waitangi / Te Tiriti o Waitangi principles

ii) Auckland Council’s Māori responsiveness framework

iii) the Māori Plan for Tāmaki Makaurau

iv) the Auckland Plan (especially Strategic Direction 2)

v) the Auckland Unitary Plan (especially Chapter B6: Mana Whenua)

vi) other relevant plans and strategies e.g. Open Space Strategies, Local Board Plans.

d) note that the most significant opportunities to utilise road reserve and unformed legal roads (paper roads) for open space/recreation purposes are as part of the Auckland Paths project which represents the largest ever capital investment in active travel in Auckland.

e) endorse the approach that where unutilised road reserve and unformed legal roads (paper roads) are utilised for open space / recreation purposes, these areas are not included in the open space provision calculation for the relevant local board area.

f) request that when the parks and open space acquisition policies are next reviewed, consideration is given to specifically referencing the opportunity that unutilised road reserve and unformed legal roads (paper roads) provide in adding to open space outcomes.

g) endorse the use of existing mechanisms such as the preparation, implementation and review of the Auckland Paths project, existing greenway plans, open space network plans and structure plans as the primary tools for identifying future open space opportunities.
h) request staff when undertaking the preparation, implementation or review of the Auckland Paths project, existing greenway plans and open space network plans, and the preparation of structure plans in conjunction with local boards, give further consideration to:

i) where appropriate, using unutilised road reserve and/or unformed legal roads (paper roads) as open space;

ii) identifying opportunities to address historical breaches of the Treaty of Waitangi / Te Tiriti o Waitangi and achieving positive outcomes for Māori and the wider community through road “stopping”.

iii) investigating innovative ways of providing additional open space and recreational facilities such as the Lightpath (in accordance with the Auckland Council’s Parks and Open Space Acquisition Policy 2013, the Open Space Provision Policy 2016 and the Auckland Plan 2050).

i) endorse the existing Auckland Unitary Plan approach for pedestrian accessways, which is that pedestrian accessways linking roads are shown as “road”, and those linking roads to open space are shown as “open space”.

Mayor P Goff retired from the meeting at 12.09pm.
Cr D Newman retired from the meeting at 12.09 pm.
Cr J Walker retired from the meeting at 12.09pm.

Note: The meeting adjourned at 12.09pm and reconvened at 1.06pm.

IMSB Member L Ngamane and Cr S Stewart were not present.
Cr S Stewart returned to the meeting at 1.09 pm.
IMSB Member L Ngamane returned to the meeting at 1.13 pm.

Note: changes to the original motion were incorporated with the addition of clauses j) i), j) ii) and k), with the agreement of the meeting.

Resolution number PLA/2019/68

MOVED by Chairperson C Darby, seconded by Cr P Hulse:

That the Planning Committee:

a) note that unutilised road reserve and unformed legal roads (paper roads) are already being managed as an open space resource.

b) note that unutilised road reserve and unformed legal roads (paper roads) do not necessarily need to be “stopped” and/or rezoned to open space to be used as open space, and that the road stopping process can be complex, expensive and protracted.

c) acknowledge that while not a simple process, the “stopping” of unformed legal roads and/or formed legal roads and offering the land back to Mana Whenua as the former owners can potentially provide a number of benefits, and therefore request that engagement with Mana Whenua on any road stopping is undertaken as early as possible in the process and is guided by:

i) the Treaty of Waitangi / Te Tiriti o Waitangi principles
ii) Auckland Council’s Māori responsiveness framework
iii) the Māori Plan for Tāmaki Makaurau
iv) the Auckland Plan (especially Strategic Direction 2)
v) the Auckland Unitary Plan (especially Chapter B6: Mana Whenua)
vi) other relevant plans and strategies e.g. Open Space Strategies, Local Board Plans.

d) note that the most significant opportunities to utilise road reserve and unformed legal roads (paper roads) for open space/recreation purposes are as part of the Auckland Paths project which represents the largest ever capital investment in active travel in Auckland.

e) endorse the approach that where unutilised road reserve and unformed legal roads (paper roads) are utilised for open space / recreation purposes, these areas are not included in the open space provision calculation for the relevant local board area.

f) request that when the parks and open space acquisition policies are next reviewed, consideration is given to specifically referencing the opportunity that unutilised road reserve and unformed legal roads (paper roads) provide in adding to open space outcomes.

g) endorse the use of existing mechanisms such as the preparation, implementation and review of the Auckland Paths project, existing greenway plans, open space network plans and structure plans as the primary tools for identifying future open space opportunities.

h) request staff when undertaking the preparation, implementation or review of the Auckland Paths project, existing greenway plans and open space network plans, and the preparation of structure plans in conjunction with local boards, give further consideration to:
i) where appropriate, using unutilised road reserve, unformed legal roads (paper roads) and other council owned land as open space;

ii) identifying opportunities to achieve positive outcomes for Māori and the wider community through road “stopping”.

iii) investigating innovative ways of providing additional open space and recreational facilities such as the Lightpath (in accordance with the Auckland Council’s Parks and Open Space Acquisition Policy 2013, the Open Space Provision Policy 2016 and the Auckland Plan 2050).

i) endorse the existing Auckland Unitary Plan approach for pedestrian accessways, which is that pedestrian accessways linking roads are shown as “road”, and those linking roads to open space are shown as “open space”.

j) note that two priority aspirations for Māori are:
i) the return of land and resources

ii) the restoration of authority

k) request staff to prepare a scoping report that identifies opportunities to offer unutilised areas of road reserve and unformed legal roads back to Māori former landowners to the appropriate committee of the incoming council.

CARRIED
12 Auckland Unitary Plan (Operative in Part) - proposed private plan change request - Cadness Loop Reserve, Northcote

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

Resolution number PLA/2019/69

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

That the Planning Committee:

a) agree to adopt the private plan change request by Homes Land Community (HLC) 2017 Limited for changes to the Auckland Unitary Plan (Operative in Part) to change the zoning of an area of Open Space – Informal Recreation zone and public road to Terrace Housing and Apartment Buildings zone pursuant to clause 25(2)(a) of the First Schedule of the Resource Management Act 1991 for the following reasons:

i) having regard to relevant case law the request does not meet the limited grounds for rejection under clause 25(4);

ii) it is more appropriate to adopt the request rather than ‘accept’ it or treat it as a resource consent application.

b) agree to modify the private plan change request to include a change of zone of an adjacent area of Terrace Housing and Apartment Buildings zone and public road to Open Space – Informal Recreation zone pursuant to clause 24 of the First Schedule of the Resource Management Act 1991 in order to include the reconfiguration of an enlarged Cadness Loop Reserve in the proposed plan change.

c) authorise the Manager Planning North, West and Islands to undertake the required notification and other statutory processes associated with processing the Cadness Loop Reserve plan change request by HLC 2017 Ltd pursuant to the First Schedule of the Resource Management Act 1991.

CARRIED

Attachments

A 2 July 2019, Planning Committee: Item 12 - Auckland Unitary Plan (Operative in Part) - proposed private plan change request - Cadness Loop Reserve, Northcote, Presentation

16 Consideration of Extraordinary Items

There was no consideration of extraordinary items.
1.42pm

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:.........................................................................................