Minutes of a meeting of the Planning Committee held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Thursday, 1 October 2020 at 10.01am.

PRESENT

Chairperson
Cr Chris Darby
Cr Josephine Bartley
Cr Dr Cathy Casey
Deputy Mayor Cr Bill Cashmore
Cr Fa’anana Efeso Collins
Cr Pippa Coom
Cr Linda Cooper, JP
Cr Angela Dalton
Cr Alf Filipaina
Cr Christine Fletcher, QSO
Mayor Hon Phil Goff, CNZM, JP
IMSB Member Hon Tau Henare
Cr Shane Henderson
Cr Richard Hills
Cr Tracy Mulholland
Cr Daniel Newman, JP
Cr Greg Sayers
Cr Desley Simpson, JP
Cr Sharon Stewart, QSM
Cr Wayne Walker
Cr Paul Young

Physically present
Physically present
From 10.07am, Item 6
Physically present
Physically present
Physically present
From 11.14am, Item 8
Until 11.16am, Item 8
Physically present
From 2.30pm, Item C1
From 10.40am, Item 8
Physically present

ALSO PRESENT

Brent Catchpole
Margi Watson
Papakura Local Board, Item 6.1
Albert-Eden Local Board, Item C1

ABSENT

IMSB Member Liane Ngamane
Cr John Watson
Note: a roll-call was conducted that ascertained the following councillors were in attendance at the commencement of the meeting:

- Mayor P Goff ✓
- Deputy Mayor BC Cashmore ✓
- Cr Josephine Bartley ✓
- Cr Dr Cathy Casey Cr Daniel Newman, JP late
- Cr Fa’anana Efeso Collins ✓ IMSB Member Liane Ngamane absent
- Cr Pippa Coom ✓
- Cr Linda Cooper, JP ✓
- Cr Angela Dalton ✓
- Cr Alf Filipaina
- Cr Christine Fletcher, QSO ✓
- IMSB Member Hon Tau Henare ✓
- Cr Greg Sayers ✓
- Cr Desley Simpson, JP ✓
- Cr Sharon Stewart, QSM ✓
- Cr Wayne Walker ✓
- Cr John Watson absent
- Cr Paul Young ✓

1 **Apologies**

Resolution number PLA/2020/72

MOVED by Cr C Darby, seconded by Cr J Bartley:

**That the Planning Committee:**

a) accept the apologies from IMSB Member Liane Ngamane and Cr J Watson for absence, and Cr D Newman for lateness and IMSB T Henare for early departure.

**CARRIED**

2 **Declaration of Interest**

There were no declarations of interest.

3 **Confirmation of Minutes**

Resolution number PLA/2020/73

MOVED by Cr J Bartley, seconded by Cr D Simpson:

**That the Planning Committee:**

a) confirm the ordinary minutes of its meeting, held on Thursday, 3 September 2020, including the confidential section, 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
   6.1 Local Board Input - Papakura Local Board - four private plan changes at Drury
   Chair Brent Catchpole – Papakura Local Board was in attendance via Skype to address the meeting regarding four private plan changes at Drury.
   *Cr C Casey joined the meeting at 10.07am*

   Resolution number PLA/2020/74
   MOVED by Cr A Dalton, seconded by Cr C Fletcher:
   **That the Planning Committee:**
   a) receive the local board input from Brent Catchpole, Chair Papakura Local Board regarding the four private plan changes at Drury and thank him for his attendance.
   CARRIED

7 Extraordinary Business
There was no extraordinary business.

8 Auckland Unitary Plan – Submissions on four private plan changes at Drury
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.

Note: changes were made to original recommendation clause a) and adding new clause b), with the agreement of the meeting.

*Cr G Sayers joined the meeting at 10.40am*
*Cr A Filipaina joined the meeting at 11.14am*
*IMSB Member T Henare retired from the meeting at 11.16am*
Resolution number PLA/2020/75

MOVED by Cr C Darby, seconded by Deputy Mayor BC Cashmore:

That the Planning Committee:

a) delegate to the Chair and Deputy Chair of the Planning Committee, Councillor Desley Simpson and a Member of the Independent Māori Statutory Board, the authority to approve, in consultation with the Mayor’s office, council submissions on the following private plan changes:
   i) Fulton Hogan Limited (PC49 (Private): Drury East Precinct)
   ii) Kiwi Property Limited (PC48 (Private): Drury Centre Precinct)
   iii) Oyster Capital Limited (PC50 (Private): Waihoehoe Precinct)
   iv) Karaka and Drury (PC51 (Private): Drury 2 Precinct)

b) request staff to forward the draft submissions to the Planning Committee and the Papakura and Franklin Local Boards for feedback prior to finalisation, noting that the period for providing feedback will be tight.

CARRIED

Attachments
A 1 October 2020, Planning Committee: Item 8 - Auckland Unitary Plan – Submissions on four private plan changes at Drury, Presentation

The meeting adjourned at 11.43am and reconvened at 11.51am.

9 Auckland Unitary Plan – Consideration of private plan change request – Patumahoe South

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.

Cr L Cooper left the meeting at 11.55am
Cr E Collins left the meeting at 11.55am
Cr L Cooper returned to the meeting at 12.38pm

MOVED by Cr C Darby, seconded by Cr S Henderson:

That the Planning Committee:

a) reject the private plan change request for Patumahoe for the following reasons:
   i) the private plan change is not in accordance with sound resource management practice (clause 25(4)(c), Schedule 1)
   ii) the private plan change would make the Auckland Unitary Plan inconsistent with Part 5 of the Resource Management Act (clause 25(4)(d), Schedule 1)

in particular the private plan change:
   i) on a coarse merits assessment will not achieve the sustainable management purpose of the Resource Management Act
   ii) does not give effect to the Regional Policy Statement in the Auckland Unitary Plan
   iii) involves expanding an existing rural settlement that already has capacity for growth
   iv) involves rezoning rural land with extensive highly productive soils to enable urban development
v) involves rezoning rural land to enable urban development in an area where there are significant transport infrastructure constraints to the north.

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

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<tr>
<th>For</th>
<th>Against</th>
<th>Abstained</th>
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<tr>
<td>Cr P Coom</td>
<td>Cr J Bartley</td>
<td>Cr R Hills</td>
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<tr>
<td>Cr C Darby</td>
<td>Deputy Mayor BC</td>
<td>Cr P Young</td>
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<td>Cr S Henderson</td>
<td>Cashmore</td>
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<td>Cr W Walker</td>
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<td>Mayor P Goff</td>
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<td>Cr T Mulholland</td>
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The motion was declared **LOST** by 4 votes to 11.

Note: Due to technical difficulties, Cr Casey was unable to register her vote during the division and asked that her dissenting voice be recorded.

Resolution number PLA/2020/76

MOVED by Deputy Mayor BC Cashmore, seconded by Cr L Cooper:

That the Planning Committee:

a) accept the private plan change request by Askew Consultants Limited for Patumahoe South, 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) because:

      A) it is not frivolous or vexatious

      B) the substance of the request has not been considered within the last two years

      C) a coarse-grain assessment of the request does not indicate that the private plan change is not in accordance with sound resource management practice

      D) a coarse-grain assessment does not indicate that the private plan change will make the Auckland Unitary Plan (Operative in Part) contrary to Part 5 of the Resource Management Act

      E) the provisions of the Auckland Unitary Plan (Operative in Part) subject to the private plan change request have been operative for at least two years

   ii) accepting the private plan change request will enable a range of matters including infrastructure provision and development on elite and prime soils to be considered on their merits, during a public participatory planning process

   iii) 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 Askew Consultants Limited for Patumahoe South pursuant to Schedule 1 to the Resource Management Act 1991

c) delegate authority to the Chair and Deputy Chair of the Planning Committee and a member of the Independent Māori Statutory Board to approve a council submission on the private plan change to address the matters raised in the agenda report and any other relevant matter.

CARRIED

Note: Pursuant to Standing Order 1.8.6, the following councillors requested their votes be recorded against the motion:

- Cr P Coom
- Cr C Darby
- Cr S Henderson
- Cr W Walker

Attachments

A 1 October 2020, Planning Committee: Item 9 - Auckland Unitary Plan – Consideration of private plan change request – Patumahoe South, Presentation

The meeting adjourned at 1.20pm and reconvened at 1.45pm.

Cr C Casey and Cr E Collins were not present.

10 Auckland Unitary Plan – Making operative Private Plan Change 28 – Florence Carter Avenue, Flat Bush

Resolution number PLA/2020/77

MOVED by Cr L Cooper, seconded by Cr T Mulholland:

That the Planning Committee:

a) approve Private Plan Change 28 to the Auckland Unitary Plan (Operative in Part), under clause 17(2) of Schedule 1 of the Resource Management Act 1991, as it relates to the decision dated 19 June 2020 as identified in Attachment A of the agenda report

b) request staff to complete the necessary statutory processes to publicly notify the date on which the plan change becomes operative as soon as possible, in accordance with the requirements in clause 20(2) of Schedule 1 of the Resource Management Act 1991.

CARRIED

11 Auckland Unitary Plan – Making operative Private Plan Change 23 – Smales Farm

Cr C Casey returned to the meeting at 1.47pm

Resolution number PLA/2020/78

MOVED by Cr C Darby, seconded by Cr T Mulholland:
That the Planning Committee:

a) approve Plan Change 23 Smales Farm to the Auckland Unitary Plan (Operative in Part) 2016 under clause 17(2) of Schedule 1 of the Resource Management Act 1991 in its final form in the council decision dated 29 April 2020, as amended by the consent order of the Environment Court dated 8 September 2020 (Attachment A of the agenda report)

b) request staff to complete the necessary statutory processes to publicly notify the date on which the plan change becomes operative, in accordance with the requirements in clause 20(2) of Schedule 1 of the Resource Management Act 1991, and incorporate the change into the Auckland Unitary Plan (operative in part) 2016.

CARRIED

12 Urban Development Act - establishing political working groups for specified development areas

Note: changes to the original recommendation were made to clause a), with the agreement of the meeting.

Resolution number PLA/2020/79

MOVED by Cr C Darby, seconded by Cr J Bartley:

That the Planning Committee:

a) delegate to the Chair and Deputy Chair of the Planning Committee the power to establish a political working group comprising the Chair and Deputy Chair of Planning Committee, a member of the Independent Māori Statutory Board, relevant ward councillor(s) and a representative of relevant local board(s), in consultation with the Mayor's Office, to provide political direction on the execution of powers and functions under the Act where staff advise that one or more of the following criteria are met:

   i) the development plan is inconsistent with the Auckland Unitary Plan and/or not aligned with the outcomes in the Auckland Plan 2050
   ii) the specified development area is out of sequence with the Auckland Plan Development Strategy and Future Urban Land Supply Strategy
   iii) there is insufficient infrastructure to support the development plan and/or significant public infrastructure spend is required to support the project
   iv) there are significant implications for the Parks Network Plans for the same location
   v) there is a significant impact on Auckland Council/Council-Controlled Organisation (CCO) and/or third-party infrastructure
   vi) there is the potential for significant adverse environmental effects to occur.

CARRIED

13 Summary of Planning Committee information items and briefings (including the Forward Work Programme) - 1 October 2020

Resolution number PLA/2020/80

MOVED by Deputy Mayor BC Cashmore, seconded by Cr C Fletcher:
That the Planning Committee:

a) note the progress on the forward work programme appended as Attachment A of the agenda report

b) receive the Summary of Planning Committee information items and briefings – 1 October 2020.

CARRIED

14 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

15 Procedural motion to exclude the public

Resolution number PLA/2020/81

MOVED by Cr C Darby, seconded by Cr T Mulholland:

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 Unlock Uptown - CRL Mt Eden and Karangahape Stations Development Programme

<table>
<thead>
<tr>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Particular interest(s) protected (where applicable)</th>
<th>Ground(s) under section 48(1) for the passing of this resolution</th>
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<tr>
<td>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.</td>
<td>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. In particular, the report contains decisions that project partner Kāinga Ora is required to seek formal approval from the responsible Minister(s) post government elections.</td>
<td>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.</td>
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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
1.56pm 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.

2.32pm The public was re-admitted.

RESTSTATEMENTS

It was resolved while the public was excluded:

C1 Unlock Uptown - CRL Mt Eden and Karangahape Stations Development Programme

Resolution number PLA/2020/82

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

d) agree that there be no restatement of the report, attachments or decisions until the need for confidentiality no longer exists.

2.32pm 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:..................................................................................