
Kōmiti 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 Thursday, 5 May 2022 at 10.00am.

PRESENT

| | | |
|---------------------------|-------------------------------|------------------------|
| Chairperson | Cr Chris Darby | |
| Deputy Chairperson | Cr Josephine Bartley | From 10.09am, Item 5.1 |
| Members | Cr Dr Cathy Casey | |
| | Deputy Mayor Cr Bill Cashmore | |
| | Cr Fa'anana Efeso Collins | Until 4.32pm, Item C1 |
| | Cr Pippa Coom | |
| | Cr Linda Cooper, JP | Until 4.17pm |
| | Cr Angela Dalton | |
| | Cr Alf Filipaina, MNZM | |
| | Cr Christine Fletcher, QSO | |
| | Mayor Hon Phil Goff, CNZM, JP | |
| | IMSB Member Hon Tau Henare | |
| | Cr Shane Henderson | Until 4.17pm |
| | Cr Richard Hills | |
| | Cr Tracy Mulholland | From 10.05am, Item 5.1 |
| | Cr Daniel Newman, JP | |
| | Cr Greg Sayers | |
| | Cr Desley Simpson, JP | |
| | Cr Sharon Stewart, QSM | |
| | Cr Wayne Walker | Until 4.17pm |
| | Cr John Watson | |
| | IMSB Member Karen Wilson | |
| | Cr Paul Young | |

ALSO PRESENT

| | |
|--------------|----------------------------|
| Cath Handley | Chair, Waiheke Local Board |
|--------------|----------------------------|

Note: a roll-call was conducted that ascertained the following members were in attendance at the commencement of the meeting:

| Member | | Member | |
|--------------------------|---|----------------------|---|
| Cr C Darby | ✓ | Cr S Henderson | ✓ |
| Cr J Bartley | | Cr R Hills | ✓ |
| Cr C Casey | ✓ | Cr T Mulholland | |
| Deputy Mayor BC Cashmore | ✓ | Cr D Newman | ✓ |
| Cr E Collins | ✓ | Cr G Sayers | ✓ |
| Cr P Coom | ✓ | Cr D Simpson | ✓ |
| Cr L Cooper | ✓ | Cr S Stewart | ✓ |
| Cr A Dalton | ✓ | Cr W Walker | ✓ |
| Cr A Filipaina | ✓ | Cr J Watson | ✓ |
| Cr C Fletcher | ✓ | IMSB Member K Wilson | ✓ |
| Mayor P Goff | ✓ | Cr P Young | ✓ |
| IMSB Member T Henare | ✓ | | |

1 Apologies

Resolution number PLA/2022/36

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

That the Planning Committee:

a) **accept the apologies from:**

Early Departure

Cr E Collins

Cr S Henderson

CARRIED

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number PLA/2022/37

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

That the Planning Committee:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 31 March 2022, including the confidential section, as a true and correct record.**

CARRIED

4 Petitions

There were no petitions.

5 Public Input

5.1 Public Input: Bike Auckland - Auckland Cycling and Micromobility Business Case

A presentation was provided. A copy is attached to the official minutes and is available on the Auckland Council website as a minutes attachment.

Cr T Mulholland joined the meeting remotely at 10.05 am.

Cr J Bartley joined the meeting remotely at 10.09 am.

Resolution number PLA/2022/38

MOVED by Cr A Dalton, seconded by Cr L Cooper:

That the Planning Committee:

- a) **receive the public input from Bike Auckland regarding the Auckland Micromobility and Cycling and Micromobility Business Case and thank Tony Mitchell for attending the meeting.**

CARRIED

Attachments

- A 05 May 2022, Planning Committee: Item 5.1 - Public Input: Bike Auckland - Auckland Cycling and Micromobility Business Case, presentation

5.2 Public Input: Screen Industry's Sites of Significance Working Group - filming on sites of significance

Supporting information was provided. A copy is attached to the official minutes and is available on the Auckland Council website as a minutes attachment.

Note: changes to the original recommendations, adding new clauses b), c), d) and e), were made with the agreement of the meeting.

Resolution number PLA/2022/39

MOVED by Cr L Cooper, seconded by Cr S Henderson:

That the Planning Committee:

- a) **thank Kristian Eek from the Screen Industry's Sites of Significance Working Group for the presentation regarding filming on the Sites and Places of Significance to Mana Whenua identified in the Auckland Unitary Plan.**
- b) **acknowledge the importance of these sites to Mana Whenua.**
- c) **acknowledge the concerns raised by the screen industry.**
- d) **note that Screen Auckland (part of Auckland Unlimited) and staff within the council's Plans and Places department are aware of the issues and are looking to engage with all Mana Whenua entities and the Screen Industry as soon as practicable to identify potential solutions to the concerns raised by the Screen Industry.**
- e) **request that staff report back to the Planning Committee on this matter once discussions with all Mana Whenua entities have taken place.**

CARRIED

Attachments

- A 05 May 2022, Planning Committee: Item 5.2 - Public Input: Screen Industry's Sites of Significance Working Group - filming on sites of significance, supporting information

6 Local Board Input

There was no local board input.

7 Extraordinary Business

There was no extraordinary business.

8 Resolutions from the Aotea/Great Barrier, Waiheke and Waitematā Local Boards regarding concerns about helicopter activity

A presentation was provided. A copy is attached to the official minutes and is available on the Auckland Council website as a minutes attachment.

Note: changes to the original recommendations, amending clauses a), c), d), e), and g), and adding new clauses f) and j), were made with the agreement of the meeting.

Cr S Henderson left the meeting at 11.29 am.

Resolution number PLA/2022/40

MOVED by Cr C Darby, seconded by Cr P Coom:

That the Planning Committee:

- a) **acknowledge the concerns raised by the Aotea/Great Barrier Local Board, the Waiheke Local Board and Mana Whenua (via the Aotea/Great Barrier Local Board) regarding helicopter activity managed under the Auckland Council District Plan (Hauraki Gulf Islands Section).**

- b) acknowledge the concerns raised by Waitemata Local Board regarding helicopter activity managed under the Auckland Unitary Plan.
- c) note that the Compliance and Monitoring department has commenced a project to analyse consent conditions including flight log information from helicopter resource consent holders on Waiheke Island and central Auckland where this is a condition of consent in order to determine extent of compliance and assist with an evidence-base of effects.
- d) note that staff will be working with the Civil Aviation Authority to analyse available flight tracking data to obtain an overview of current and historic levels and patterns of helicopter activity in the Auckland region.
- e) request that once the compliance investigation is complete, a report is prepared for the Planning Committee providing an analysis of results together with an assessment of the options available to address helicopter activity in the Auckland region.
- f) request that a comprehensive Resource Consents practice and guidance note be re-issued.
- g) note the initial advice from staff that the legal tests for prohibited activity status are very high and would be an extremely difficult position to establish for the landing and take-off of helicopters across residential and coastal areas as part of any plan change, and is not recommended by staff.
- h) note that due to current pressures arising from the government's extensive policy programme (and in particular the impact of the Resource Management (Enabling Housing Supply and Other Matters) Act, at this point in time the Plans and Places department does not have the capacity to evaluate, and if appropriate, prepare a plan change to the Auckland Council District Plan (Hauraki Gulf Islands Section) relating to helicopter activity.
- i) note that the council's Māori Heritage team is working with mana whenua to identify and protect sites and places of significance to Mana Whenua on Aotea/Great Barrier Island.
- j) note that as a matter of priority council staff will consider options for providing interim protection measures from helicopter activity for sites of significance to Mana Whenua on Aotea Great Barrier.

CARRIED

Attachments

- A 05 May 2022, Planning Committee: Item 8 - Resolutions from the Aotea/Great Barrier, Waiheke and Waitemata Local Boards regarding concerns about helicopter activity, presentation

The meeting adjourned at 11.48pm and reconvened at 12.00pm.

9 Auckland Cycling and Micromobility Programme Business Case

A presentation was provided. A copy is attached to the official minutes and is available on the Auckland Council website as a minutes attachment.

The Draft Cycling and Micromobility Programme Business Case is available on the Auckland Transport website at the following link: <https://at.govt.nz/about-us/transport-plans-strategies/>

Note: changes to the original recommendations, amending clauses a), c), c) i), and d), and adding new clause b), were made with the agreement of the meeting.

MOVED by Cr A Dalton, seconded by Cr P Coom:

That the Planning Committee:

- a) endorse the direction and intent of the Auckland Cycling and Micromobility Programme Business Case as a prioritisation approach and pathway towards achieving the 7% cycling mode share goal by distance by 2030 of the Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan and contribution to the 40% reduction in deaths and serious injuries by 2031 set out in Road to Zero.
- b) note that additional policy changes would be needed to reach the 7% cycling mode share goal by distance and that Attachment A of the agenda report outlines examples of these changes though further investigation of impacts is required.
- c) note that while approval of additional funding is not sought at this stage, achievement of the aspirations of Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan goal of 7% cycling mode share by distance by 2030 would require:
 - i) an increase in capital funding from \$306 million to \$2 billion (for cycling connections, focus areas, cycle parking, and customer growth initiatives), which would need to be considered in future funding processes, including the Regional Land Transport Plan and Long-term Plan;
 - ii) implementation of the current cycling and multi-modal projects of the 2021-2031 Regional Land Transport Plan;
 - iii) currently unfunded projects such as Connected Communities and Airport to Botany that have crucial safe cycling connections being funded for implementation;
 - iv) a significant proportion of the Auckland Cycling and Micromobility Programme Business Case's policy recommendations being implemented by Auckland Transport, its partners, Government, and other parties; and
 - v) additional OPEX to enable delivery of the full suite of recommended Customer Growth Initiatives.
- d) note that the Auckland Transport Board will consider final endorsement of the Auckland Cycling and Micromobility Programme Business Case following the Planning Committee's endorsement of direction and intent of the Programme Business Case.
- e) note that changes are required to current procurement and funding settings to enable delivery of the recommended Auckland Cycling and Micromobility Programme Business Case investment programme over the next decade.

The meeting adjourned at 12.06pm and reconvened at 12.45pm.

Cr Bartley, Cr Collins and Cr Henderson were not present.

Cr E Collins returned to the meeting at 1.19pm.

Cr S Henderson returned to the meeting remotely at 1.56pm.

Cr J Bartley returned to the meeting at 2.07pm.

Note: Following discussion, an additional change to the motion was incorporated under clause b).

MOVED by Cr A Dalton, seconded by Cr P Coom:

That the Planning Committee:

- a) endorse the direction and intent of the Auckland Cycling and Micromobility Programme Business Case as a prioritisation approach and pathway towards achieving the 7% cycling mode share goal by distance by 2030 of the Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan and contribution to the 40% reduction in deaths and serious injuries by 2031 set out in Road to Zero.

- b) note that additional policy changes would be needed to reach the 7% cycling mode share goal by distance and that Attachment A of the agenda report outlines examples of these changes, but further notes that the committee does not support limiting/removing staff parking in schools.
- c) note that while approval of additional funding is not sought at this stage, achievement of the aspirations of Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan goal of 7% cycling mode share by distance by 2030 would require:
 - i) an increase in capital funding from \$306 million to \$2 billion (for cycling connections, focus areas, cycle parking, and customer growth initiatives), which would need to be considered in future funding processes, including the Regional Land Transport Plan and Long-term Plan;
 - ii) implementation of the current cycling and multi-modal projects of the 2021-2031 Regional Land Transport Plan;
 - iii) currently unfunded projects such as Connected Communities and Airport to Botany that have crucial safe cycling connections being funded for implementation;
 - iv) a significant proportion of the Auckland Cycling and Micromobility Programme Business Case's policy recommendations being implemented by Auckland Transport, its partners, Government, and other parties; and
 - v) additional OPEX to enable delivery of the full suite of recommended Customer Growth Initiatives.
- d) note that the Auckland Transport Board will consider final endorsement of the Auckland Cycling and Micromobility Programme Business Case following the Planning Committee's endorsement of direction and intent of the Programme Business Case.
- e) note that changes are required to current procurement and funding settings to enable delivery of the recommended Auckland Cycling and Micromobility Programme Business Case investment programme over the next decade.

Following debate, the motion was put in parts.

Resolution number PLA/2022/41

MOVED by Cr A Dalton, seconded by Cr P Coom:

That the Planning Committee:

- a) **endorse the direction and intent of the Auckland Cycling and Micromobility Programme Business Case as a prioritisation approach and pathway towards achieving the 7% cycling mode share goal by distance by 2030 of the Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan and contribution to the 40% reduction in deaths and serious injuries by 2031 set out in Road to Zero**

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

For

Cr J Bartley
Cr C Casey
Deputy Mayor BC Cashmore
Cr E Collins
Cr P Coom
Cr L Cooper
Cr A Dalton

Against

Cr D Newman
Cr G Sayers
Cr S Stewart

Abstained

Cr C Fletcher
IMSB Member T Henare
Cr T Mulholland
Cr D Simpson
Cr W Walker
Cr J Watson
IMSB Member K Wilson

Cr C Darby
Cr A Filipaina
Mayor P Goff
Cr S Henderson
Cr R Hills
Cr P Young

The motion was declared CARRIED by 13 votes to 3, with 7 abstentions.

CARRIED

At 3.55pm, it was:

Extension of Meeting Time

Resolution number PLA/2022/42

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

That the Planning Committee:

- a) **agree pursuant to Standing Order 1.1.3, that an extension of time be granted, until the business of the agenda is complete.**

CARRIED

Resolution number PLA/2022/43

MOVED by Cr A Dalton, seconded by Cr P Coom:

That the Planning Committee:

- b) **note that additional policy changes would be needed to reach the 7% cycling mode share goal by distance and that Attachment A of the agenda report outlines examples of these changes, but further notes that the committee does not support limiting/removing staff parking in schools.**
- c) **note that while approval of additional funding is not sought at this stage, achievement of the aspirations of Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan goal of 7% cycling-mode share by distance by 2030 would require:**
- i) **an increase in capital funding from \$306 million to \$2 billion (for cycling connections, focus areas, cycle parking, and customer growth initiatives), which would need to be considered in future funding processes, including the Regional Land Transport Plan and Long-term Plan;**
 - ii) **implementation of the current cycling and multi-modal projects of the 2021-2031 Regional Land Transport Plan;**
 - iii) **currently unfunded projects such as Connected Communities and Airport to Botany that have crucial safe cycling connections being funded for implementation;**
 - iv) **a significant proportion of the Auckland Cycling and Micromobility Programme Business Case's policy recommendations being implemented by Auckland Transport, its partners, Government, and other parties; and**
 - v) **additional OPEX to enable delivery of the full suite of recommended Customer Growth Initiatives.**
- d) **note that the Auckland Transport Board will consider final endorsement of the Auckland Cycling and Micromobility Programme Business Case following the Planning Committee's endorsement of direction and intent of the Programme Business Case.**
- e) **note that changes are required to current procurement and funding settings to enable delivery of the recommended Auckland Cycling and Micromobility Programme Business Case investment programme over the next decade.**

CARRIED

Note: Pursuant to Standing Order 1.8.3, the following councillors requested their abstention from the vote be recorded:

- Cr C Fletcher
- IMSB Member T Henare
- Cr T Mulholland
- Cr G Sayers
- Cr D Simpson
- Cr S Stewart
- Cr W Walker
- Cr J Watson
- IMSB Member K Wilson

Attachments

- A 05 May 2022, Planning Committee: Item 9 - Auckland Cycling and Micromobility Programme Business Case, presentation

The meeting adjourned at 3.58pm and reconvened at 4.10pm.

10 Proposed Plan Change 54 to the Auckland Unitary Plan (Operative in Part) and Proposed Plan Modification 13 to the Auckland Council District Plan Hauraki Gulf Islands Section to enable Rainwater Tank Installation in Residential and Rural Zones

Resolution number PLA/2022/44

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

That the Planning Committee:

- approve Plan Change 54 to the Auckland Unitary Plan (Operative in Part) and Plan Modification 13 to the Auckland Council District Plan Hauraki Gulf Islands Section under clause 17(2) of Schedule 1 of the Resource Management Act 1991.**
- 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 Summary of Planning Committee information items and briefings (including the forward work programme) – 31 March 2022

Resolution number PLA/2022/45

MOVED by Cr J Bartley, seconded by Mayor P Goff:

That the Planning Committee:

- a) **tuhi / note the progress on the forward work programme included as Attachment A of the agenda report.**
- b) **tūtohi / receive the Summary of Planning Committee information items and briefings – 31 March 2022.**

CARRIED

12 Summary of Confidential Decisions and related information released into Open

Resolution number PLA/2022/46

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

That the Planning Committee:

- a) **note the confidential decision and related information that is now publicly available:**
 - i) **National Policy Statement on Urban Development – Auckland Council Preliminary Response - Endorsement For Public Engagement report and decision from March 2022.**
 - ii) **Auckland Light Rail Update report and decision from September 2021.**

CARRIED

13 Summary of Planning Committee information items and briefings (including the forward work programme) – 5 May 2022

Resolution number PLA/2022/47

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

That the Planning Committee:

- a) **tuhi / note the progress on the forward work programme included as Attachment A of the agenda report.**
- b) **tūtohi / receive the Summary of Planning Committee information items and briefings – 5 May 2022.**

CARRIED

14 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

15 Procedural motion to exclude the public

Resolution number PLA/2022/48

MOVED by Cr C Darby, seconded by Cr A Dalton:

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 CONFIDENTIAL: Transit-Oriented Development in the Eastern Busway corridor

| 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)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. In particular, the report contains information that may prejudice the council's ability to negotiate the sale and/or acquisition of properties. | 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 CONFIDENTIAL: Appeal on Plan Change 61 (Private) – Waipupuke

| 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 6 and 7. | s6(a) - The making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences and the right to a fair trial. s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege. s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). In particular, the report contains legal advice. | 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 6 and 7. |

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 retired from the meeting at 4.17 pm.
Cr S Henderson retired from the meeting at 4.17pm.
Cr W Walker retired from the meeting at 4.17pm.*

4.17pm 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.

4.51pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 CONFIDENTIAL: Transit-Oriented Development in the Eastern Busway corridor

Resolution number PLA/2022/49

MOVED by Cr S Stewart, seconded by Cr P Young:

- h) agree there be no restatement of the report, attachments and resolution until the reasons for confidentiality no longer exist.

C2 CONFIDENTIAL: Appeal on Plan Change 61 (Private) – Waipupuke

Resolution number PLA/2022/50

MOVED by Deputy Mayor BC Cashmore, seconded by Cr A Dalton:

- h) agree that the report, attachments and the resolutions of the Planning Committee remain confidential until the Environment Court issues a consent order in relation to clause a) above.

4.51 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:.....