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# Kōmiti Whakarite Mahere / Planning Committee

## OPEN MINUTES

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Minutes of a meeting of the Planning Committee held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Thursday, 2 June 2022 at 10.01am.

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### PRESENT

|                           |                               |                        |
|---------------------------|-------------------------------|------------------------|
| <b>Chairperson</b>        | Cr Chris Darby                |                        |
| <b>Deputy Chairperson</b> | Cr Josephine Bartley          |                        |
| <b>Members</b>            | Cr Dr Cathy Casey             |                        |
|                           | Deputy Mayor Cr Bill Cashmore |                        |
|                           | Cr Fa'anana Efeso Collins     | From 11.09am, Item 8   |
|                           | Cr Pippa Coom                 |                        |
|                           | Cr Linda Cooper, JP           |                        |
|                           | Cr Angela Dalton              |                        |
|                           | Cr Christine Fletcher, QSO    | From 10.03am, Item 2   |
|                           | Mayor Hon Phil Goff, CNZM, JP |                        |
|                           | IMSB Member Hon Tau Henare    | Until 12.13pm, Item C1 |
|                           | Cr Shane Henderson            |                        |
|                           | Cr Richard Hills              |                        |
|                           | Cr Tracy Mulholland           |                        |
|                           | Cr Daniel Newman, JP          |                        |
|                           | Cr Greg Sayers                |                        |
|                           | Cr Desley Simpson, JP         |                        |
|                           | Cr Sharon Stewart, QSM        | From 10.08am, item 5.1 |
|                           | Cr Wayne Walker               |                        |
|                           | Cr John Watson                |                        |
|                           | IMSB Member Karen Wilson      |                        |
|                           | Cr Paul Young                 |                        |

### ABSENT

Cr Alf Filipaina

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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 (apology) |   | 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/2022/51

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

**That the Planning Committee:**

a) **accept the apologies as follows:**

**Absence**

**Cr A Filipaina**

**Lateness**

**Cr E Collins – on council business**

**Early departure**

**Cr A Dalton**

**CARRIED**

Note: Subsequently, Cr A Dalton did not depart early.

## 2 Declaration of Interest

Cr C Darby declared an interest in Item C2 - Auckland Unitary Plan - Proposed Plan Change 5 - Whenuapai.

Cr C Fletcher entered the meeting at 10.03am.

### 3 Confirmation of Minutes

Resolution number PLA/2022/52

MOVED by Cr J Bartley, seconded by Cr P Young:

**That the Planning Committee:**

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 5 May 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: Aotearoa Collective for Public Transport Equity - Free Fares Campaign

Cathy Bi-Riley, Francesca Frandi, Michaela Futter, Yasmin Kidd and Makayla Muhundan spoke with the committee.

A presentation and supporting information was provided. Copies have been placed on the official minutes and are available on the Auckland Council website as minutes attachments.

*Cr S Stewart entered the meeting at 10.08 am.*

Note: clause b) was added with the agreement of the meeting.

Resolution number PLA/2022/53

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

**That the Planning Committee:**

- a) **receive the public input from the Aotearoa Collective for Public Transport Equity regarding the free fares campaign and thank Yasmin Kidd and Cathy Bi-Riley for attending the meeting.**
- b) **refer the presentation and information about the Free Fares Campaign to Auckland Transport requesting its feedback on the proposal.**

**CARRIED**

#### Attachments

- A 2 June 2022 Planning Committee: Item 5.1 - Public Input: Aotearoa Collective for Public Transport Equity - Free Fares Campaign, presentation
- B 2 June 2022 Planning Committee: Item 5.1 - Public Input: Aotearoa Collective for Public Transport Equity - Free Fares Campaign, supporting document

## 6 Local Board Input

There was no local board input.

## 7 Extraordinary Business

There was no extraordinary business.

## 8 Auckland Unitary Plan – Proposed Plan Change – Rezoning of 1023 and 1039 Linwood Road, Kingseat

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

*Cr E Collins joined the meeting at 11.09am*

Note: new clauses a) and b) were moved as Chairperson's recommendations.

Resolution number PLA/2022/54

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

**That the Planning Committee:**

- a) **request staff to pause any further work on the preparation and notification of a proposed plan change to rezone 1023 and 1039 Linwood Road, Kingseat from Open Space – Sport and Active Recreation pending the forthcoming central government release of the National Policy Statement for Highly Productive Land, and the resolution of water supply and wastewater infrastructure issues, and advise the land owners of this direction.**
- b) **as a result of a) request staff to re-consider the appropriate zoning and any other options for the land at 1023 and 1039 Linwood Road, Kingseat and report back to the relevant committee of the new council with recommendations on any next steps.**

**CARRIED**

Note: Pursuant to standing order 1.8.3 Cr C Fletcher requested her abstention be recorded.

Note: Pursuant to standing order 1.8.6 Cr T Mulholland requested her dissenting vote be recorded.

### Attachments

- A 2 June 2022 Planning Committee: Item 8 - Auckland Unitary Plan - Proposed Plan Change - Rezoning of 1023 and 1039 Linwood Road, Kingseat, presentation

**9 Summary of Planning Committee information items and briefings (including the forward work programme) – 2 June 2022**

Resolution number PLA/2022/55

MOVED by Cr J Bartley, seconded by Deputy Mayor BC Cashmore:

**That the Planning Committee:**

- a) tuhi ā-taipitopito / note the progress on the forward work programme included as Attachment A of the agenda report.
- b) whiwhi / receive the Summary of Planning Committee information items and briefings – 2 June 2022.

**CARRIED**

**10 Consideration of Extraordinary Items**

There was no consideration of extraordinary items.

**11 Procedural motion to exclude the public**

Resolution number PLA/2022/56

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

**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 - Drury Private Plan Change Decisions**

| 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)(g) - The withholding of the information is necessary to maintain legal professional privilege.<br><br>In particular, the report contains legal advice regarding the options available to council. | s48(1)(a)<br><br>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 Auckland Unitary Plan - Proposed Plan Change 5 - Whenuapai**

| 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)(g) - The withholding of the information is necessary to maintain legal professional privilege.<br><br>In particular, the report has been informed by legal advice regarding Proposed Plan Change 5 - Whenuapai to the Auckland Unitary Plan. | s48(1)(a)<br><br>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. |
|--|--|---|

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**

11.12 am 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.

1.38 pm The public was re-admitted.

### **RESTATEMENTS**

It was resolved while the public was excluded:

#### **C1 Auckland Unitary Plan - Drury Private Plan Change Decisions**

Resolution number PLA/2022/57

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

That the Planning Committee:

- a) request staff to instruct the council's solicitors to lodge appeals with the Environment Court against each of the three decisions made by the council's independent hearing commissioners relating to Private Plan Changes 48 to 50.
- d) note that the Environment Court will likely request all parties to mediate on the matters raised and the council will be a willing participant in all such discussions.
- f) agree that the report and attachments remain confidential
- g) agree that that resolutions a) and d) are restated on the open minutes of the meeting
- h) agree that resolutions b), c) and e) are restated on the open minutes of the meeting at the close of the Environment Court appeal period for Private Plan Changes 48-50 (i.e. 17 June 2022).

**C2 Auckland Unitary Plan - Proposed Plan Change 5 – Whenuapai**

Resolution number PLA/2022/58

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

That the Planning Committee:

- d) agree that the agenda report, presentation and attachments remain confidential, and that the resolutions be restated after 16 June 2022.

1.38 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:**.....