

Kōmiti Whakarite Mahere / Planning Committee

OPEN MINUTES

Minutes of a meeting of the Planning Committee held remotely on Thursday, 31 March 2022 at 10.01am. This meeting can be viewed on the Auckland Council website:

<https://councillive.aucklandcouncil.govt.nz/>

PRESENT

Chairperson	Cr Chris Darby	
Deputy Chairperson	Cr Josephine Bartley	
Members	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, MNZM	
	Cr Christine Fletcher, QSO	From 10.05am
	Mayor Hon Phil Goff, CNZM, JP	
	IMSB Member Hon Tau Henare	
	Cr Shane Henderson	
	Cr Richard Hills	
	Cr Tracy Mulholland	
	Cr Daniel Newman, JP	Until 5.55pm
	Cr Greg Sayers	Until 8.26pm, Item C1
	Cr Desley Simpson, JP	Until 8.30pm, Item C1
	Cr Sharon Stewart, QSM	
	Cr Wayne Walker	
	Cr John Watson	
	IMSB Member Karen Wilson	
	Cr Paul Young	From 10.07am

ALSO PRESENT

Alexandra Bonham	Deputy Chair, Waitematā Local Board
Troy Churton	Ōrākei Local Board
Cath Handley	Chair, Waiheke Local Board
Izzy Fordham	Chair, Aotea/Great Barrier Local Board
Scott Milne	Chair, Ōrākei Local Board
Robin Tucker	Waiheke Local Board

Note: all members of the Planning Committee and those presenting attended via electronic link.

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/2022/14

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

That the Planning Committee:

a) **accept the apologies from the following members:**

Early Departure

Cr E Collins – on council business

Cr L Cooper – on council business

CARRIED

Note: Subsequently, Cr E Collins and Cr L Cooper returned to the meeting after brief departures on council business.

An apology was subsequently received from Cr D Simpson for early departure on council business.

Note: The Chairperson advised the meeting that Item 16: Auckland Unitary Plan - Proposed Plan Change - Rezoning of 1023 and 1039 Linwood Road, Kingseat had been withdrawn.

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number PLA/2022/15

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

That the Planning Committee:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 3 March 2022, as a true and correct record.**

CARRIED

Cr C Fletcher joined the meeting at 10.05am.

Cr P Young joined the meeting at 10.07am.

4 Petitions

4.1 Scotty Witherow - Petition relating to private helipads on Aotea/Great Barrier Island

Note: the petitioner was unable to attend the meeting to speak to the petition.

Petition Prayer:

"We, the undersigned, call for an immediate moratorium on all new helipad consents for Aotea/Great Barrier, while the impact of existing helicopter traffic is investigated and understood, and the local community, alongside mana whenua, seeks permanent limits on the number of helipads across the island."

Resolution number PLA/2022/16

MOVED by Cr P Coom, seconded by Deputy Mayor BC Cashmore:

That the Planning Committee:

- a) **receive the petition and forward it to the Chief of Strategy for consideration.**

CARRIED

4.2 Devonport Heritage – Petition relating to the protection of the Special Character Area for Devonport and elsewhere in Auckland

Margot McRae attended the meeting to speak to the petition.

The petition states:

"Devonport is a unique and highly valued Auckland destination that attracts visitors from around New Zealand and the world.

Auckland Council must recognise its historic significance by continuing with the Special Character Area rules that will protect it for future generations."

The petition can be found online at the following link: <https://bit.ly/3K9WpKN>

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

Resolution number PLA/2022/17

MOVED by Cr R Hills, seconded by Cr C Fletcher:

That the Planning Committee:

- a) **thank Margot McRae – Devonport Heritage for attending the meeting.**

- b) **receive the petition and forward it to the Chief of Strategy for consideration.**

CARRIED

Attachments

- A 31 March 2022, Planning Committee: Item 4.2: Devonport Heritage – Petition relating to the protection of the Special Character Area for Devonport and elsewhere in Auckland, supporting information

5 Public Input

5.1 Chloe Swarbrick, Member of Parliament for Auckland Central - helipads and helicopter matters

Chloe Swarbrick submitted written information which was circulated to members. A copy had been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number PLA/2022/18

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

That the Planning Committee:

- a) **receive the written submission on helipads and helicopter matters from Chloe Swarbrick, Member of Parliament for Auckland Central.**

CARRIED

Attachments

- A 31 March 2022, Planning Committee: Item 5.1 - Public Input - Chloe Swarbrick, Member of Parliament - helipads and helicopter matters, written submission

6 Local Board Input

6.1 Local Board Input: Orakei Local Board - National Policy Statement on Urban Development

Chair Scott Milne and Member Troy Churton were present to speak with the committee.

Supporting information was tabled. Copies have been placed on the official minutes and the supporting information is available on the Auckland Council website as a minutes attachment.

Resolution number PLA/2022/19

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

That the Planning Committee:

- a) **receive the Orakei Local Board input regarding the National Policy Statement on Urban Development and thank local board Chair Scott Milne and Member Troy Churton for attending the meeting.**

CARRIED

Attachments

- A 31 March 2022, Planning Committee: Item 6.1 - Local Board Input: Orakei Local Board - National Policy Statement on Urban Development, supporting information

6.2 Local Board Input: Waitemata Local Board - Helipads

Deputy Chair Alexandra Bonham was present to speak with the committee.

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.

Resolution number PLA/2022/20

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

That the Planning Committee:

- a) **receive the Waitematā Local Board input regarding helipads and thank local board Deputy Chair Alexandra Bonham for attending the meeting.**

CARRIED

Attachments

- A 31 March 2022, Planning Committee: Item 6.2 - Local Board Input: Waitemata Local Board - Helipads, presentation

6.3 Local Board Input: Aotea/Great Barrier Local Board - helipads

Chair Izzy Fordham was present to speak with the committee.

Supporting information was tabled and a presentation provided. Copies have been placed on the official minutes and the supporting information is available on the Auckland Council website as a minutes attachment.

Resolution number PLA/2022/21

MOVED by Cr P Coom, seconded by Cr L Cooper:

That the Planning Committee:

- a) **receive the Aotea/Great Barrier Local Board input regarding helipads and thank local board Chair Izzy Fordham for attending the meeting.**

CARRIED

Attachments

- A 31 March 2022, Planning Committee: Item 6.3 - Local Board Input: Aotea/Great Barrier Local Board - helipads, presentation
- B 31 March 2022, Planning Committee: Item 6.3 - Local Board Input: Aotea/Great Barrier Local Board - helipads, supporting information

6.4 Local Board Input: Waiheke Local Board - helipads and helicopter matters

Chair Cath Handley and Member Robin Tucker were present to speak with the committee.

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.

Resolution number PLA/2022/22

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

That the Planning Committee:

- a) **receive the Waiheke Local Board input regarding helipads and helicopter matters, and thank local board Chair Cath Handley and Member Robin Tucker for attending the meeting.**

CARRIED

Attachments

- A 31 March 2022, Planning Committee: Item 6.4 - Local Board Input: Waiheke Local Board - helipads and helicopter matters, presentation

7 Extraordinary Business

There was no extraordinary business.

The meeting adjourned at 11.33am and reconvened at 11.43am.

8 Review of the Auckland Parking Strategy - endorsement for public consultation

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 L Cooper left the meeting at 12.57pm.

Cr L Cooper returned to the meeting at 1.59pm.

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

That the Planning Committee:

- a) note feedback received on the Parking Discussion Document which has helped shape the development of the Draft Auckland Parking Strategy 2022.
- b) endorse the Draft Auckland Parking Strategy 2022 for public consultation in April 2022 as shown in Attachment A of the agenda report.
- c) note that following the committee's endorsement the Auckland Transport Board will consider approving the Draft Auckland Parking Strategy 2022 for public consultation.

The motion was put in parts.

Resolution number PLA/2022/23

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

That the Planning Committee:

- a) **note feedback received on the Parking Discussion Document which has helped shape the development of the Draft Auckland Parking Strategy 2022.**

CARRIED

Resolution number PLA/2022/24

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

That the Planning Committee:

- b) **endorse the Draft Auckland Parking Strategy 2022 for public consultation in April 2022 as shown in Attachment A of the agenda report.**

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

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

The motion was declared CARRIED by 13 votes to 10.

CARRIED

Resolution number PLA/2022/25

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

That the Planning Committee:

- c) **note that following the committee's endorsement the Auckland Transport Board will consider approving the Draft Auckland Parking Strategy 2022 for public consultation.**

CARRIED

Attachments

- A 31 March 2022, Planning Committee: Item 8 - Review of the Auckland Parking Strategy - endorsement for public consultation, presentation

The meeting adjourned at 2.26pm and resumed at 3.00pm.

Cr W Walker and Cr D Newman were not present.

Note: From this point forward, agenda items were taken in the following order:

Item

- 10 National Policy Statement on Urban Development – Overview
- 11 Changes to the Auckland Unitary Plan and the Auckland District Plan (Hauraki Gulf Islands Section) to deliver better quality intensification and implement the National Policy Statement on Urban Development and Resource Management (Enabling Housing Supply and Other Matters) Act
- 12 National Policy Statement Urban Development - Policy Direction for the City Centre
- 20 Procedural motion to exclude the public
- C1 CONFIDENTIAL: National Policy Statement on Urban Development - Auckland Council Preliminary Response - Endorsement For Public Engagement
- 13 Thriving Town Centres - Guidance for Urban Regeneration in Tāmaki Makaurau / Auckland

- 15 Auckland Unitary Plan (Operative in Part) - Private Plan Change request from the Waitemata District Health Board at Wairaka Precinct (Unitec) RMA Clause 25 decision
- 9 Auckland Cycling and Micromobility Programme Business Case
- 14 Resolutions from the Aotea/Great Barrier, Waiheke and Waitematā Local Boards regarding concerns about helicopter activity
- 17 Auckland Unitary Plan - Making Operative Plan Change 54 and Plan Modification 13 - Enabling Rainwater Tank Installation in Residential and Rural Zones
- 18 Summary of Planning Committee information items and briefings (including the forward work programme) – 31 March 2022
- 19 Consideration of Extraordinary Items

10 National Policy Statement on Urban Development - Overview

*Cr W Walker returned to the meeting at 3.03pm.
Cr D Newman returned to the meeting at 3.26pm.*

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

That the Planning Committee:

- a) receive the report.

Extension of Meeting Time

Resolution number PLA/2022/26

At 3.59pm, it was:

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

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

The motion was put.

Resolution number PLA/2022/27

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

That the Planning Committee:

- a) **receive the report.**

CARRIED

Meeting adjourned at 4.33pm and reconvened at 4.41pm

Cr E Collins was not present.

11 Changes to the Auckland Unitary Plan and the Auckland District Plan (Hauraki Gulf Islands Section) to deliver better quality intensification and implement the National Policy Statement on Urban Development and Resource Management (Enabling Housing Supply and Other Matters) Act

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.

Note: changes were made to the original recommendation amending cause b) i) with the agreement of the meeting.

Resolution number PLA/2022/28

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

That the Planning Committee:

- a) **endorse the further investigation of changes to the Auckland Unitary Plan and the Auckland District Plan (Hauraki Gulf Islands Section) to address the five issues discussed in the agenda report that arise from the mandatory removal of parking minimums under the National Policy Statement Urban Development.**
- b) **endorse the further investigation of changes to the Auckland Unitary Plan to:**
 - i) **introduce planning provisions for residential private ways to achieve better quality outcomes**
 - ii) **amend the zone provisions to:**
 - A) **enable building heights of least six storeys in walkable catchments as required by the Policy 3(c) of the National Policy Statement on Urban Development**
 - B) **incorporate the Medium Density Residential Standards in the relevant residential zones, as required by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021**
 - C) **provide for quality built environment outcomes in residential areas of Auckland as discussed in the agenda report.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, the following councillors requested their abstention from the vote be recorded as follows:

- Cr C Fletcher – clause b)
- Cr D Simpson – clause b)
- Cr J Watson – clauses b) ii) A) and b) ii) B)

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

- Cr S Stewart
- Cr W Walker

Attachments

- A 31 March 2022, Planning Committee: Item 11 - Changes to the Auckland Unitary Plan and the Auckland District Plan (Hauraki Gulf Islands Section) to deliver better quality intensification and implement the NPS on Urban Development, presentation

12 National Policy Statement Urban Development - Policy Direction for the City Centre

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 L Cooper left the meeting at 5.28pm.

Resolution number PLA/2022/29

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

That the Planning Committee:

- a) **approve the following policy direction for implementing Policy 3(a) in the National Policy Statement on Urban Development relating to the city centre:**
- i) **Fewer, simpler, more targeted controls**
 - ii) **Protecting sunlight and daylight to open spaces**
 - iii) **Protecting amenity and retaining the “human scale” of streets**
 - iv) **Enabling tall slender towers with space between them to allow sunlight, daylight and views to permeate the city centre**
 - v) **Protecting local and regionally significant views**
 - vi) **Protecting the outcomes achieved by the existing city centre precincts**
 - vii) **Protecting the relationship between the city centre and the Waitemata Harbour**
 - viii) **Protecting historic heritage in the city centre**
 - ix) **Promoting climate change resilience.**
- b) **approve in principle the removal of the general building height and floor area ratio standards in the city centre, and the application of alternative built form standards in line with the principles set out above.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, the following councillors requested their abstention from the vote be recorded:

- Cr C Fletcher
- Cr T Mulholland
- Cr S Stewart
- Cr S Simpson

Attachments

- A 31 March 2022, Planning Committee: Item 12 - National Policy Statement Urban Development - Policy Direction for the City Centre, presentation

20 Procedural motion to exclude the public

Cr E Collins returned to the meeting at 5.45pm.

Resolution number PLA/2022/30

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 National Policy Statement on Urban Development - Auckland Council Preliminary Response - Endorsement For Public Engagement

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)(c)(ii) - The information is subject to an obligation of confidence and the making available of the information would be likely to damage the public interest.</p> <p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.</p> <p>s7(2)(j) - The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage.</p> <p>In particular, the report contains the council's preliminary response to the National Policy Statement on Urban Development and Resource Management (Enabling Housing Supply and Other Matters) Act. The report has been informed by legal advice.</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>

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

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

- Cr S Stewart
- Cr W Walker
- Cr J Watson

Cr D Newman retired from the meeting at 5.55pm.

5.55pm 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.

8.53pm The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 National Policy Statement on Urban Development - Auckland Council Preliminary Response - Endorsement For Public Engagement

Resolution number PLA/2022/31

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

That the Planning Committee:

- m) agree that the report, attachments and the resolutions of the Planning Committee remain confidential until public engagement begins on the council's preliminary response to the National Policy Statement on Urban Development 2020 and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.

13 Thriving Town Centres - Guidance for Urban Regeneration in Tāmaki Makaurau / Auckland

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.

Resolution number PLA/2022/33

MOVED by Cr E Collins, seconded by Cr L Cooper:

That the Planning Committee:

- a) **endorse “Thriving Town Centres – Guidance for urban regeneration in Tāmaki Makaurau / Auckland” (Attachment A of the agenda report) as a guidance document for Eke Panuku.**

CARRIED UNANIMOUSLY

Attachments

- A 31 March 2022, Planning Committee: Item 13 - Thriving Town Centres - Guidance for Urban Regeneration in Tāmaki Makaurau / Auckland, presentation

15 Auckland Unitary Plan (Operative in Part) - Private Plan Change request from the Waitemata District Health Board at Wairaka Precinct (Unitec) RMA Clause 25 decision

Resolution number PLA/2022/34

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

That the Planning Committee:

- a) **accept the private plan change request by Waitemata District Health Board (proposed plan change text included as Attachment A), pursuant to clause 25(2)(b) Schedule 1 Resource Management Act 1991, for the following reasons:**
 - i) **Accepting the private plan change request enables the matters raised by the requestor to be considered on their merits, during a public participatory planning process.**
 - ii) **It is inappropriate to adopt the private plan change. The private plan change proposal is not a matter under consideration in council's policy work programme. The private plan change does not address a gap in the Auckland Unitary Plan (Operative in Part) 2016, introduce a new policy direction, nor does the private plan change have broad application by seeking to change provisions that apply across the region.**
 - iii) **The grounds to reject a private plan change request under clause 25(4) are limited and no ground is met by this private plan change.**
 - A) **The request is not frivolous; the requestor provided supporting technical information and the private plan change has a resource management purpose. The request is not vexatious; the requestor is not acting in bad faith by lodging a private plan change request.**
 - B) **The substance of the request has not been considered within the last two years.**
 - C) **A coarse-grain assessment of the request indicates that specific parts of the proposal, in particular the removal of "key open space (private)" from 119A Carrington Road and the removal of the shared path from 3A Carrington Road without providing for replacement locations, are inconsistent with the provisions of the Wairaka Precinct and may be inconsistent with the Regional Policy Statement. However, a commitment to addressing this within the wider Wairaka Precinct has been set out in a letter from the Ministry of Housing and Urban Development, and additional concerns can be raised through the submission and hearing process. It is not recommended that council reject the private plan change request on the basis that it would make the plan inconsistent with Part 5.**
 - D) **The coarse-grain assessment of the request does not indicate that the private plan change is not in accordance with sound resource management practice. Whether the private plan change request's objectives are the most appropriate way of achieving the promotion of sustainable management will be tested through the submission and hearing processes.**
 - E) **The provisions of the Auckland Unitary Plan (Operative in Part) 2016 subject to the private plan change request have been operative for at least two years.**

- iv) It is not appropriate to deal with the private plan change as if it was a resource consent application as the request seeks to rezone multiple sites and amend and introduce precinct provisions to manage ongoing use and development of the Mason Clinic as a whole.

CARRIED

Motion

Resolution number PLA/2022/35

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

That the Planning Committee:

- a) agree that the following items be deferred to the next Planning Committee meeting scheduled for 5 May 2022:
- i) Item 9 - Auckland Cycling and Micromobility Programme Business Case
 - ii) Item 14 - Resolutions from the Aotea/Great Barrier, Waiheke and Waitematā Local Boards regarding concerns about helicopter activity
 - iii) Item 17 - Auckland Unitary Plan - Making Operative Plan Change 54 and Plan Modification 13 - Enabling Rainwater Tank Installation in Residential and Rural Zones
 - iv) Item 18 - Summary of Planning Committee information items and briefings (including the forward work programme) – 31 March 2022

CARRIED

19 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

9.09 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:.....