

Section 32 Report – Part 1

for the

Proposed Auckland Unitary Plan

30 September 2013

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1.0 Introduction

This Auckland Unitary Plan Evaluation Report summaries the evaluation of the proposed Auckland Unitary Plan and is undertaken in accordance with section 32 of the Resource Management Act 1991 (RMA). It is noted that the RMA Reform Bill 2012 has now passed into legislation and all requirements within that Bill have also been complied with in the preparation of this Evaluation Report.

Under section 32 of the RMA, Auckland Council is required to carry out and report on an evaluation to assess whether the provisions in proposed RMA policies and plans are appropriate for achieving the purpose of the RMA. Considerations must also then be given to the efficiency and effectiveness of the proposed policies, rules and other methods.

1.1 Statutory functions and the purpose of the proposed Auckland Unitary Plan

Auckland Council as a Unitary Council has functions under both sections 30 (Functions of Regional Councils) and 31 (Functions of Territorial Authorities) of the RMA for the purpose of giving effect to Part 2 of the Act.

Part 5 Sections 43 – 77 set out the purpose and contents for National Policy Statements, National Environmental Standards, Regional Policy Statements, Regional Plans and District Plans. Together these sections provide the legislative setting for what needs to be included within the Unitary Plan.

See Appendix 3.0.29 to this report to read these sections of the RMA in full.

1.1.1 RMA Section 32 statutory requirements

In achieving the purpose of the RMA Council must carry out an evaluation under Section 32 of the Act. This evaluation must occur prior to the public notification of any Regional Policy Statement, Regional Plan or District Plan. Given the proposed Auckland Unitary Plan fully combines these (with the exception of District provisions as they apply to the Hauraki Gulf Islands) one Section 32 evaluation has been undertaken and will be updated as the plan development process continues. As the primary driver for this report, Section 32 from the RMA is included in Appendix 3.0.29.

1.2 Method of assessment

1.2.1 Tools

This Auckland Unitary Plan Evaluation Report has focused on the objectives and provisions within the proposed Auckland Unitary Plan that represent significant changes in approach from those within the current operative Auckland RMA policies and plans. Whilst the evaluation report applies to the entire proposed Auckland Unitary Plan, the greatest detail in evaluation is given to those objectives and provisions that most enable or constrain relative to current planning approaches.

Objectives and provisions assessed are listed in part 2 of this report. These are considered as a vertical slice through the proposed Auckland Unitary Plan with objectives, policies, methods and their respective feedback loops of monitoring and effectiveness of environmental controls considered together.

A template has been developed for the section 32 evaluation process (see Appendix 3.0.24). The template has been used to evaluate each of the topics within part 2 of this report under the following general headings:

- Overview and purpose
- Objectives, Policies and Rules
- Alternatives
- Conclusion
- Record of Development of Provisions

These are discussed further as follows;

1. **Overview and Purpose**
Description of the subject matter, issues it relates to and the significance of the subject. This section then provides context relative to the Auckland Plan, current operative provisions, research and consultation. The decision making process is then described and the proposed provisions set out.
2. **Objectives Policies and Rules**
Consideration of the appropriateness of relevant objective(s) and then the effectiveness and efficiency of proposed policies and rules. The costs and benefits of the policies and rules are then explored and documented before consideration is given to the adequacy of the information and the risk of not acting to address the subject.
3. **Alternatives**
The status quo alternative together with other alternatives are then explored in comparison to the proposed alternative.
4. **Conclusion**
Summarises why the proposed alternative is the selected approach.
5. **Record of Development of Provisions**
This section lists the research, consultation and decision making associated with the development of the proposed alternative provisions.

Both quantitative and qualitative approaches are used in the identification and analysis of costs and benefits. Multi-criteria weighted evaluations and cost-benefit assessments have been used for evaluations. Officers within Council's Research Investigation and Monitoring and Economic Development teams advised (where needed) Unitary Plan team members on how best to identify the evidential basis and evaluation techniques best matching each proposal.

Not all matters contained within the Auckland Unitary Plan have been evaluated for specific inclusion within this evaluation report under section 32. The evaluation report is targeted at those provisions where a significant policy shift has occurred from the current operative plans policy approach(es).

Significance has been identified through the degree of outcomes/effects constraint or enablement of the proposed new objectives and provisions compared to existing. This approach is considered to be in line with the approach within section 32(1)(c) as amended by the RMA Reform Bill 2012.

The significance of the shift has been gauged through direct evaluations of Unitary Plan approaches against existing approaches and also through the community, Iwi and sector groups feedback and internal peer review processes undertaken.

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Within the Evaluation Report evaluation papers consider costs and benefits to a greater extent for those matters where the constraint or enablement is greatest. Whilst the evaluation methodology may remain as multi-criteria weighted evaluations the depth of analysis will be greatest in line with the greatest policy shifts.

Evaluations are also not undertaken in isolation from the context of the Auckland Unitary Plan being the primary means of implementing the Auckland Plan (the statutory Spatial Plan for Auckland).

Where objectives and provisions continue with a management regime that delivers similar outcomes and effects to those currently in place, their evaluation is encompassed within sections 1.6 – 1.8 of this report. This includes the broader issues identification, options considerations, stakeholder and community engagement programme and various peer reviews.

Finally, the evaluations and this report as a whole need to be read in the context of being a 'living document'. The Section 32 Evaluation Report alongside the proposed Auckland Unitary Plan itself will be modified through exposure to real world consents testing, submissions, further submissions, evidence brought forward under cross examination at hearings and then possible Environment Court appeals before the Section 32 and the Auckland Unitary Plan become fully operative. This Evaluation Report is reflective of available information at this point in time and this point in the resource management plan development cycle.

The following table lists the matters against which detailed evaluations have been undertaken.

Section number in Part 2 of this Evaluation report	Topic
2.1	Urban form and land supply
2.2	Rural Urban Boundary (RUB) location
2.3	Residential zones
2.4	Business
2.5	Building heights
2.6	Business building form and design
2.7	Design statements
2.8	Sustainable design
2.9	Accessory parking
2.10	Electricity transmission corridors
2.11	Biodiversity
2.12	Pre -1944 Demolition
2.13	Historic heritage
2.14	Treaty settlements
2.15	Maori cultural heritage
2.16	Maori development
2.17	Maori land
2.18	Maori and natural resources
2.19	Landscapes
2.20	Conversion of dwellings
2.21	Affordable housing
2.22	Future urban zone
2.23	Greenfield urban precincts
2.24	Urban stormwater

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2.25	Freshwater
2.26	Flooding
2.27	Intermittent streams and margins
2.28	Natural hazards
2.29	Stock access
2.30	Green infrastructure corridor
2.31	Earthworks
2.32	Mangroves
2.33	Moorings
2.34	Sewage discharge - boats
2.35	Rural subdivision
2.36	Reserve management plans
2.37	Schools
2.38	Non-accessory parking
2.39	Traffic in centres and ITA
2.40	Cycle parking
2.41	Strategic transport corridor
2.42	Crossings on arterial roads
2.43	Land transport noise
2.44	Air quality buffers – major roads
2.45	Air quality buffers – heavy industry
2.46	City centre precincts
2.47	Signs
2.48	Trees in streets
2.49	Genetically modified organisms
2.50	Retirement Villages

The development of the Auckland Unitary Plan between the draft and proposed stages has been rapid and this has meant there has been limited time in which to cross reference the respective section 32 papers as contained in Part 2. Time permitting each section 32 paper would have cross referenced other relevant Part 2 papers in a meaningful and integrated manner.

Accordingly for the purpose of the Auckland Unitary Plan section 32 papers a matrix has been produced below that demonstrates at a high level the relationships and interdependencies between the respective section 32 papers. For the purpose of the matrix the relationship has been based on a spectrum from highly relevant through to some relevance. For the purposes of this section 32, to fully understand a Part 2 paper it should be read in conjunction with those papers identified as having relevance.

The matrix allows those reading a Part 2 paper to quickly read along the respective row to see the other Part 2 papers that should be referred to in reading the paper by reading down the identified column. The advantage of the matrix approach is that it provides a high level overview of how the range of papers relate. For completeness Section 1.10 of each paper identifies those other papers of relevance.

To use this matrix please follow each topic paper across the page to see what other papers are seen as being of relevance.

1.2.2 Role of democracy

The role of democracy and decision making by elected members plays an important part in determining what provisions are including in proposed RMA plans. As the decision makers on whether to publicly notify the proposed Auckland Unitary Plan the Auckland Council (as a governing body) considers advice and recommendations from officers but is not bound to accept such advice. The section 32 report documents the policy development process, evidence at hand, options considered and the recommendations made to Auckland Council by officers. Where differences exist between what is concluded within a section 32 paper and what has been included for notification in the proposed Auckland Unitary Plan this difference is documented.

1.2.3 Changes to evaluation report

The Auckland Unitary Plan Evaluation Report (draft May 2013) has identified and quantified as many of the potential costs and benefits as possible. The Ministry for the Environment audit of this evaluation report (in accordance with section 122 of the Local Government (Auckland Transitional Provisions) Act 2010 as amended by the RMA Reform Bill 2012) together with any highlighted costs or benefits from submissions to the proposed Auckland Unitary Plan may result in further investigations being undertaken and changes being made to the evaluation report.

1.3 Governance

Given the existing principles of consultation in the following;

- Schedule One of the RMA and
- Section 82 of the Local Government Act 2003 (LGA)
- the amendments to the RMA (the RMA Reform Bill 2012) to enable the creation of a 'combined plan' for the Auckland region in a more streamlined manner

It has been particularly important to seek the guidance of all relevant parties while developing the plan and before engaging on the Auckland Unitary Plan.

Council has utilised a two-step approach whereby advisory panels were used to encourage free and frank discussion on the matters and to provide guidance to the officers during the development of the plan. An example of this is the Rural Advisory Panel which is made up of both Councillors and Local Board representatives from rural areas in Auckland. Accompanying this Panel the Rural Industry Group (cross sector) also met regularly with officers to engage on possible policy approaches and early drafts of provisions.

Local Board engagement has also been undertaken through the period of plan development. As discussed in section 1.8 below workshops, update reports, a local board forum, local board symposium, direct feedback into early officer's drafts, participation in mapping workshops, formal local board resolutions have all been used as methods through which local perspectives can be considered.

The Unitary Plan Political Working Party (PWP) has been the primary elected governance group for the oversight of the Unitary Plan development programme. Its members are Councillors, Independent Maori Statutory Board members and Local Board Chairs. The PWP is chaired by the Deputy Mayor and its role is to provide political guidance on policy directions, and political oversight on public and stakeholder engagement. The PWP have met on roughly a fortnightly basis since early 2011.

Plan development directions endorsed by PWP have been reported on a regular basis to Committee (Regional Development and Operations Committee and then Auckland Plan Committee) for decision making. In the period of May – August 2013 the Auckland Plan Committee itself assumed the role previously undertaken by PWP and directed officers through workshops on the finalisation of the Auckland Unitary Plan ready for notification. Copies of all Committee reports and accompanying resolutions are contained in Appendix 3.0.22.

1.4 Statutory framework

In addition to the statutory environment detailed in Section 1.2 of this report there are a number of other Act's, Regulations, National directives, Policies and Plans that play a role in determining the content of the proposed Auckland Unitary Plan;

1.4.1 National Policy Statements

New Zealand Coastal Policy Statement

The New Zealand Coastal Policy Statement (2010) (NZCPS) guides Council in its management of the coastal environment. The NZCPS contains policies that when implemented enable the achievement of the purpose of the RMA in relation to the coastal environment. Appendix 3.0.23 shows the Unitary Plan's responses to the policies contained in the NZCPS.

National Policy Statement on Electricity Transmission

This national policy statement sets out the objective and policies to enable the management of the effects of the electricity transmission network under the RMA.

In accordance with section 55(2A)(a) of the Act, and within four years of approval of this national policy statement, local authorities are to notify and process under the First Schedule to the Act a plan change or review to give effect as appropriate to the provisions of this national policy statement.

The efficient transmission of electricity on the national grid plays a vital role in the well-being of New Zealand, its people and the environment. Appendix 3.0.23 shows the Unitary Plan's responses to the policies contained in this National Policy Statement.

National Policy Statement on Renewable Energy Generation

This NPS drives a consistent approach to planning for renewable electricity generation in New Zealand by giving clear government direction on the benefits of renewable electricity generation. The NPS contains policies that when implemented enable the achievement of the purpose of the RMA. Appendix 3.0.23 shows the Unitary Plan's responses to the policies contained in the NPS.

National Policy Statement for Freshwater Management 2011

The Freshwater NPS seeks national consistency in local RMA planning and decision making whilst also allowing for regional flexibility. The NPS sets a limits based regime for water management. Appendix 3.0.23 shows the Unitary Plan's responses to the policies contained in the NPS.

1.4.2 National Environmental Standards

National Environmental Standards (NES) are regulations issued under sections 43 and 44 of the RMA and apply nationally. They prescribe technical standards, methods or other requirements for environmental matters. Council must enforce the standard by including provisions within its RMA Plans. The current NES in force are;

- Air Quality standards

- Sources of human drinking water
- Telecommunications facilities
- Electricity transmission
- Assessing and managing contaminants in soil to protect human health

Council can take approaches that are stronger than those contained within NES but cannot implement provisions that are weaker (do not meet) these NES. The proposed Unitary Plan implements the NES as they stand and does not seek to vary these standards.

1.4.3 Other Acts

Hauraki Gulf Marine Park Act 2000

The Hauraki Gulf Marine Park Act 2000 has the purpose of seeking the integrated management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments. It also established the Hauraki Gulf Forum, the Park itself and the recognition of the relationship of tangata whenua with the Hauraki Gulf and its islands.

This Act also statutorily recognises the national significance of the Hauraki Gulf as a matter that the Unitary Plan must give effect to. Through the coastal zones (section 3.2.5), the coastal overlays (section 3.3.8) and through Part 2 (RPS) the Unitary Plan has addressed the purpose of this Act. Further changes (post notification of the Unitary Plan) to incorporate the District and Regional planning provisions as they relate to the parts of Auckland administered by the current Hauraki Gulf Islands District Plan will complete this implementation.

Waitakere Ranges Heritage Protection Act 2008

The Waitakere Ranges Heritage Protection Act 2008 sets out the values associated with the Waitakere Ranges and accords these values national importance. The Unitary Plan has responded to this Act primarily through the use of overlays and precincts to recognise ecology, water quality, landscape, natural features, recreation, rural character, archaeology, infrastructure and human settlements.

Local Government Act 2002

Many of Council's functions derive from the purpose of the Local Government Act 2002 (LGA). The LGA mandates the purpose, funding and governance duties of Council. For Auckland there are additional responsibilities such as the preparation of a Spatial Plan (Auckland Plan) and the creation of Council Controlled Organisations (CCO's) to perform certain functions.

Figure 1 below helps to show how within Council some of these functions and plans relate.



Figure 1:

The Development Contributions Policy, Auckland Plan, Schedule of fees and charges, Annual Plan and Local Board Plans are all examples of inter-related policies and plans sitting under the LGA that seek to deliver on the Mayors vision for Auckland.

The Unitary Plan is one of the key implementation plans for Council to deliver on the sustainable development purpose of the LGA 2002. See section 1.9 of this report for further information on the role played by the LGA.

Reserves Act 1977

The Unitary Plan has given consideration to the Reserves Act 1977. In particular the Public Open Space zones (Section 3.2.2) provide for the purpose of the Reserves Act.

Historic Places Act 1993

Council has a statutory responsibility to recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development within the context of the purpose of the RMA and the HPA.

Council also has responsibilities for managing adverse effects on heritage as part of policy and plan preparation, and the resource consent processes. The implementation of these responsibilities can best be seen within Sections 3.1.2 Maori Cultural Heritage, 3.3.2 Historic Heritage and associated rules and appendix 4 and 9 of the Unitary Plan.

Council is also a heritage protection authority in relation to any heritage orders administered (see Unitary Plan Appendix 8).

Hazardous Substances and New Organisms Act 1996

The Hazardous Substances and New Organisms Act 1996 (HSNO) seeks to protect the environment from the harmful effects of hazardous substances and new organisms. Whilst separate regulatory processes are mandated under this Act the Unitary Plan does support and relate to some of the matters covered by HSNO. Section 2.6.4 Genetically Modified Organisms and Section 4.2.3.7 Industrial and Trade Activities are two of the main regulatory responses to HSNO in the Unitary Plan.

1.4.4 The Auckland Plan

The Auckland Plan is a key direction-setting document for the proposed Auckland Unitary Plan. As a spatial plan for Auckland, it has been prepared to meet legislative responsibilities under the Local Government Auckland Act 2009. The Auckland Plan gives a 30 year direction for Auckland's future growth and development. It is a comprehensive strategy covering social, economic, environmental and cultural goals with an overall vision of making Auckland the world's most liveable city. The implementation of the Auckland Plan rests not only with Auckland Council, but also with central government, business, communities and non-government agencies.

From a development and growth management perspective, the Auckland Plan prepares for a population growth of up to one million people (400,000 new dwellings) over the next 30 years. To manage this, 60-70 per cent of new dwellings will be built within existing urban areas and 30-40 per cent in greenfield areas, satellite towns and rural and coastal towns.

Pursuant to sections s61(2)(a)(i), s66(2)(c)(i), s74(2)(b)(i) of the RMA, the Auckland Plan is considered to be a document to which the Auckland Unitary Plan shall 'have regard to'. In the Auckland Unitary Plan's development, the Auckland Plan is the primary guiding strategic planning document for Auckland. It is the representation of extensive research, issues identification, options evaluation, consultation and then deliberations by elected members. For the purpose of guidance on the long term planning outcomes sought by Auckland, the Auckland Plan has been a primary starting point for the development of approaches within the proposed Auckland Unitary Plan.

The Auckland Unitary Plan is however a statutory RMA Plan. The purpose and principles contained within Part II, the functions within Sections 30 and 31 (in particular integrated management) and the purpose and contents of Plans and Policies as set out in Part 5 of the RMA are the statutory basis for the Unitary Plan.

The Auckland Unitary Plan is the representation of directions from both the Auckland Plan and the RMA itself.

Land Supply and the Development Strategy within the Auckland Plan

One of the primary directives within the Auckland Plan Development Strategy relates to land supply. This issue traverses a number of the section 32 papers in part 2 of this report. The following is a thematic overview on this critical issue facing Auckland.

The Unitary Plan is responding to the now widely-held view that the regional and local policies of the former Auckland councils were not providing an adequate basis for managing Auckland's growing population and economy.

Over the 13 years that the current Regional Policy Statement (RPS) has had effect, Auckland's population growth has been housed mainly through the utilisation of infill capacity, characterised by small scale developments on vacant residential lots greenfield developments enabled by changes to the Metropolitan Urban Limit (MUL), apartment developments mainly in the city centre, and development in rural areas.

The operative Regional Policy Statement provided direction to Territorial Local Authorities (TLAs) to direct significant growth to regional and town centres to help

create vibrant urban nodes where people would have walkable access to a wide range of services, and public transport. This aspect of the RPS has been less successful than intended. Arguably the MUL has been very successful in preventing some of the undesirable effects of urban expansion.

Auckland's population growth has continued unabated and is expected to continue toward a population of 2.5 million by, or a few years after, 2040. There is considerable interest in the results of the recent census, particularly regarding updates to Auckland's population forecasts, which will be available around the middle of 2014.

Contributing evidence to the view that the current approach is not suitable for the future includes Auckland's housing current crisis, the very rapid increase in property values over the period, particularly since the end of the Global Financial Crisis (GFC) and a shortage of suitable new areas for land-intensive business activities. Some economists pointed to the huge difference in urban and rural land values as further evidence that land supply needed to be increased to manage the growing population and economy.

Following the establishment of Auckland Council a new approach to managing growth was investigated and finally established as council policy in the Development Strategy of the Auckland Plan in 2012. This new approach was based on the following key propositions:

- Auckland needed to plan for a longer period of growth to provide a clearer picture of future urban form and ensure the best overall balance of intensification and new greenfield development for residential and business purposes. This is a requirement of the Local Government (Auckland Council) Act 2009 (S79).
- Consultation with Aucklanders and Auckland stakeholders indicated a strong majority view that Auckland should have a quality compact urban form and continue to promote quality intensification (the vibrant centre aspect of the legacy RPS) but expanded in the Auckland Plan to include more significant intensification in other suitable areas as well (visible in the DUP as the mixed housing zone). Feedback on the Draft Unitary Plan has demonstrated that defining a vision for Auckland is one thing but implementing that vision is another and, as indicated in the Auckland Plan, it will take time for communities to get used to the on-the-ground reality of significant urban redevelopment and intensification.
- Economic evidence in support of a compact form includes the cost of servicing brownfield vs. greenfield developments with infrastructure, agglomeration benefits, and market preferences (e.g. business location) and house price increases in central areas relative to peripheral areas. Property owners and workers (including internationally mobile skilled workers who Auckland needs to attract, place a premium on accessibility to key transport infrastructure, urban amenity and employment diversity that can only be found in or around major centres.

A quality compact urban form was defined in the Auckland Plan and expressed numerically as a 70/40 split between new dwellings inside and outside the 2010 MUL baseline (representing the core urban area). The intent in the Auckland Plan and the Unitary Plan is for 70% of the required new dwellings to be located inside the Metropolitan area 2010 baseline through quality developments utilising existing

capacity (vacant land and redevelopment opportunities) as well as new capacity from significant upzoning in areas with good access to employment centres and the frequent transport network. While the Capacity for Growth Study (CFGs) Part 1 indicated significant remaining capacity in the existing core urban area, it is not enough for the 70% figure to be achieved. Views differ on exactly how much additional capacity is needed but further iterations of the CFGs will provide an important basis for forecasting uptake of NUP capacity.

Up to 40% of new dwellings would be outside the metropolitan area 2010 with 60-70% inside the metropolitan area 2010 by the year 2040. The Rural Urban Boundary replaces the MUL but also has some key differences. The RUB is intended to be a permanent rural urban interface and not subject to incremental change. It nevertheless provides for 30 years or more of urban development, rather than ten years or less that the MUL extensions allowed for. It will eventually define the extent for all urban parts of Auckland including rural and coastal towns and serviced villages whereas the MUL only encompassed the core urban areas. There will also be tighter controls on rural subdivision outside the urban boundary whereas under the legacy plans there was a tendency toward 'rural sprawl' in some areas.

Inside the RUB there will be at least 1,400 hectares of new business land, as well as places for new mixed use business centres to ensure employment opportunities within or close to the new neighbourhoods. The RUB project is the subject of a separate Section 32 report setting out the RUB methodology and the evidence base for the actual RUB proposals. Part four of the RUB project, which will define the extent of growth around rural and coastal towns and serviced villages, will be completed after UP notification along with a small number of 'edge' locations on the existing MUL where changes have yet to be determined. RUB parts 1 – 3 including the three major areas of investigation for new greenfield land indicate where and how land will be made available for an additional 90,000 + dwellings over 30 years (approx 140,000 dwellings in total will be inside the RUB but outside the 2010 MUL once the full RUB is defined). This greatly exceeds the capacity made available through changes to the MUL, even on a per capita basis, and demonstrates how Auckland is responding to the critical land supply challenge for housing and employment.

However, this needs to be seen in the larger growth context, which is growth of 400,000 dwellings over thirty years, 280,000 of which is intended to be inside the metropolitan area 2010, consistent with the quality compact vision, and enabled by significant additional capacity in existing urban areas, as stated earlier. Whereas the past approach has seen significant infill development (growing in) and limited intensification in centres (growing in AND up), and limited outward growth, the proposed Unitary Plan will enable a more appropriate overall balance (in, up and out) that will help to facilitate housing supply, employment growth and provide greater certainty, and therefore, efficiency in infrastructure provision.

The RUB project and S32 analysis includes evidence of how the RUB location has sought to minimise the overall impact of this growth on the natural environment and cultural values, including early work as part of the Auckland Plan process that defined the major areas for new greenfield investigation.

A full evidence base of the cost of infrastructure inside the RUB is not yet complete but is expected to show that the cost of land needs to be considered alongside the cost of servicing that land. The rate of uptake of new greenfield land will also be subject to market demand and this is also a matter for ongoing monitoring.

This land supply rationale needs to be seen as part of a wider approach set out partly in the proposed Unitary Plan RPS, but also in other legislative obligations and non-regulatory functions of the council and Auckland stakeholders:

- The *Draft Auckland Housing Accord* and the *Housing Accord and Special Housing Areas* legislation commit Auckland to achieving specific housing targets over the next three years, necessitating a prioritisation of sufficient 'ready to go' land for development, including the ability for *Special Housing Areas* to give immediate effect to some of the zoning changes in the proposed Unitary Plan, subject to the new special consenting process
- The importance of further integrated planning for the staging and delivery of serviced land inside the RUB in a way that achieves efficiency for infrastructure roll out and a reasonable degree of certainty for land owners and developers
- Further work on infrastructure funding options, noting that there is little likelihood that the increased value of upzoned land can be utilised in some way to help pay for the required infrastructure
- The provision of infrastructure is an important component to land supply and zoning for enabling urban development and affordable housing. Affordable housing is addressed within the proposed Unitary Plan and is a key focus of the council overall
- The evidence base is being further developed to further define the cost of growth that goes with the land supply. Further investigation work is underway to improve tools for integrating land use and infrastructure planning across Auckland as part of the Forward Land and Infrastructure Programme.

1.5 Managing the section 32 process

The section 32 process has run parallel but has been integral to the development of the Auckland Unitary Plan from the initiation of the project in November 2010. As both a process and evaluation tool, the section 32 evaluations deliver a number of improvements to planning outcomes. Key improvements are as follows:

- Decision makers have sound policy analysis on which to base their decisions about resource management issues.
- Good resource management outcomes are achieved, at the lowest practicable cost to individuals and the community.
- Plan provisions are targeted at achieving the purpose of the RMA by the most appropriate methods.
- A sound basis is provided for re-assessing (through subsequent evaluation) whether expectations and assumptions made during the policy development stage have proven to be correct. This will be apparent if the plan provisions are shown on the basis of observed environmental outcomes (and other costs and benefits) to be effective and efficient.

The development of the Auckland Unitary Plan has followed a stepped process of scoping, research, issues identification, options considerations, consideration of direction setting provisions and then lower level provisions whilst continually carrying out internal and external reviews, engagement and consultation. Inherent

in all of these steps has been a consideration of appropriateness, alternatives and an evaluation of costs and benefits. Section 1.6 of this report details these steps and explains how the logic process and discipline of section 32 has been woven into the whole development programme for the Auckland Unitary Plan.

1.6 Development of the Unitary Plan

1.6.1 Need for Unitary Plan

Recommendation 24A-F of the Royal Commission on Auckland Governance March 2009 (see Appendix 3.0.26) set out the need for Auckland Council to immediately begin developing ‘one district plan’ for Auckland with the objective of a simplicity of language and controls. The government response (see Appendix 3.0.27) decided that there would be ‘one council with one set of plans’. The response also referred to this as ‘one integrated set of plans’.

Upon the establishment of Auckland Council, officers began investigations into the extent to which the Unitary Plan should be a fully combined Plan (includes RPS, regional plans and district plan provisions) and the merits of alternative implementation paths such as a full plan review, rolling review, geographically based review and lastly a template based plan. Officer records and pro’s and con’s analysis of these approaches can be reviewed in Appendix 3.0.37. This consideration of options continued through to the April 2011 report to the Regional Development and Operations Committee (RDOC) where it was agreed to develop a fully combined RMA plan for the whole of the Auckland area with the exception of district planning provisions for the area subject to the existing proposed Hauraki Gulf Islands Plan.

The decision to omit district planning provisions as they apply to the Hauraki Gulf Islands was made due to reasons of strategic direction and planning burden. The proposed Hauraki Gulf Islands District Plan was almost operative at this point and had involved extended and detailed hearings and appeals processes with the Hauraki Gulf Island communities. It was considered unnecessary to immediately engage with these communities on a new RMA plan. This was supported by the fact that the Auckland Plan did not set a significantly different strategic direction for the Hauraki Gulf Islands. A variation or plan change is proposed to be used to incorporate these district plan provisions at a later date.

1.6.2 Principles

A set of guiding principles were also reported to the April 2011 RDOC meeting and confirmed at the following meeting in October 2011. The purpose of these principles is to focus the direction and improve the internal consistency of the plan preparation process. Whilst not rules to govern officers and elected members, the principles have acted as a reference point throughout the plan development process which as an all of council, multi-disciplinary project has been contributed to by many officers, consultants and elected members. Many of the principles are tied into the process and evaluation framework of section 32. Principles such as ‘outcome focussed’ and ‘defendability/robustness’ align with the appropriateness determination and other principles such as ‘ensure planning burden is relative to planning gain’ align with the effectiveness and efficiency evaluation. See below for the full set of Unitary Plan principles.

First Order Principles
Simple
Bold
Fast
Innovative

Give effect to the strategic directions in the Auckland Plan
Practical
Second Order Principles
Outcome focused
User Friendly (includes; use of plain English, digitally fast and searchable, intuitive flow and navigation, consistency in formatting and use of text, maps as key entry point into the Plan, use of overlays to accommodate specific matters.
Transparency and collaboration / consultation
Defendability / robustness
Ensure Planning burden is relative to planning gain
Seek to use less activity statuses, where possible use the Plan itself to determine whether resource consents are notified or non-notified.
Include only essential material in the Plan itself.
Reduce instances of site specific provisions
Greater use of illustrations and diagrams
That Auckland Council will take account of the principles of the Treaty of Waitangi (Te Tiriti O Waitangi) and kaitiakitanga in relation to land, fresh water and coastal environments by providing for the inclusion and involvement of Iwi Hapu ensuring that tangata whenua interests and aspirations are identified and reflected in the policy framework of the Unitary Plan.

1.6.3 Direction setting papers

Sitting alongside the guiding principles, a number of direction setting papers were also prepared to assist staff to approach the drafting of provisions from a similar perspective.

The degrees of intervention paper evaluated the extent to which the Unitary Plan is interventionist or market led with the costs and benefits of three alternative options considered (see Appendix 3.0.1). It was agreed that the Unitary Plan will be more directive in terms of the outcomes to be achieved by its objectives and policies than is the case in most current RMA plans, and that the levels of regulation is based on decisions addressing two key presumptions. Firstly, that the more important the quality of the outcome sought, the greater the level of direction required. Secondly, all matters in the plan need to be evaluated against the principle of planning burden being relative to planning gain.

The regional consistency and local variation paper also evaluated the costs and benefits of a range of options from maximum regional consistency through to maximum place or site specific provisions. It was agreed (see Appendix 3.0.2) that where appropriate, regional consistency should be achieved to reduce the volume and complexity of the plan; to create greater equity by applying the same provisions for the same activities in similar locations; and to increase certainty about what will be expected when applying for a resource consent. Local variation is likely to be required only where there is a strong strategic justification to achieve specific outcomes (that cannot be achieved through standard zoning and overlays). It was agreed that a plethora of local variations should not be provided for relatively minor differences in character, intensity and scale.

The implementation of this direction setting paper has involved the evaluation of place based provisions mainly housed within the operative district plans. This evaluation was carried out in late 2012 with over 100 of the operative plan structure plans, concept plans, sub-zones, precincts, master plans, comprehensive development plans and other tools evaluated for their need within the working draft version of the Unitary Plan. It was at this point in late 2012 that the base provisions

of the zones, overlays and Auckland wide provisions had been established. Many of the place based provisions of the operative plans had been created because of a differential between those plans base provisions and the outcomes sought for specific areas. This generated the need for relatively self contained sections in these operative plans. The cumulative result of this is evident in the physical scale of provisions held within these operative plans.

The evaluation assessed the provisions contained within the operative plans against the new base provisions contained in the draft Unitary Plan. Where outcomes were determined to be achievable using the new base provisions then the place based provisions were either culled or cut back to only include provisions necessary on top of the base provisions for outcomes to be achieved.

One topic specific direction setting paper was also considered and then agreed by council. The relationship between historic heritage and historic character needed clarification to determine whether the relationship was mutually exclusive, overlapping or a sub-set situation. The benefits and costs of these approaches were considered with the outcome below showing an overlapping relationship but no hierarchical differentiation – the degree of protection can match the degree of importance placed upon an area or a place.

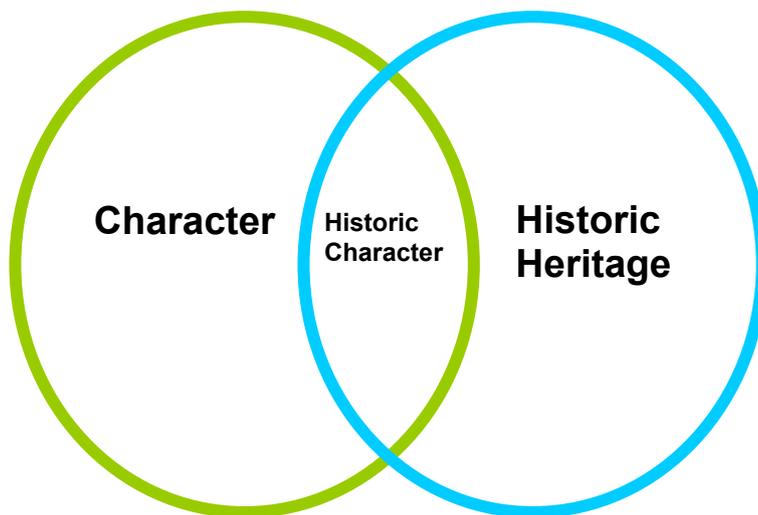


Figure 2: Relationship between historic heritage and historic character

Following the release of the Environment Court Decision ENV-2007-AKL-000122 on the matter of Plan Change 163 and Residential 1 zoning of the Isthmus District Plan further clarity was provided on the intersection of the concepts of character and historic heritage. The intersection of these concepts results in the value of 'special character' rather than historic character. The significance is that the concept of special character is founded in Section 7 of the RMA rather than Section 6(f).

The last of the direction setting papers was a discussion on the differences between effects-based and outcome-based planning. In considering the costs and benefits of both approaches (see Appendices 3.0.3 – 3.0.5), the paper concluded and it was agreed that the primary focus of the Unitary Plan should be on defining outcomes prior to establishing what the adverse effects are that may need to be managed. It was also agreed that an 'outcomes framework' (later referred to as the outcomes matrix) be established to assist in defining the desired outcomes for spatially defined environments (zones or areas) throughout Auckland.

1.6.4 Structure, style guide, model Unitary Plan and templates

In August 2011 the PWP considered and endorsed a paper on the Unitary Plan structure (See Appendix 3.0.19) which explored and then evaluated a range of options for how to set out at a broad level the structure of the Unitary Plan. In considering legislative requirements and national and international best practice, through a series of officer workshops (See Appendix 3.0.20) and testing of a model structure, the paper recommended a structure that set out a hierarchical policy framework from the regional policy statement, regional and district to area based followed by a rules section reflecting the same order.

Regional Policy Statement

As the umbrella to the draft Unitary Plan, the regional policy statement (RPS) sets up the overarching policy direction for managing the natural and physical resources in the region. The policies within the RPS direct and provide consistency to the policy development and consent decisions made at the regional and district levels in the draft Unitary Plan. This helps achieve integrated management of the region's natural and physical resources.

The RPS reflects Section 59 of the RMA by providing an overview of the resource management issues of significance in the region and objectives and policies to achieve integrated management of the natural and physical resources of the region. The challenge has been to organise issues, objectives, and policies in such a way as to recognise the interconnectedness of the environment and the necessary management responses. To achieve this, the RPS is structured in two parts.

The two-part structure in the RPS recognises that issues are interconnected and the policy responses to the issues represent a network relationship. That is, one policy response can address, in whole or part, multiple issues. An effective response to one issue can involve addressing a variety of diverse objectives and one issue can require policy responses across many functional areas. Another advantage of the two-part structure is that it ensures the issues are kept at a high level and can be reasonably concise and non-repetitive.

Dual Provisions

The joining of Section 30 and 31 functions within a single RMA plan and the associated requirements for combined regional and district documents within Section 80 has led to the use of 'dual' provisions. In meeting the requirements of Section 80 (8) (a) Council has sought to streamline and avoid the repetition of separate provisions to meet separate plan functions. Dual provisions exist within the draft Unitary Plan where provisions are intended to perform both a regional and district plan function. Examples such as some of the earthworks activity provisions (where only one set of rules is used to meet regional and district functions) results in single consents, assessments and a simpler planning document.

Regional and District Objectives and Policies

Tier 2 contains the regional and district objectives and policies grouped depending on whether the provisions applied across the region (Auckland-wide) or are specific to an outcome area (zone), or are area based (overlay or precinct).

Zones

Zones set out the uses that are anticipated within that zone and their associated activity status. Zones also provide the base set of development controls for buildings, works and development (bulk location, intensity etc). These development

controls are specific to the zone i.e. not a repeat of controls already within the Auckland-wide provisions.

Overlays

Overlays are issue or resource based spatially defined areas and can spatially be layered across multiple zones. They are used to vary a development control where there is a need to be either more restrictive or more enabling than the underlying Auckland-wide or zone rule.

Precincts

Precincts are place based provisions which provide for specific activities and/or development which override the underlying zone. This is in response to a specific place based issue or outcome.

1.6.5 Issue papers

Aligning with the section 32 requirement to assess the appropriateness of an objective, issues (or potential problems that must be resolved to promote the purpose of the RMA), were identified and reported on to PWP. Issue papers were prepared on the following topic areas and are included as Appendices 3.0.6 – 3.0.17 to this report.

- Built Environment – including growth, housing, rural and coastal settlements, subdivision, business, urban design, financial contributions and development contributions, signs
- Natural Environment – including air, land, water and indigenous biodiversity.
- Infrastructure – including transport, network utilities, energy and designations.
- Rural and coastal.
- Heritage, cultural and community.
- City Centre.

The requirement within the RMA Reform Bill (now in the Act) to consider proportionality (proposed section 32 (i) (c)) of evaluation relative to effects also accords with the approach taken in preparing these issue papers. Issues were prioritised so the greatest consideration was given to those planning issues that were identified as the most pressing. The timing of the preparation of the issue papers also enabled pressing issues contained within the draft version of the Auckland Plan, to be acknowledged.

1.6.6 Outcomes matrix

Following the preparation of issue papers in October 2011, the PWP agreed to embark on the preparation of an outcomes matrix instead of preparing topic-based options papers. The rationale for this decision was the need to consider in an integrated way the range of options available to address the issues that will need to be considered in the Auckland Unitary Plan. An 'outcomes matrix' was designed to set out the range of outcomes sought for each draft unitary plan zone.

Outcomes themselves were identified as a simple description of a desired future state with some measurable included. Appendix 3.0.21 is an example of one such draft zone, and illustrates the range of outcomes and tensions that need to be resolved in order to achieve an agreed set of outcomes for each zone. The agreed outcomes can then be a reference point for the drafting of the objectives and policies for all of the unitary plan zones.

The identification of the outcomes was undertaken over a six week period in November and December, with each of the eight different Unitary Plan workstreams adding desired outcomes to the matrix. Members of departments across council and Council Controlled Organisations (CCOs), as well as representatives from the PWP, were also invited to put forward additional outcomes for consideration. Local boards added further outcomes in March 2012.

The resolution of tensions between outcomes then commenced with the PWP. High level tensions were split out from the matrix (in the form of direction papers) to enable a more considered discussion by PWP.

1.6.7 Combining the regional and district planning provisions

Council's decision for a "one" resource management plan for the region required an integration of the regional planning provisions with the district plan. Traditionally, regional planning does not use "land use zones" as a tool for determining differences in regulating activities and therefore regional rules were often expressed quite differently. The Unitary Plan has sought to use a more consistent approach and contains a set of redrafted regional rules that regulate activities under the relevant zone, using a similar approach to the zone and overlay provisions.

Former regional rules that regulated a land use component have been integrated with the relevant land use provisions e.g. earthworks activities. The regional rules regulating discharges (to land, air or water) remain as an Auckland-wide provision. For example, air quality rules that regulate discharges of contaminants to air under section 15 of the RMA are contained in the Auckland-wide provisions. The use of land for the activity which generated the air discharges is regulated under the relevant land use zone.

With this combined approach there is greater consistency and better ease of navigation of all the rules.

1.6.8 E-Plan Planning Enquiry

The likely physical size of the completed version of the Auckland Unitary Plan, combined with the desire for it to be as user-friendly as possible, led to the decision to provide the Unitary Plan as an on-line, interactive electronic plan.

While some hard copies will be made available, it is anticipated that the majority of users will access the Unitary Plan on-line through a dedicated web page housed within the main Auckland Council website. See Appendix 3.0.23 for a description of the E-Plan and Planning enquiry.

1.6.9 Further Direction setting papers

Through the exercise of undertaking the outcomes matrix combined with early feedback on officer drafts of provisions, a series of papers were prepared for PWP to consider. From March 2012 to December 2012 the following papers were presented to PWP:

- Activity status, notification and guidelines
- Historic heritage and historic character
- Treaty of Waitangi
- Density
- Rural urban boundary
- Transmission lines
- Education, health and community facilities
- New settlements
- Aqua culture

- Rural subdivision
- Achieving housing choice, more affordable housing and a quality compact city.
- Historic character overlays
- Approach to Greenfield land development
- Integrating structure planned areas into the Auckland Unitary Plan
- Significant ecological areas
- Coastal discharges
- Freshwater management
- Stock exclusion
- Business
- City centre
- Commercial sex industry
- Sustainable design
- Signs
- Air quality
- Infrastructure (parking)
- Contaminated land
- Air quality – industrial emissions
- Tree protection
- Landscape features
- Stormwater
- Historic heritage assessment areas
- Open space
- Volcanic view shafts
- Existing road and rail with high traffic noise
- Effect of natural environment overlays on use and development.

In addition to the further direction setting papers listed above, the following process, consultation and plan production papers were also considered by PWP during this period:

- Implications of the draft Auckland Plan
- Timeline of public engagement
- Greenfield rural urban boundary investigations project
- Access to historic heritage sites
- Enhanced engagement planning
- Plan preparation programme
- Auckland Unitary Plan draft maps
- Local board packages – material provided for engagement (all topics)
- Process for new historic heritage and historic character areas.

Directions to officers provided by PWP on the presentations have then enabled draft versions of provisions to be completed and inserted into early officer draft versions of the Unitary Plan.

1.6.10 Drafts and review processes

Draft versions for officer review were prepared in:

March 2012
June 2012
August 2012
December 2012

These officer draft versions were peer reviewed through the following techniques:

Legal review
Senior planning review
External Advisory Panel
Policy Advisory Group (previously called Strategic Management Group)
The Unitary Plan Oversight Group

Ongoing Unitary Plan Oversight Group review sessions of tracked change versions of the provisions continued in June – August 2013. Auckland Plan Committee workshops on specific topics and the Unitary Plan maps continued in parallel so that tight feedback loops on changes to the Unitary Plan through this period could be implemented.

See Appendix 3.0.23 for a detailed explanation about these steps.

1.7 Monitoring, Effectiveness of Environmental Controls and Feedback Loops

Council has developed a set of indicators to monitor the performance (through the state of the environment) of the Unitary Plan in enabling the achievement of its objectives. See Appendix 4.16 for the respective indicators that are used for monitoring progress towards objectives. These have in most cases been in existence as indicators for some time and therefore have been of use for gauging the success level of current operative plan objectives.

The monitor Auckland website www.monitorauckland.arc.govt.nz together with The Research Investigation and Monitoring Units Proposed Research Strategy and Priority Research Areas 2012 – 2015 (See Appendix 3.0.31) have provided current state of the environment data together with an insight into future data capture and capability to measure effectiveness and to a certain extent efficiency relative to Unitary Plan provisions.

1.7.1 Consents processing and Feedback Loops

The Resource Consents department plays a central and primary role in the implementation of the Unitary Plan's outcomes. This is due to the regulatory function that the department has in the administration of Council's RMA plans. In addition to Council's role as a consent authority, Council also has functions under the RMA to undertake enforcement and compliance work. See Appendix 3.0.23 for a full description of Council's consenting functions.

Resource consents testing

Initial work

The resource consents team was engaged early (July 2012) and were aware of the need for their input into the development of the Unitary Plan.

A questionnaire was developed with input from the Resource Consents' Policy and Training team which would form the basis of the 'consents testing' phase of the unitary plan. The questionnaire asked questions around how easy the rules were to read/interpret, whether they were more permissive/stricter, whether the rules achieved the outcomes anticipated by the objectives and policies and whether the outcome was desired/appropriate in the context of both the operative plan and the location of the site. See Appendix 3.0.30 for a copy of the questionnaire.

First phase

The consents testing phase involved testing at each of the area offices (Central, West, North and South) and required officers who process consents to go through

the questionnaire using resource consent examples which they have either processed or are currently processing. Parallel to this work the various specialist teams within the Resource Consents department (e.g. coastal, earthworks, water allocation) provided feedback based purely on changes to the rules. The questionnaire was modified to include input from the Compliance and Monitoring team in the Resource Consents department where, rather than resource consent examples, the testing involved common scenarios which the team come across in their day-to-day work.

The first draft that was available to the wider Council (i.e. beyond the Unitary Plan team) was released at the end of August and was released in Word document formats. Consents testing was carried out from mid-September to the end of October.

The feedback received was in the form of track changes to the Word document versions of the rules or a summary of changes to the rules (i.e. wording, deletions/additions, structures and highlights outcomes that may not have been anticipated by the rules). This was referred to the Editorial team within the Unitary Plan team.

Second phase

The second draft to be available within Council was released at the end of January with the consents testing phase running through the first half of February. At this stage the unitary plan was being edited in ICON, content management software where all the content was centrally accessed by all involved. The resource consents team had access to the same content as the unitary plan team and, because the content was centrally located, reduced the risk of the creation of multiple versions of the unitary plan. The format for this phase of testing was similar to the previous round of testing, with some improvements and enhancements to the questionnaire. There was a larger emphasis on the input from the specialist teams within the resource consents department (with a focus on the rules) and the second round of consents testing included input from the front-of-house planners with the questionnaire modified to include commonly asked questions and scenarios from a front-of-house planner's day-to-day work.

Some of the feedback from this phase of consents testing was not incorporated into the release of the March draft given the short space of time between the date of finishing compiling the feedback and the cut-off date for any changes to the March draft content. Critical changes were picked up as the consents testing went on and were fed to the Editorial team. In late June 2013 the Resource Consents team will be involved in a workshop as part of the engagement process which will discuss changes needed to assist the functional ability of the plan for consents processing where these changes will be discussed.

The consents testing undertaken was successful both as a learning opportunity (as this fully combined RMA plan consenting process was new to Auckland Council) and obtaining direct feedback regarding the effectiveness of the unitary plan's provisions in their practical and real-world application. As many aspects of the unitary plan's provisions were based on the existing provisions of the legacy operative plans the consents testing phase enabled feedback from members of the team who have an in-depth working knowledge and experience in the implementation of those provisions. This ultimately provided an additional layer of assessment of the provisions of the unitary plan in terms of their efficiency and effectiveness. While this was not a formalised process under s35(2)(b) of the RMA the assessment is considered to be robust as it was undertaken by the more experienced practitioners of using these provisions.

1.8 Consultation and engagement

1.8.1 Consultation and engagement timeline

Introduction

Consultation and engagement should be an iterative process and is crucial to quality plan development. It contributes to democratic public participation, increased public support and good decision making that can lead to a more robust plan.

Schedule 1, Clauses 2-3C of the RMA sets out the statutory requirements for consultation in the preparation of proposed plans and policy statements. This includes who the council must and may consult with and that consultation must be under taken in accordance with section 82 of the Local Government Act 2002. This sets out a framework that includes consultation principles that ensures a robust decision making process.

In addition to these statutory requirements, Auckland Council’s *Opinion Research, Consultation and Engagement Policy* sets out broad protocols, obligations and principles for any consultation or engagement undertaken by the Council.

The following sections outline the consultation and engagement programme to date for the plan development of the draft Unitary Plan. This includes the objectives, purpose, processes and audiences involved in the consultation and engagement and the timeline that these followed.

Notably, the approach to consultation and engagement has not remained static throughout the development of the draft Unitary Plan as can be seen in figure 3. This shows the broad consultation and engagement approaches. Figure 3 then shows a more detailed timeline of engagement events.

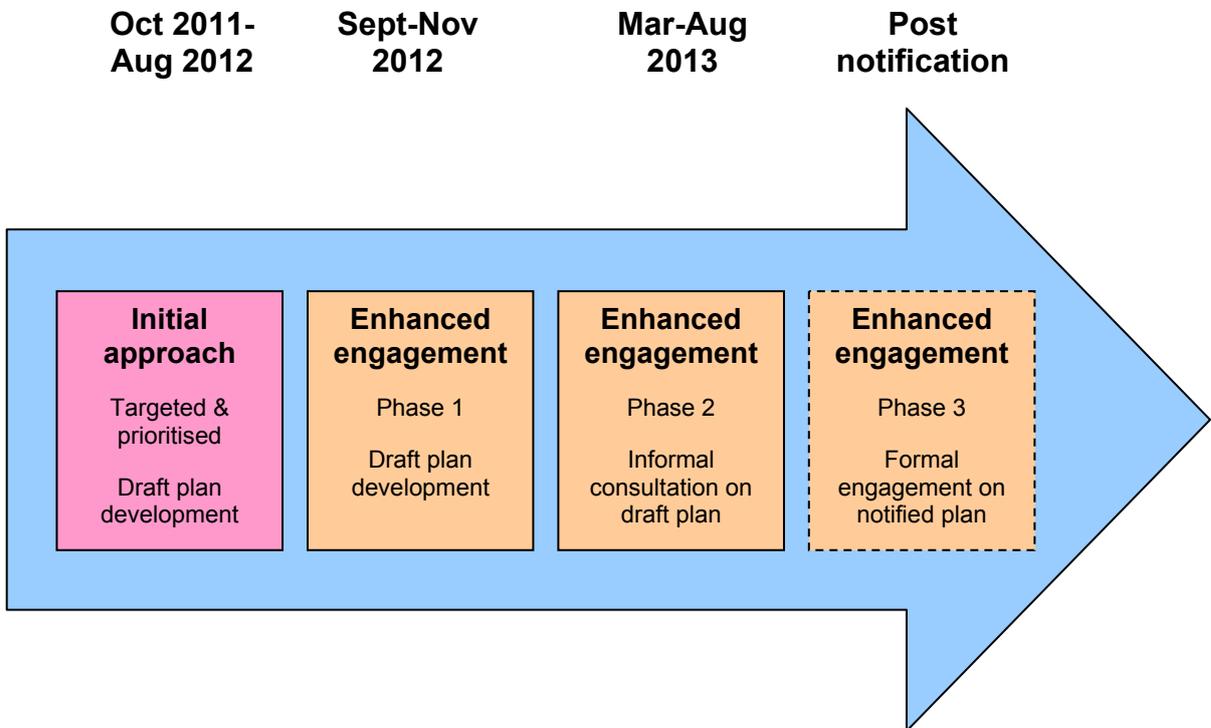


Figure 3: Broad consultation and engagement approaches

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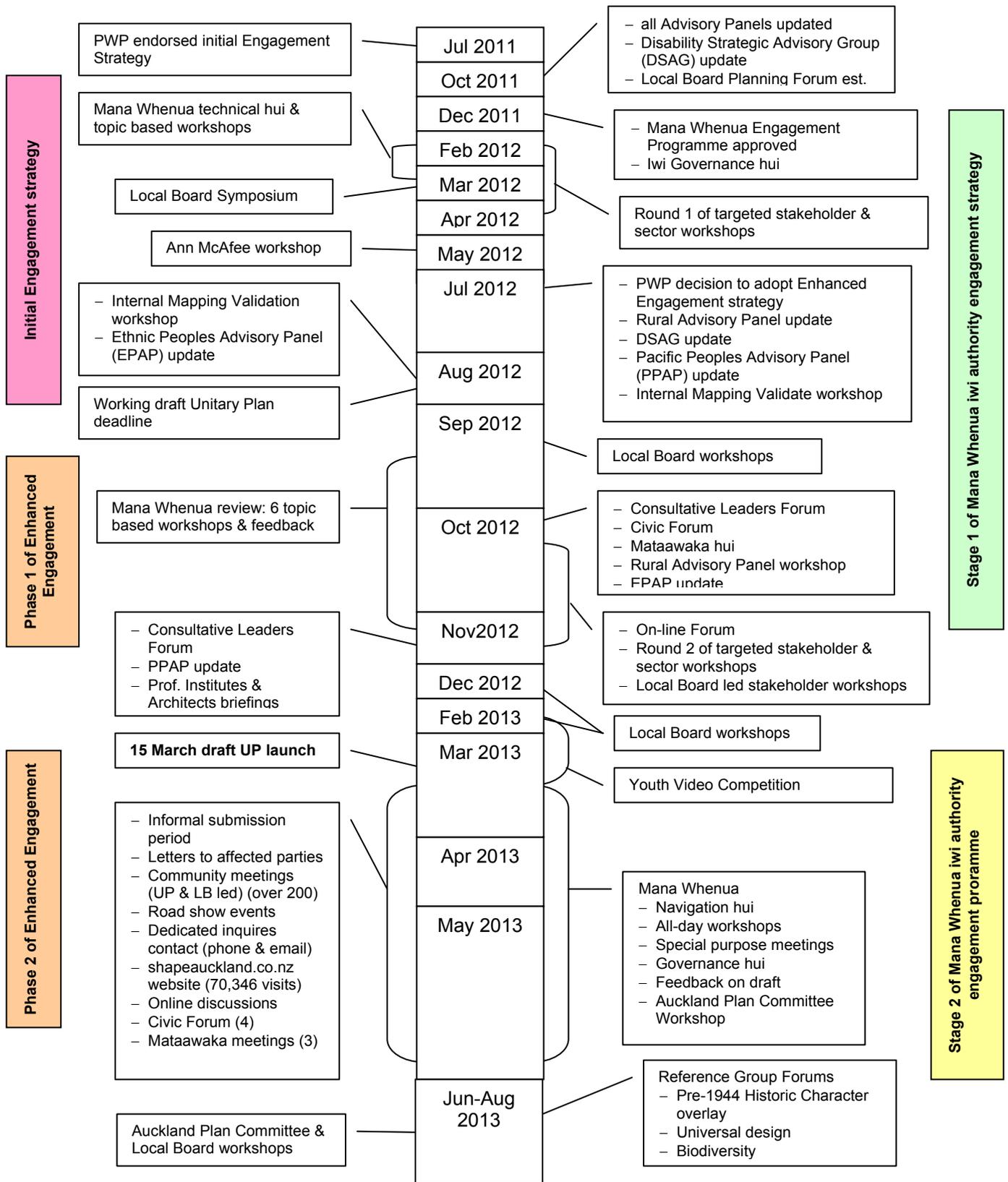


Figure 4: Detailed consultation and engagement event timeline

1.8.2 Initial approach – targeted and prioritised (Oct 2011 – Aug 2012)

Methodology

The initial development of the Unitary Plan was based on the need to produce a working draft by December 2012 and a notified version to be release in March 2013. This timeframe did create risks around the ability to undertake adequate consultation during plan development, and in particular in time to inform decision-making. There was also a danger of misalignment with Council's own Consultation and Engagement Policy and best practice. In order to mitigate these risks initial consultation and engagement adopted a targeted and prioritised approach. Running parallel to this targeted approach was the Iwi Engagement Strategy. This is addressed in section 1.8.4.

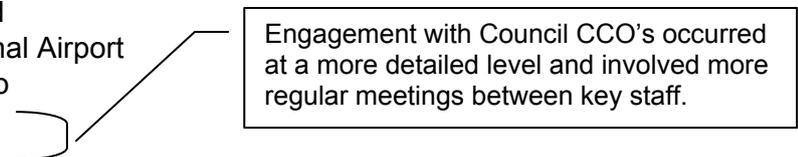
Sector and key stakeholder workshops

A key element of this targeted approach was a series of sector and key stakeholder workshops. The purpose of these workshops was to start a two-way conversation between the Unitary Plan team and the identified stakeholders. At least one relevant subject matter expert (SME) from the Unitary Plan team was always present and a facilitator was often present for the larger workshops. Attendance by stakeholders varied from 1-2 groups to over 10 different organisations per workshop. The format of these workshops was flexible, but they often started with a brief introduction to the unitary plan and engagement process followed by a discussion between all parties present. This format allowed the UP team to get feedback on strategic direction and issues they had already identified and for stakeholders to raise new issues and specific concerns.

Two rounds of workshops were planned. During the first round, over 20 workshops were held from February 2012 through to early April 2012. A range of sectors and stakeholders were represented. The majority were identified by council officers and in some cases council already had a working relationship with them. But in some instances stakeholders approached council. Council recognised that not all stakeholders had been identified nor could they all be involved in the engagement at this stage, but it was considered that those involved did offer a reasonable cross section for this stage.

Those represented included:

- Coastal interest groups
- Business park operators
- Shopping centres and large format retail
- Conservation and environmental organisations
- Commercial sex industry
- Retirement village owners
- Housing New Zealand Corporation
- Ports of Auckland
- Telecommunications
- Infrastructure providers
- Schools
- Churches
- Hospitals
- Tertiary institutions
- Ministry of Education
- Waterfront Auckland
- Auckland International Airport
- Hobsonville Land Co
- Auckland Transport
- Watercare Services
- Rural Advisory Group and Rural Industry Group



Engagement with Council CCO's occurred at a more detailed level and involved more regular meetings between key staff.

- NZTA

Please see Appendix 3.0.32 for a full list and schedule of the round one workshops and attendees.

Local Boards

The Auckland Council governing body and the local boards share the decision making responsibilities of Auckland Council. The governing body focuses on the big picture and on region-wide strategic decisions (including decision making on the development of the Unitary Plan). Local boards represent their local communities and make decisions on local issues, activities and facilities.

The local boards form an integral part of the development of the Unitary Plan as they are able to provide a localised perspective to the governing body and the UP team. As a result the Local Board Planning forum was established in October 2011. Comprised of nominated local board representatives, (all local board and PWP members were invited as optional attendees), this was not a decision making forum. Instead it was intended to provide an opportunity for local boards to be briefed on the UP development and to feedback the views of their communities.

In addition to this forum, a Local Board Symposium was held in March 2012. The purpose of this was to seek local board member feedback on the outcomes that were set out in the outcomes matrix and allow the members to identify any additional outcomes.

Adjoining councils

Officer meetings with adjoining councils took place, with discussions specifically around alignment with the second generation Northland Regional Policy Statement and rural subdivision in relation to Waikato District Council and Waikato Regional Council.

Department of Conservation

Also required by Schedule One of the RMA and in accordance with Section 82 of the LGA, officers have met with both the Department of Conservation and the Auckland Conservation Board. Briefings on the Unitary Plan and in particular the Coastal Plan provisions were held in late 2012 and again on 5 March 2013.

International Advisor - Ann McAfee workshops (Feb and May 2012)

In order to strengthen understanding of best practise engagement and consultation and in particular in relation to the key strategic direction of intensification, Ann McAfee (the former co-director of planning at Vancouver City Council) presented two workshops (late February and late May 2012) to members of the PWP and the UP team.

Ann shared her experiences of working with communities in Vancouver to prepare their version of the Auckland Plan, Area Plans and the Unitary Plan. This community engagement model included 'peoples panels' and targeted engagement with sector groups and stakeholders. From her experience, a well thought through citizen engagement model resulted in almost unanimous support for Vancouver's strategic development directions.

While this model of community engagement took place over a considerable number of years, the process, principles and governance models offered considerable insight to the PWP and Unitary Plan team and helped to inform the decision in July 2012 to adopt an Enhanced Engagement strategy.

Mapping validation workshops

In order to engage and consult staff within the RLP two internal mapping validation workshops were held in July and August 2012. The purpose of these was to review hard copy maps that showed the proposed unitary plan zones and overlays and staff were asked to identify where they could, errors and potential conflicts. These workshops provided important feedback that was investigated and then fed back to the plan developers. The feedback from these workshops was processed through an early version of the feedback management system (FMS). This is discussed later in this report.

1.8.3 Enhanced engagement – a change in approach

Driven by the desire to produce a more robust Unitary Plan a new approach to engagement and consultation for the UP development was adopted by Council in July 2012. This new approach was informed by best practise including Council's own *Opinion Research, Consultation and Engagement Policy*, the International Association for Public Participation and the learnings gained from the Ann McAfee workshops. This new enhanced engagement model was made possible by the decision to release a draft Unitary Plan for informal consultation in March 2013 rather than a notified version.

The objectives of this enhanced engagement model were:

- to increase public awareness and understanding of the Plan
- to improve the quality of draft Plan
- to support informed submissions at the notification stage
- to learn from the enhanced engagement process.

In order to achieve this three phases of engagement were set (see figure 3).

Phase 1 – Targeted engagement with local boards, local board stakeholders and key interest groups

- September – November 2012
- draft Unitary Plan development and prepare for Phase 2
- build on existing targeted approach by:
 - increasing targeted audience
 - completing round 2 of stakeholder and sector workshops

Phase 2 – Feedback on draft Auckland Unitary Plan

- March – May 2013
- informal consultation on the draft plan - Auckland wide, sector groups, key stakeholders

Phase 3 – Notification of proposed Auckland Unitary Plan

- 3rd to 4th quarter of 2013.
- formal engagement and submission period on notified plan

The following part of this report sets out an overview of Phases 1 and 2 of the Enhanced Engagement strategy.

Phase 1: September – November 2012

Communications Strategy

The communications strategy is integral to the overall consultation and engagement strategy. For Phase 1, communications activity largely focused on supporting the engagement programme with political leaders, stakeholders and staff; this was through developing briefing material and collateral, political support, internal and external updates and proactive briefings for media, as well as responding to media requests or issues as they arose. This also involved using the communications of

the Unitary Plan to demonstrate how Auckland Council is working to deliver the vision of creating the world's most liveable city.

Communications for Phase 1 have included:

- opinion pieces to New Zealand Herald
- letters to the editor of the Herald and local newspapers to address local concerns or issues
- media briefing for specialist commentators and journalists, including Radio NZ
- press releases and support for Deputy Mayor on radio and press interviews
- targeted background briefing for local journalists
- engagement with Governing Body and Local Board representatives
- providing briefing and key messages as required
- internal news stories
- regular briefings for Executive Leadership Team
- interactive briefing session for Senior Leadership Team
- additional internal briefings

Stakeholders & sector workshops

Following on from the Round 1 stakeholder and sector workshops held in February – April 2012, a second round of workshops were held in October – November 2012. Whereas the first round of workshops had focused on identifying and discussing issues and general policy directions, the second round focused on discussing specific proposed provisions.

Approximately 150 stakeholders attended these sector workshops. This included those involved in Round 1 workshops and new stakeholders such as open space and heritage stakeholders, the Character Coalition and major recreation facilities (see Appendix 3.0.32 of Phase 1 summary for full calendar and workshops and list of attendees). After these workshops attendees received a letter outlining how their feedback had affected the draft provisions.

Additional to these workshops, some individual local boards also led their own stakeholder workshops. These then helped to inform local board resolutions.

Local Boards

The enhanced engagement approach continued to build on what had already been carried out with the local boards. This included additional rounds of workshops for local board members, the continuation of the Local Board Planning forum, stakeholder workshops led by local boards and the establishment of the Local Board Chairs forum and the Local Board Reference Group. Five local board members also continued to sit on the PWP. In late 2012 the PWP increased the frequency of its meetings.

Throughout October and November 2012 two workshops were held for each local board. The first of these provided the boards with an opportunity to review the maps and the second outlined some of the draft provisions. These provisions were provided in six packages: Residential, Business, Historic Heritage, Natural Environment and the Electricity Transmission Corridor. All feedback during these workshops was captured within a feedback management system. Interim and final reports were provided to local boards about the workshops and the feedback received. At the conclusion of November 2012 local boards provided formal resolutions on the early drafts. See the section on the Feedback Management System for further detail on how local board feedback was processed.

Please see Appendix 3.0.32 for a full schedule of local board workshops.

Civic Forum

The Civic Forum was designed to engage with people who would not normally get involved in plan development. It provided an opportunity to get them up to speed on the key directions in the Auckland Plan, what the Unitary Plan will do and information about the plan development and engagement process. Recruitment for the forum was carried out through a random selection of people from the Electoral Register, through community development networks to target specific age groups and cultural communities, and through the People's Panel. It had 74 participants.

Two sessions were held on 23 and 27 October 2012. The first was an introductory session and the second session involved group discussions. These were facilitated by senior managers with note-takers recording key points. Groups were encouraged to review the other group's notes.

The design of the Civic Forum's process followed similar approaches taken in Australia and Canada, which identified the benefits of targeted approaches to engage with people not normally involved. Feedback was also sought from the attendees on their experience of the forum and the general response was positive. (See Appendix 3.0.38 Unitary Plan Civic Forum report October 2012)

Online forum

A parallel process to the Civic Forum took place online. People's Panel members were invited to participate and media articles encouraged non-People's Panel members to join in. By the time the forum was closed 864 posts had been received from 172 participants over the three different discussion themes. This online discussion ran from 25 October to 7 November 2012.

Youth video competition

In conjunction with the Youth Advisory Panel, Council held a youth video competition in February-March 2013. Young filmmakers (25 years and under) were challenged to make a three minute video about the future of Auckland. Their video had to respond to the following themes:

Auckland is set to grow from 1.5m to 2.5m people in 30 years:

- What do you want Auckland to be like in 30 years?
- What makes Auckland special and how do we protect it as we grow?
- How can we make sure more people makes this a more exciting place to live?

The entrants had 14 days to make their short videos. These were judged and the finalist's videos were placed on Auckland Council's YouTube webpage.

Consultative Leaders Forum

The Consultative Leaders forum provided another opportunity to get high level input into key issues facing the development of the Unitary Plan. Two forums were held, one in October and one in November 2012. The first forum focused on the topic of achieving a compact city while protecting the things we value and the second forum focused on the rural urban boundary, centres and industry. Hosted by the Deputy Mayor and members of the PWP, around 150 people were invited to include a range of different perspectives: community organisations, universities, business, advisory panel members, architects and urban design professionals. Feedback from the forums was considered as part of the feedback review in December 2012.

Briefings to professional peers

Briefings were given in November and December 2012. Two were to the urban design group of New Zealand Institute of Architects (NZIA) who took a particular

interest in the key directions and were able to provide feedback on draft policies and rules. Other briefings were held for:

- Institute of Landscape Architects
- Institute of Surveyors
- New Zealand Planning Institute
- Institute of Engineers

Over 180 attended this briefing which demonstrated the new eplan software and gave an overview of the key directions the draft UP was taking.

Mataawaka

Mataawaka refers to Māori living in Auckland whose turangawaewae (place of origin) is outside the Region. A substantial part of the Māori population in Auckland originates from outside the Region. Mataawaka are a significant community of interest who have important cultural values which need to be considered.

Mataawaka engagement and engagement with Māori landowners is also subject RMA Schedule 1 guidance though not s3B which applies to Mana Whenua iwi authorities. Engagement with Mataawaka and Māori landowners is therefore part of the wider Unitary Plan consultation programme and its enhanced engagement process.

Four meetings were held for Māori residents and ratepayers (Mataawaka) in Auckland on the development of the Auckland Unitary Plan. These meetings provided an introduction to the Unitary Plan, including specific discussion on:

- Housing development and papakāinga
- Business and employment
- Community facilities, including marae and parks
- Environmental issues

Attendees were also asked for their ideas on how best to engage with Māori communities during the public consultation process in 2013. More than 150 Mataawaka contacts, mainly community organisations, were invited by letter with some email and phone follow-ups. Attendances were generally low however with around 20 people attending the four events – north, central, west and south.

Phase two: March – August 2013

Phase 2 of the enhanced engagement process started with the release of the draft Unitary Plan on 15 March 2013. Over an 11 week period until 31 May 2013, anyone can make an informal submission on the draft Unitary Plan. Feedback forms and a feedback management system have been developed to facilitate this process (see section 1.8.4 of this report for further detail on the feedback management system). As of 7 June 2013 approximately 22,100 individual pieces of feedback have been received.

This informal consultation period is not part of the RMA, Schedule 1 process. The objectives of this informal consultation are:

- to increase public awareness about the Unitary Plan, what it's purpose is and how it might effect them
- to get feedback from a much wider audience on draft Unitary Plan provisions which can then feedback into the notified version
- to enable more informed submissions during the formal submission process post-notification

During this phase Council staff have made a significant commitment to engagement and consultation. A dedicated team of planning officers, subject matter experts and engagement support staff have worked many hours including nights and weekends to ensure the engagement events have been supported

The initial timeframe for Phase two was from March to May. However this was extended until August to allow time to address issues and hot topics that became evident from the feedback received.

Communications

Phase 2 communications have continued with what was carried out in Phase 1 although the focus has shifted to support engagement with a wider audience rather than the targeted audience of Phase 1. This involves raising awareness of what the draft Unitary Plan is and how to access it as well as encouraging discussions on provisions and providing additional information to help people understand some of the key topics.

ShapeAuckland: The primary communications tool is the online web portal www.shapeauckland.co.nz. Accessible directly or via the general Auckland Council web-site, this website provides the central point for information on the draft Unitary Plan. It includes:

- a video on the Unitary Plan
- details of engagement events
- frequently asked questions (FAQs)
- on-line discussions (blog posts)
- additional information such as detailed fact sheets on 'hot' topics e.g. building heights and setbacks in centres.

It also provides links to the draft Unitary Plan viewer, feedback forms, social media discussions and the housing simulator (an interactive tool that lets participants choose different scenarios on how to accommodate housing growth in Auckland). One of the key benefits of using a website as the primary information point is that information is not static and can be tailored to meet needs as they arise. As of 22 August 2013 101,225 people have visited this website.

Along with this website, more traditional methods have also been used to reach the widest audience as possible including the Auckland Council *Our Auckland* monthly mini magazine. Approximately 547,000 copies of each issue are delivered throughout Auckland.

Unitary Plan website

This is part of the Auckland Council website and provides direct access to the draft Unitary Plan. It allows people to interrogate the Plan in two ways – either in the more traditional way by viewing provisions as an on-line document or through the line of enquiry. The line of enquiry is discussed in section 1.6.8 of this report, although it is important to note that this tool plays an important role in Phase 2 of consultation and engagement. While the line of enquiry does not provide a comprehensive result at this stage, it is anticipated that it will be particularly useful for members of the public who are not familiar with planning documents or would not normally be involved in the planning process.

Affected parties letters

As required Auckland Council has identified:

- a buffer corridor for transmission lines and poles – the Electricity Transmission Corridor (as required under the National Policy Statement on Electricity Transmission)

- Significant Ecological Areas (SEAs) (as required under the RMA)
- Outstanding Natural Character (ONC) and High Natural Character (HNC) areas (as required under the New Zealand Coastal Policy Statement)

All landowners directly affected by these have been sent a letter and fact sheets outlining what this means. A direct phone line and an email inquiry address have been provided for these affected parties so they can contact dedicated people in the Unitary Plan team for additional information and help.

Affected parties letters have also been sent to landowners directly affected by the Rural Urban Boundary (RUB) or identified as new historic character or historic heritage sites. The same level of support has been made available for these people. Letters have also been sent out to landowners who have legacy concept plans asking if they want these included in the Unitary Plan. Requiring Authorities have also been sent letters asking if they want their existing designations rolled over into the Unitary Plan.

Engagement events

To support Phase 2 a number of engagement events have been planned By the end of the informal submission process (31 May), over 15,000 people had attended over 250 events. The following is a summary of the types of events held. For a full calendar of events see Appendix 3.0.33.

Road shows: these are being held throughout Auckland in a number of venues including public libraries, shopping malls and tertiary institutions and at a number of events such as PolyFest/Pasifika, the Karekare races, the Waitakere Home and Garden show and the International Cultural festival. These provide a “drop in” type situation where people can talk one on one with a planner about the draft Unitary Plan. Laptops are provided so the planners can provide guidance how to access and navigate the Unitary Plan viewer, the GIS viewer and the line of enquiry viewer. A set of hard copy maps are also available for viewing at the road shows. The road shows have been staffed by a combination of unitary plan officers, area planning or legacy planning officers to ensure a broad level of knowledge is available.

Community meetings: These are also being held throughout Auckland, and have typically been based on local board areas or specific topics. For community meetings organised by the Unitary Plan engagement team the format has typically been a presentation followed by a questions and answer session. Like the road shows, these meetings have been staffed by relevant planning officers, including senior officers and in many cases councillors as well. This has been particularly important for contentious meetings.

Many of the community meetings have been organised and run by the Local Boards rather than the Unitary Plan engagement team. These meetings have been supported by the Unitary Plan team by providing planning officers where possible and collateral such as hard copy zone planning maps for the local board area. However there have been some discrepancies between the level of support provided and public expectations.

Other meetings and workshops: In addition to the community meetings and road show events, other meetings and workshops have been organised to address a more targeted audience or specific topic. These include the older people’s forum, heritage forum, environmental workshop (organised by Environmental Defence Society, hosted by Auckland Council), transmission corridor meeting (20 stakeholders) and a disabled community’s workshop.

During July three Reference Group Forums were scheduled to address some hot topics that came out of feedback received. These topics include:

- Pre-1944 Historic Character overlay
- Universal design
- Biodiversity

Eplan training: Library staff have been provided with training on how to use the eplan viewer and the line of enquiry so they are able to assist members of the public. A road show event was also held that specifically focussed on how to use the eplan.

Mobile bus: The mobile rig/bus has been set up as a mobile engagement facility for the Unitary Plan. It has been used for road shows in a number of locations.

Community walks: organised by some Local Boards to help people get to know the area they live in.

Call Centre/ phone and email enquiries: A Unitary Plan email address has been set up to enable people to make specific enquiries. Dedicated staff with relevant subject knowledge has been allocated to respond to these enquiries. Any phone enquiries that come through the main Council enquiry line that are specific to the Unitary Plan are also forwarded to dedicated Unitary Plan staff.

Civic Forum: These are a continuation from the earlier Civic Forums held. This time there will be four forums held focusing on north, south, west and east Auckland.

Stakeholder and sector workshops

Although not the primary focus of Phase 2 engagement, some stakeholder and sector workshops have been scheduled during this time. These have included the retail sector, Kiwi Rail, New Zealand Transport Authority, Landowners holding large or multiple sites, Tramco, Todd properties, Environmental Defence Society, Committee for Auckland and others.

Auckland Plan Committee (APC) and Local Board Chair workshops

Initial analysis of the feedback received identified 'hot topic' issues. The APC workshops provide the opportunity for Councillors to work through these issues. The workshops are supported with officer presentations and topics include:

- residential controls
- rural subdivision
- Treaty of Waitangi issues
- natural hazards
- parking

For a full schedule of workshops and topics see Appendix 3.0.34.

Local board resolutions were an agenda item on 30th and 31st July. Work streams went through resolutions to finalise the text. Combined APC and Local Board workshops considered Local Board resolutions and a dedicated zone mapping workshop considered zone change recommendations arising from external feedback and internal Council feedback. See Appendix 3.0.35 for resolutions.

Mataawaka engagement

As part of Phase 2 enhanced engagement Council again sought to engage with Mataawaka representation on the March Draft Unitary plan. In particular it drew on

existing Mataawaka networks and publicised various meetings available through the Shape Auckland website and three email pānui (newsletters).

Engagement included a Polyfest stand; a stand at the Viaduct Events Centre; participation in a ‘KORA’ session hosted jointly with Ngā Aho Māori Design Professionals; 4 Civic forums, a Māori Housing Workshop in collaboration with Te Matapihi National Māori Housing Advocacy Body; as well as a specific meeting on the Māori Purpose Zone with six Mataawaka groups and liaison with a seventh group in relation to the existing Maori Purpose Zones which had been adapted and carried forward into the draft Unitary Plan.

1.8.4 Mana Whenua

Introduction

This section documents the process of consultation with Tangata Whenua iwi Authorities within the Auckland Region for the period of December 2011 to September 2013 and the notification of the Proposed Unitary Plan.

Council has specific RMA Schedule 1 (3B) consultation requirements as well as requirements under the New Zealand Coastal Policy Statement and the National Policy Statement of Freshwater Management. The Council is committed to meet these statutory requirements which are specific to Tangata Whenua of the region and the Mana Whenua iwi authorities that represent them in the Auckland region. Mana Whenua refers to iwi and hapū of the Auckland Region. Mana Whenua have Treaty partnership status with the Council.

RMA Schedule 1

3 Consultation

- (1) *During the preparation of a proposed policy statement or plan, the local authority concerned shall consult—*
 - (d) *the tangata whenua of the area who may be so affected, through iwi authorities;*

3B Consultation with iwi authorities

For the purposes of [clause 3\(1\)\(d\)](#), a local authority is to be treated as having consulted with iwi authorities in relation to those whose details are entered in the record kept under [section 35A](#), if the local authority—

- (a) *considers ways in which it may foster the development of their capacity to respond to an invitation to consult; and*
- (b) *establishes and maintains processes to provide opportunities for those iwi authorities to consult it; and*
- (c) *consults with those iwi authorities; and*
- (d) *enables those iwi authorities to identify resource management issues of concern to them; and*
- (e) *indicates how those issues have been or are to be addressed.*

Specific attention was given to each of these clauses in the development of the engagement and consultation process undertaken together by the Council and iwi authorities and as documented in summary in this s32 report.

Overview

Council has consulted with all 19 Mana Whenua iwi authorities of Auckland throughout the process of development of the Proposed Auckland Unitary Plan. It has done this in two stages:

- Stage 1: The development of the draft Auckland Unitary Plan
Stage 2: Review and feedback on the draft Auckland Unitary Plan

A stage 3 process is in development together with iwi authorities and will refer to any further consultation prior to the notification of the Proposed Auckland Unitary Plan in September 2013.

Stage 1 engagement commenced at a governance level hui on 12 December 2011 to which all iwi authorities were invited.

In conjunction with the iwi authorities the Council sought to support an open and adaptive process. This process was undertaken with the intent to actively support iwi/hapū capacity to respond, establish and maintain an effective consultation process of working together and enabling issues of concern to be actively discussed and addressed.

It was essential that all iwi authorities had been consulted with and that consultation commenced before any drafting work on the Unitary Plan. Consultation was on-going with direct input facilitated into the drafting process. The consultation process was adaptive and was a matter of discussion with iwi. Variations in process were supported under the guidance of the iwi authorities concerned. Strong communication lines were important through the process including an emphasis on personal contact and face to face interaction with drafting officers. Key steps in the stage 1 and 2 process are shown on the following diagram:

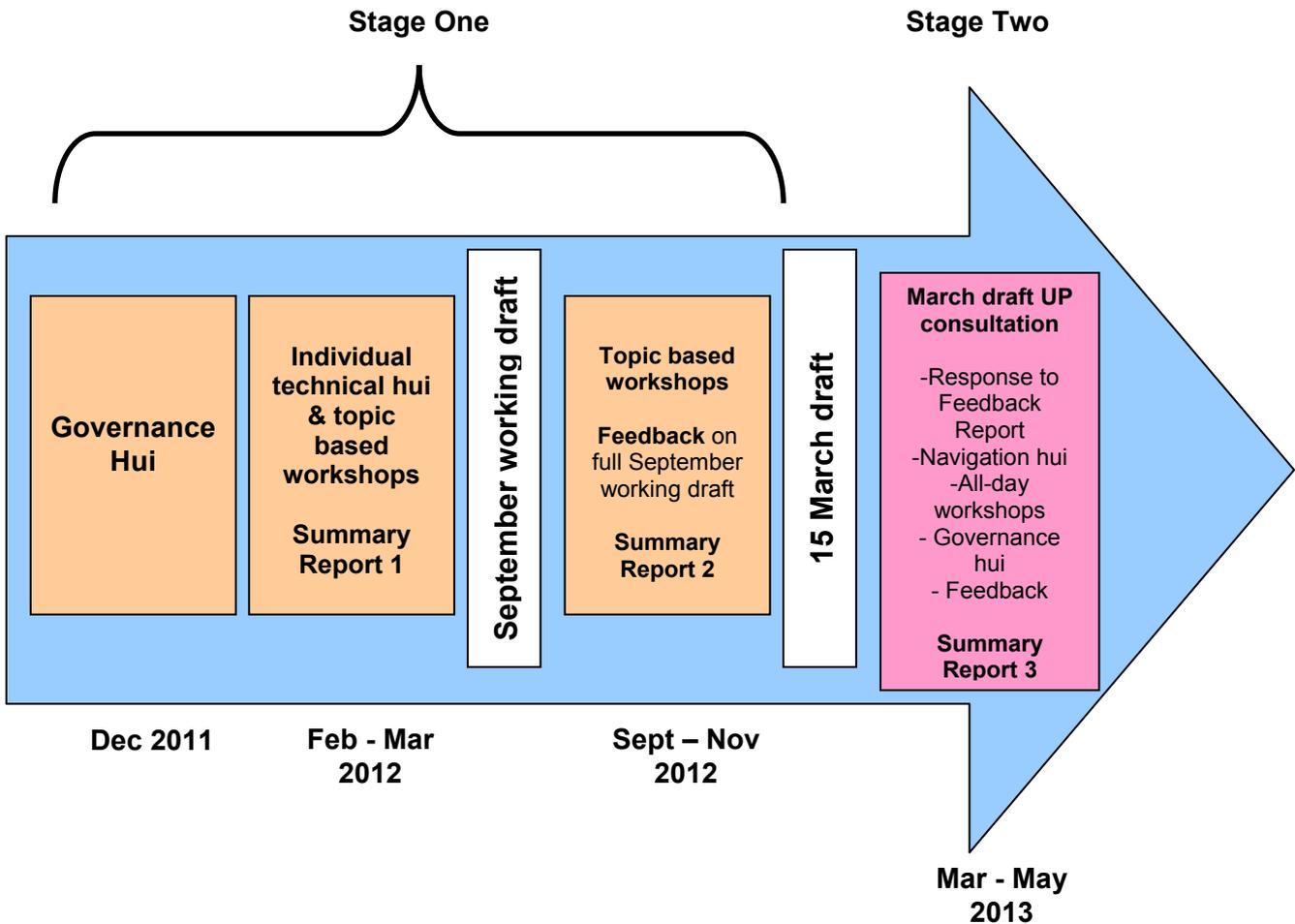


Figure 5: Outline of Council and Mana Whenua iwi authority consultation and engagement process

Following the 12 December 2011 Governance Hui, and in acknowledgement of Independent Māori Statutory Board (IMSB) guidance, the Council met with all iwi authorities individually in February 2012. There followed a series of four all day workshops in March 2012. The detailed record kept was summarised in a Mana Whenua Consultation Summary Report (February – March 2012) which was provided to the iwi authorities and to Unitary Plan drafting officers for their reference, and to the IMSB.

Packages containing the first working draft Unitary Plan provisions were provided to iwi authorities on 24 September 2012. Six elective all day workshops followed in October 2012 to look at these packages in detail and to support iwi authorities to consider the working draft and provide feedback. While the primary draft supplied for feedback was the Treaty of Waitangi Package (pulling together key provisions from throughout the plan to support feedback) and maps, iwi authorities were also supplied with all available working drafts of the plan including the Residential, Business, Rural, Historic Heritage and Natural Environment packages.

The majority of the iwi authorities (16 of the 19) chose to make detailed written responses to the working draft Unitary Plan, chapter provisions and maps. The feedback was specific and detailed and was reported through to the Council Political Working Party (PWP) in November and December 2012 and was used to

review and amend the draft Unitary Plan in preparation. This completed the Stage 1 consultation process.

The Stage 2 process was guided by the iwi authorities at the October 2012 workshops and started with the release of the draft Unitary Plan on 15 March 2013. By 15 March 2013 all iwi authorities had received a hard and soft copy of the draft Unitary Plan including all maps. All were invited to the Unitary Plan launch. On 18 March 2013, the iwi authorities were provided with a *Response to Mana Whenua Feedback* on the first working draft Unitary Plan (24 September 2012) and an outline of key changes to the draft Unitary Plan (as released on 15 March 2013).

In the following week, 2 Navigation hui were held to reconnect with the draft the iwi authorities had been working on in its new format and to present and access the eplan format. The hui identified what had happened to feedback provided, as well as guided the agendas for 2 all-day workshops which were to follow in April 2013. The Council also attended three Regional Kaitiaki Hui meetings to receive further feedback and to guide the consultation process.

These hui and workshops were summarised and provided back to Mana Whenua to support feedback together with a linked feedback template which the iwi authorities could elect to use. Additional individual hui were held on request. Specific hui or process was undertaken for 5 Maori Purpose Zones locations applying to Mana Whenua. A series of special purpose meetings was also held on the rural urban boundary (RUB) greenfields areas for investigation, south, north west, and north, on the RUB “Edge Work” (revising the updated 2010 metropolitan urban limit MUL). The Auckland Housing Accord was also introduced at these meetings.

On 16 May 2013, a second Governance Hui was held to reflect on the process since December 2011, to discuss issues at governance level before the close of feedback, and to contribute to the process going forward to Proposed Unitary Plan notification and post notification.

Through the process of the proposed Unitary Plan preparation, issues of concern to the iwi authorities have been identified through direct face to face communication, in detailed records, in three Mana Whenua consultation summaries and a feedback response report, and in a large body of Mana Whenua feedback on the 24 September 2012 Working Draft Unitary Plan and on the 15 March draft Unitary Plan by 31 May 2013 (from all 19 Mana Whenua iwi authorities). An additional all-day workshop on 5 August 2013 was held at Mana Whenua request with the Auckland Plan Committee and Local Board Chairs (18 of 19 iwi authorities made presentations).

An important part of the process has been to provide feedback to iwi authorities on how issues identified have been or are to be addressed. Identification of issues from a Mana Whenua perspective were recorded through detailed record and three summary reports (Mana Whenua Consultation Summary Report February-March 2012, the Mana Whenua Workshop Summary Report October 2012, and the Mana Whenua Workshop Reference Report 3 May 2013). At the October 2012 workshops, feedback was provided on the issues raised in the February-March 2012 Summary Report. Two rounds of detailed written feedback that followed were also responded to. The first round of written feedback was responded to through the response document referred to above and at the March and April 2013 workshops. The feedback on the March draft Unitary Plan has been responded to through the Council feedback management system after feedback closure on 31 May 2013.

Throughout the process, levels of engagement were high with hui and workshops being very well attended by iwi authorities and Council officers. Follow ups with those not in attendance were undertaken to ensure opportunity for full involvement was supported.

To support the process, Council employed a dedicated Engagement Lead and assembled a UP Treaty of Waitangi Workstream Team which had appropriate specialist skills including capacities in Māori language and mātauranga Māori. The Team took account of iwi planning documents (RMA s61(2A), s66(2A) and 74(2A)) and a range of other relevant documentation including submissions on the Regional Policy Statement in preparation (2010 prior to amalgamation), submissions on the Auckland Plan, and eight associated Mana Whenua issues and values statements. The Council Māori Strategy and Relations Department, Te Waka Angamua in all its units were actively and integrally involved in support of the process. Regular advisory meetings were also held with the IMSB. Stage 1 and Stage 2 processes were supported by a statement of works which provided financial support for the iwi authorities to work alongside the Council, consult and be consulted, and to prepare written feedback.

Stage One

Governance hui

The Unitary Plan process started with a governance hui held on 12 December 2011 to initiate a Mana Whenua iwi authority engagement for Unitary Plan development. An adaptive programme of consultation then commenced.

Individual technical hui

In February 2012, 14 individual/cluster technical hui were held with the inclusion of all 19 iwi authorities. The meetings provided the opportunity to engage with each iwi authority individually, build working relationships, discuss process requirements, scope and timeframes, and Council support available. The hui assisted with the initial identification of resource management issues of concern to iwi/hapū for consideration in the Unitary Plan drafting process to be initiated. Detailed individual minutes were available for iwi authority review and confirmation.

March 2012 Workshops

The technical hui were followed by 2 x 2 full day topic based workshops (freshwater, coastal and biodiversity management and heritage and growth). These workshops provided direct engagement with key Unitary Plan officers and subject matter experts who would be involved in Unitary Plan drafting. They provided for in-depth discussion of issues and values and direction for the Unitary Plan drafting team as to how those issues may be addressed. Break out groups were used and recording and feedback were presented directly by Mana Whenua representatives to all attendees including a large key officer representation.

Mana Whenua Consultation Summary Report 1

A Mana Whenua Consultation Summary Report (February – March 2012) was prepared which drew on the detailed record from technical hui and the topic based workshops. Two addendums to this report acknowledged associated meetings to ensure that all iwi authorities had opportunity to be recognised and consulted. The Report provided a Mana Whenua perspective and was circulated on 23 March 2012 to the iwi authorities, Council drafting officers and the IMSB.

Focus on the First Working Draft Unitary Plan and Summary Report 2

On 24 September 2012, iwi authorities were provided with a Treaty package of draft provisions and related maps and draft provisions on key chapters (rural, residential, business, historic heritage and natural environment). Over a 6-7 week period iwi

were then given the opportunity to review and provide feedback on these by 12 November 2012.

To enable the capacity of iwi to provide feedback, 2 x 3 (6 in total) optional all-day topic-based workshops were held to review the draft chapters. The workshops were recorded in Summary Report 2. The broad topic areas were growth, heritage and natural resources. Following each workshop, council officers were available for one-on-one assistance for feedback preparation or to discuss specific issues. Other targeted support was also provided where possible to a number of iwi authorities as they developed their feedback. A feedback template was available if the iwi authorities wished to use it.

A significant and detailed body of written feedback on the working draft Unitary Plan was provided by 16 of the 19 iwi authorities. This feedback, together with direct workshop feedback included in Summary Report 2, was reported to the Council Political Working Party and was used to make further revisions to the draft in preparation for release in March 2013.

Stage Two

Updates were provided in the intervening Christmas period until Stage 2 process began with the launch of the draft Unitary Plan on 15 March 2013. All iwi authorities were formally invited to the launch.

To link with feedback provided by the iwi authorities in November 2012 and with the workshops, a response to feedback was provided on 18 March 2013. This report was entitled: *Draft Auckland Unitary Plan – Response to Mana Whenua feedback on the fires working draft of the Unitary Plan (24 September 2012) and an outline of key changes to the draft Unitary Plan (as released 15 March 2013)*. The report referred to resource management issues that had been identified and indicated how those issues had been or were to be addressed.

The Stage 2 process ended 31 May 2013 at the close of the draft Auckland Unitary Plan feedback period. On 5 August 2013, an additional all-day workshop was held at Mana Whenua request with the Auckland Plan Committee and Local Board chairs. The stage 2 process was supported by a statement of works for the provision of funding.

Navigation hui

Two navigation hui were held; 19 March 2013 (Orewa) and 21 March 2013 (Manukau). The navigation hui provided the opportunity to engage with the draft Unitary Plan very early in the feedback period. The hui looked at the draft Unitary Plan structure and the new eplan tool, outlined the statutory process, and informed and guided the workshops and governance hui to follow.

These hui were held with dinner to follow to allow informal discussion and opportunity to address individual questions. All Mana Whenua iwi authority representatives were invited to either or both of these hui. The hui were very well attended by the iwi authorities and Council officers.

Officers attended the Regional Kaitiaki Forum on 26 March 2013 to follow up and to receive further feedback and to guide the all-day workshops to follow.

All-day workshops

Two all-day workshops were held: 16 April 2013 (Orewa) and 18 April 2013 (Manukau). Their purpose was to:

- Focus on draft UP provisions and issues raised at the navigation hui and the Regional Kaitiaki Forum.
- Hear and record further points of Mana Whenua feedback directly
- Support Mana Whenua feedback on the draft Unitary Plan
- Guide the agenda for the Governance Hui including further process requirements.

At the workshops, priority was given to topics and content that would support Mana Whenua to develop written feedback on the draft Unitary Plan. As with previous workshops, time was available at the end of the workshops to allow for one on one discussions and iwi specific issues to be discussed with relevant Council officers.

The workshops were very well attended by the iwi authorities and the Council officers.

Officers attended the Regional Kaitiaki Hui on 30 April 2013 to follow up and to receive further feedback and to receive further guidance on the Governance Hui to follow.

A summary report, Summary Report 3 with navigation references and a linked feedback form was provided On 9 May 2013 to support feedback by 31 May 2013 and make the documentation accessible. Officers were available to provide further technical assistance or advice on request and were also available at the 28 May 2013 Regional Kaitiaki Hui.

Governance hui

The Governance hui was held on 16 May 2013. This was the second Governance Hui and was jointly called. Its key purposes were to:

- Reflect on progress since the first Governance Hui in December 2011
- Address governance issues for the Unitary Plan progression
- Discuss and guide the next steps and process requirements for engagement through to notification of the Unitary Plan.
- Support written feedback on the Draft (follow up) as may be required prior to 31 May 2013.

The Governance Hui had high attendance including Mana Whenua iwi authorities at Governance level, and by the Mayor, Deputy Mayor, Councillors, Senior Management and supporting technical representatives for iwi authorities and for the Council.

31 May 2013 Feedback on the Draft Unitary Plan

The stage 2 process had a critical role to support and enable opportunity for iwi authorities to provide feedback on the draft Unitary Plan if they elected to do so. Feedback was received from all 19 iwi authorities. This feedback was entered into the Council feedback system and was responded to directly through that process.

Additionally, iwi authorities provided their feedback to the Council Iwi Engagement Lead so it could be collated and referred directly to the Council Treaty Team Workstream and other relevant teams throughout Council. Collated feedback in this format assisted Council Unitary Plan teams to view the feedback directly in the Stage 2 process context and assisted further reporting to Council for the purpose of amending the draft Unitary Plan and preparing the Propose Auckland Unitary Plan.

5 August 2013 Mana Whenua and Auckland Plan Committee/Local Board Chairs Workshop

At the April 2013 Stage 2 workshops and the 16 May 2013 Governance Hui, Mana Whenua requested the opportunity to make direct representations in support of their feedback to the Unitary Plan decision-making Committee of Council. In response, an all-day workshop was held with opportunity for all Mana Whenua iwi authorities to present to the Auckland Plan Committee and Local Board Chairs. 18 of 19 iwi authorities made presentations at the workshop.

1.8.5 External Peer Reviews

In order to assess if the enhanced engagement model met its objectives, Auckland Council and the Ministry for the Environment commissioned Ann McAfee to do an independent external review of the process. In her preliminary report on Phase 1 of the enhanced engagement she found that following the International Association of Public Participation (IAP2) Spectrum of Public Participation, Phase 1 fell within the “Consultation” category. Her overall response was positive and encouraging, stating (2013, *Enhanced Engagement Process Review*, p18) (See Attachment 3.0.39):

Overall, Phase 1 of the Enhanced Engagement Process is a significant advance over previous processes. While some suggestions for improvement are noted, they should be taken in the context of a successful launch into broadening engagement in plan making. Phase 1 included a variety of new engagement activities. Phase 1 successes were in large measure the result of significant contributions by political leaders, Auckland officers, and many stakeholders who “stepped out” of their familiar comfort zone to participate in a new process.

Staff reports proposing the Phase 1 process provided a thoughtful and comprehensive business case. Officials did a good job of identifying potential engagement challenges and responding. Lessons from Phase 1 contributed to the Phase 2 program.

Ann McAfee will make a full review and evaluation of the enhanced engagement and consultation strategy once Phase 2 has been completed. In the longer term, Ann will also be engaged to review the success of the strategy in relation to any benefits to the formal consultation post notification.

1.8.6 Feedback Management System

Phase 1 Engagement: September – November 2012

The original timeline for development of the Unitary Plan was to notify in March 2013 with engagement during the development of the Plan limited to targeted stakeholders. In accordance with this approach workstreams were liaising with the relevant stakeholders and specific sector workshops were held in March/April 2012.

During April/May 2012 the approach was reconsidered with a decision in July 2012 to delay notification of the Plan to September 2013 to allow for enhanced engagement on the Unitary Plan.

Phase 1 of the enhanced engagement of the Unitary Plan occurred during August to December 2012. It involved engagement with the Governing Body, Political Working Party, Local Boards, Mana Whenua and Mataawaka, Advisory Panels, stakeholders and sector groups to inform development of a draft plan to go out for feedback in March 2013.

Council staff held workshops with 150 people from a variety of key sectors an innovative to-week online forum, a 60-person civic forum hosted by Te Radar, a leaders’ forum, Property Council workshops, hui and workshops with Mana Whenua and meetings with Mataawaka. Feedback from these forums, workshops

and events helped council develop the draft Unitary Plan to be ready for March 2013, when Phase 2 of informal public consultation begins.

To analyse feedback, approximately, 80 subject matter experts (SMEs), including planning technicians helped enter and process feedback. The Feedback Management System (FMS) was used to manage the feedback in a similar manner to formal RMA Plan submissions.

Feedback was coded by themes such as Residential, Business and Natural environment etc and referred to the identified SMEs for those topic areas. SMEs were required to categorise feedback using a traffic light system. Criteria were provided at training and through communications. A Red, Orange or Green (ROG) traffic light was applied to each piece of feedback to identify the degree of issues, conflicts and degree of change required to the text and maps. Green light matters can be determined at officer level; Orange lights were referred to managers; and Red lights are elevated to the political working party.

To address orange light feedback a small team of workstream experts were brought together to work through feedback. Other experts were called in as required. This approach referred to as 'space control' resolved more contentious matters.

For red light matters, these were raised and discussed at a Policy Advisory Group full day workshop on 30 November and taken to the Political Working Party for consideration and direction at two full day workshops on 3rd and 4th December and two subsequent meetings on 11 and 12 December.

Decisions made on traffic light allocations either resulted in a change to the draft plan or no further action. Change requests were either sent through to the editorial team or the GIS team to make changes.

Overall, the process ran relatively smoothly, with the team analysing feedback using the same approach as used for other Council plans to date. The engagement period was very beneficial in creating a better quality plan for the enhanced Unitary Plan engagement process from March 15th – 31st May 2013.

Phase 2 Engagement: March 15th – 31st May 2013

Clauses 2 - 3C of the First Schedule of the Resource Management Act 1991(RMA) set out statutory requirements for consultation which must occur before the notification of any proposed plan. Specifically Clause 3(1) (d) of the First Schedule of the RMA requires local authorities to consult with tangata whenua when preparing a plan or policy statement, or a change to a plan or policy statement. The Act also refers to consultation with the Minister for the Environment and those other Ministers of the Crown who may be affected by the policy statement or plan. The Minister of Conservation will also need to approve the regional coastal plan part of the plan. Also, a local authority shall consult with any customary marine title group in the area and local authorities who may be affected.

Section 82 of the Local Government Act includes a framework to ensure robust decision-making process. This includes the following consultation principles:

- Persons who will or may be affected by, or have an interest in, the decision or matter should be provided with reasonable access to relevant information in a manner and format that is appropriate to the preferences and needs of those persons.
- Persons who will or may be affected by, or have an interest in, the decision or matter should be encouraged to present their views to the local authority.

- Persons who are invited or encouraged to present their views should be given clear information by the local authority concerning the purpose of the consultation and the scope of the decisions to be taken following the consideration of views presented.
- Persons who wish to have their views on the decision or matter considered should be provided with a reasonable opportunity to present those views in a manner and format that is appropriate to the preferences and needs of those persons.
- That the views presented should be received with an open mind and should be given in making a decision, due consideration.
- Statutory consultation will be throughout the various stages.

To meet the above requirements, council engaged from March to the end of May 2013 with around 16,500 Aucklanders at 250 events to inform people about the draft Auckland Unitary Plan.

The events included the launch on the 15 March, Civic Forums, roadshows, public meetings, community, walks and numerous other events. Feedback on the draft Unitary Plan closed on 31 May, 2013. Over 22,000 Aucklanders took time to have their say by providing individual feedback using the feedback form, email or by post. In addition, comments via the Shape Auckland blogs and social media have been summarised and made available for decision-makers.

From the close off date on 31 May a version of the plan was required for Auckland Plan committee sign off at the end of August for notification in September this year. This means there was a maximum of 11 weeks to process feedback, seek political direction, modify the plan and maps and finalise the agenda process.

To ensure the integrity of the Feedback Management Process for this phase, business rules were developed to assist subject matter experts to use the software and categorise feedback points into ROG in a consistent manner. A comprehensive communication plan and training was provided to subject matter experts so they knew how to use the enhanced software and ROG status for feedback analysis

The above process was implemented by subject matter experts during the engagement period (15th March – 31st May). However, the process to analyse feedback had to be streamlined given that approximately 75% of feedback was received in the last week and the September notification date remained. As a result, the existing processes were slightly modified and a process was implemented to ensure the most substantive matters, i.e. those that conflicted with the key directions in the Auckland Plan and the political directions given by the political working party throughout the development of the plan. The following process was carried out by subject matter experts:

1. Feedback from external parties was coded to themes and topics and assigned to the planners responsible for those parts of the plan (subject matter experts)
2. Feedback and the details of the providers of the feedback were entered into the Council's feedback and submissions management system (FSMS). However, to enable the subject matter experts to work more efficiently the feedback points for each theme/topic were exported from FSMS into spreadsheets that enabled like points to be grouped together for consideration.

3. Subject matter experts evaluated the feedback points assigned to them and categorised into green light matters (those which were straightforward errors or minor amendments to provisions, zoning and the like) and "red light" matters i.e. those that argued for a significant change of direction in the plan, were contrary to the key directions in the Auckland plan or set against directions provided to date through the political process.
4. Red light matters were escalated twice weekly to the team leaders for evaluation and to determine which matters should be put forward to the Auckland Plan Committee for review and direction.
5. These were grouped together, presented and discussed at the Auckland Plan Committee workshops throughout late June, July and August for consideration and direction (see section 1.8.3 for more information about these workshops).
6. Subject matter experts and their teams then revised the provisions and maps on the basis of the feedback received
7. Following the Auckland Plan Committee decisions on the proposed plan, subject matter experts completed the spreadsheets to record the response against each group of feedback points. The responses to internal feedback were similarly recorded in the spreadsheets of summary points.

To conclude, one of the benefits of releasing a draft Auckland Unitary Plan is to receive feedback and make changes to create a better quality notified version. While the short timeframe for reviewing and addressing the points raised in over 21,000 pieces of feedback dictated a streamlined approach, nevertheless all the substantive matters raised by the feedback were able to be addressed through several months of political workshops and officers were able to progress large volumes of specific detail raised by the feedback, impacting on zoning, SEAs, precincts and other local detail. This has resulted in major improvements to the quality of the processed plan for notification.

1.8.7 Capacity modelling:

Capacity modelling has been a key input into the development of the plan. Auckland Council developed a bespoke model that allows the amount of residential and non residential capacity generated under the proposed Unitary Plan zoning provisions to be determined. This work was based on the capacity model developed to measure capacity under the operative plans (see TP:2013/009 and TP:2013/010 for the results, methodology and assumptions).

Prior to the publication of the documents stated above, work had commenced on the development of a new Model to assist in the informing of the development of the Draft Unitary Plan and subsequent versions. Following the receipt of final spatial data in March, work to convert the all new provisions into modelable code against the new spatial data commenced. The model construction commenced with residential zones. Work then proceeded on modelling business capacity. Rural was last.

Due to a combination of issues with quality of the spatial data, and the unforeseen complexity of the Plan (interrelationships between Zones, Precincts and Overlays in particular), a final set of regional results was reported to CPO SLT in July.

During the development of the model, RIMU provided progress reports, some of which highlighted issues with the plan that were provided to the relevant staff (e.g. modelling and analysis of frontage rules impact in MHZ on capacity; understanding the impact of private infrastructure on safe building platforms; and understanding the effect of height changes on possible capacity).

The model allows Auckland Council to visualise how the proposed planning rules, at a permitted level in most instances, might play out on the ground. The results also help Auckland Council understand if it is achieving the policy and strategy goals in the Auckland Plan. Work is underway to finalise the model. It will model the notified version of the Unitary Plan and results should be delivered before December 2013. This will include reports detailing the method and results.

1.9 Related and Interdependent Strategies, non-regulatory measures, polices and plans

Achieving the outcomes of the Unitary Plan

While the Auckland Unitary Plan (UP) is mandated by the RMA, it is part of a wider policy context and can not be viewed in isolation. The resource management issues addressed in the UP are complex. They need to be addressed in an integrated manner and without the support of a robust suite of other plans, policies, strategies and other non-regulatory methods the expected UP outcomes will be difficult to achieve.

Figure 6 shows the variety of different methods that will all contribute to the successful implementation of the UP. These are both non-regulatory and regulatory methods sitting under other legislation such as the LGA, Historic Places Act, Reserves Management Act and Land Transport Act etc

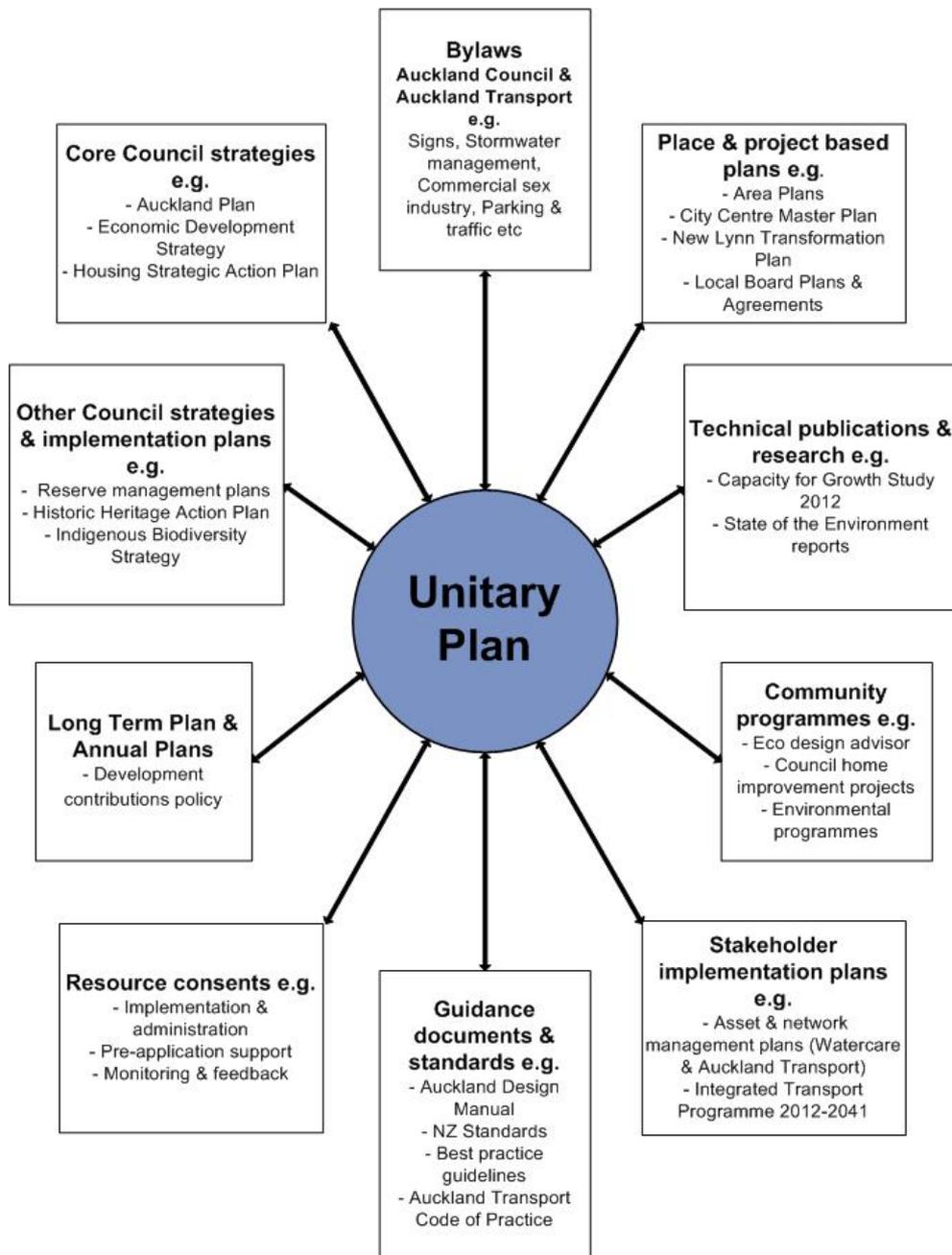


Figure 6: Related and interdependent strategies, non-regulatory measures, policies and plans

There are many interdependencies within these methods without one initiative, another may not succeed. For example technical publications and research inform Council strategies and implementations plans, standards and guides are used by the resource consents teams when setting conditions on consents and community programmes can raise awareness about specific resource management issues.

Auckland Plan

As discussed in 1.5.4 of this report, the Auckland Plan has played a fundamental role in the development of the proposed Auckland Unitary Plan as a direction setting document. However it will also play an important role in the achievement of the desired outcomes identified in the Unitary Plan. Many of the key implementation plans and strategies for the Auckland Plan will also be crucial to the implementation of the Unitary Plan. As such, if the Auckland Plan (and its subsequent supporting

plans) changes its strategic vision during the lifespan of the Unitary Plan this will necessitate Unitary Plan changes to re-set strategic alignment and implementation.

Long Term Plans and Annual Plans

Under the LGA 2002 Auckland Council must produce a long term plan every three years and an annual plan for the years between this. The Long Term Plan (LTP) is the main funding implementation tool for the strategic directions of the Auckland Plan and conversely will play a crucial role in the implementation of the Unitary Plan. In particular the LTP aligns Council's services, projects and programmes and sets the funding requirements to achieve these.

An annual plan provides a more detailed approach to how the LTP will be achieved. It sets out the council's budget, major regional and local projects and initiatives, and key focus areas for the coming financial year and it explains how the council intends to finance the activities and services it provides during that year as directed by its LTP.

Area and Local Board Plans and agreements

Area Plans are a spatial plan that will provide a long term (30 year) vision for the 21 local board areas. They will address local issues, challenges and opportunities and integrate planning at a local level. They are guided by the Auckland Plan and local aspirations e.g. local board plans. As they are developed and adopted, relevant outcomes will be incorporated into the Unitary Plan. So far only two draft area plans have been produced (Hibiscus and Bays Area Plan and Māngere-Ōtāhuhu Area Plan).

Local Board agreements and plans set out the aspirations and priorities for the communities of each local board area and guide the decisions that local boards will make on what happens in three year cycles.

Bylaws

Another important method available to Council is bylaws. Bylaws can be made under the LGA as well as the Health Act and the Land Transport Act by either Auckland Council or Auckland Transport. There are a variety of existing and proposed bylaws and these typically control infrastructure and activities in public places. These will also play an important role in helping to achieve the outcomes set out in the Unitary Plan. As Auckland continues to intensify, the quality of public places and how people use them will become increasingly important to the quality of life.

Here are some of the areas covered by existing or proposed bylaws that relate to the Unitary Plan:

- emissions from indoor domestic fires
- advertising signs
- trading in public places
- cemeteries
- public safety and nuisance
- stormwater
- parking and traffic
- alcohol, gambling and brothels

Development contributions

Under the LGA, council can charge infrastructure fees for the extra community and network infrastructure needed as a result of development projects. These are called development contributions. These development contributions are usually collected

as part of new residential developments, non-residential development, subdivisions, and on some changes of land use.

The money collected from development contributions helps to pay for the cost of public infrastructure that is needed to meet the additional demand from growth, including network infrastructure such as stormwater and transport, open space reserves and community facilities. As Auckland adopts a compact city model ensuring quality public amenities and facilities will be essential to achieving the expected outcomes of the Unitary Plan.

The development contributions policy includes one key supporting approach to the strategic direction of the Unitary Plan. A different development contributions charge is applied between large and small residential units (see Appendix 3.0.36). This is expected to assist the provision of more housing choice as provided through Unitary Plan zonings.

Additional strategies, non-regulatory measures, policies and plans

The following additional departments, strategies, policies and plans contribute towards the implementation of the Auckland Unitary Plan;

Council's Strategic Units
Economic Development Strategy
Housing Strategic Action Plan
Asset Management Plans
Historic Heritage Action Plan
Property Strategy 2012
Indigenous Biodiversity Strategy
Natural Hazard Risk Management Plan
Waste Management and Minimisation Plan
Sport and Recreation Strategic Action Plan
Events Policy
Arts and Culture Strategic Action Plan
Environment Strategic Action Plan
Open Space Strategic Action Plan
Water Strategic Action Plan
Māori Responsiveness Portfolio
Catchment management plans
Regional Land Transport Programme
Auckland Transport (AT) Integrated Transport Programme 2012 – 2041
AT Ten Year Network Plans
AT Corridor Management Plans
AT Comprehensive Parking Management Plans
AT Town Centre Transport Plans
AT Network Operating Plans
AT Asset and Network Management Plans
Watercare Asset Management Plan 2012 – 2022
Watercare Auckland Regional Water Demand Management Plan 2011
Watercare Statement of Intent 2012 – 2015
Iwi Planning Documents
Place Based and Project Based Plans
Community Programmes, Initiatives and Partnerships
Auckland Design Manual
Other financial incentives

See www.aucklandcouncil.govt.nz for further details on the above documents.

Example

To help illustrate this complexity of interdependencies and how they are essential for the implementation of the UP the following flow chart (figure 7) considers one of the eight key issues of regional significance identified in the UP; 2.2 Enabling quality urban growth. Whilst not all of the factors related to the achievement of the objective have been identified, all these actions contribute. Monitoring of the effectiveness of these actions completes the feedback loop to enable ongoing refinements.

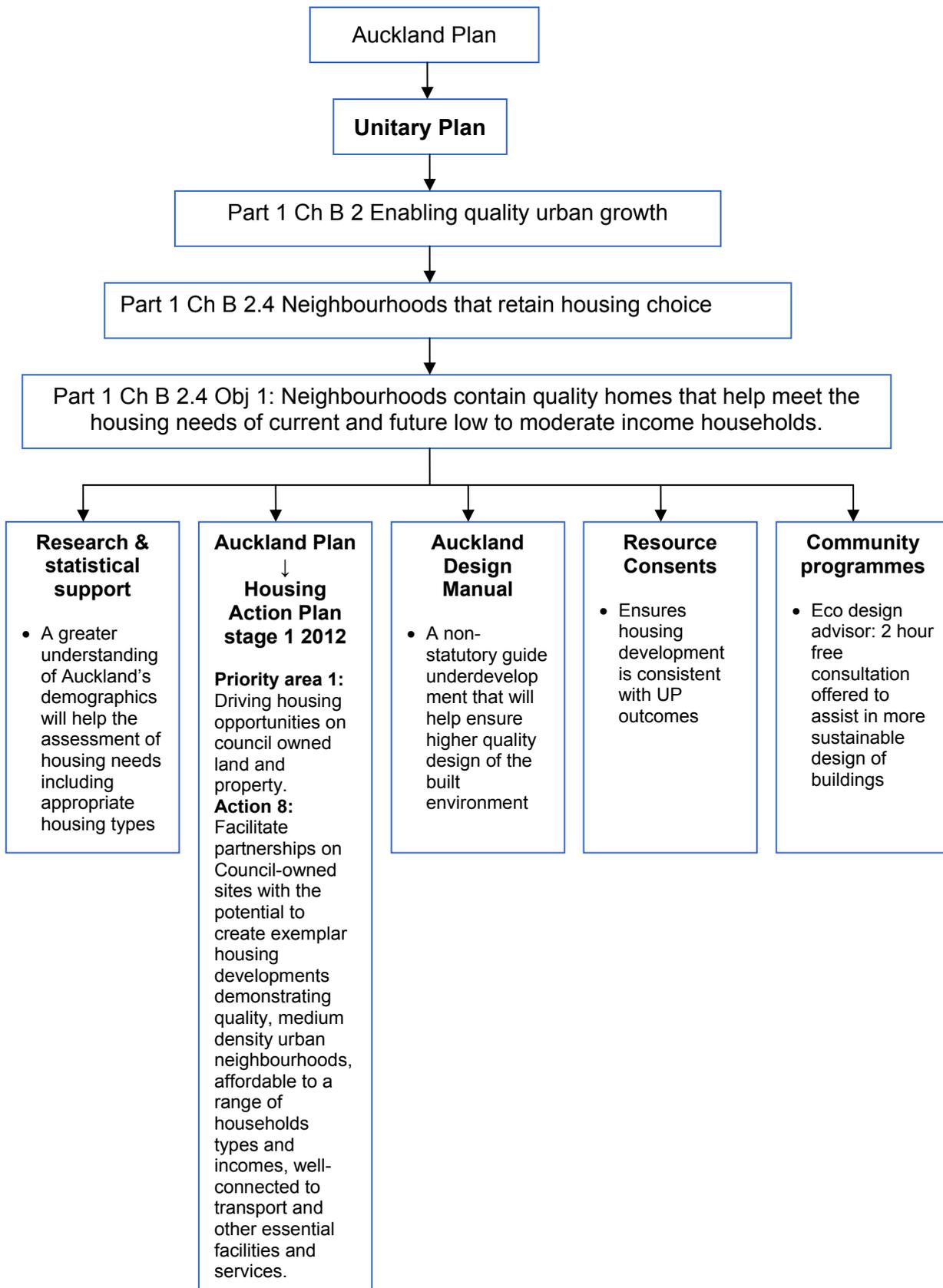


Figure 7: a worked example showing the related strategies, non-regulatory measures, policies and plans for one proposed Unitary Plan objective