

Auckland Unitary Plan

File No.: CP2011/01806

Executive Summary

The development of the Unitary Plan for Auckland presents a unique opportunity to bring together a large number of existing Resource Management Plans into a single document. The Unitary Plan has the potential to improve planning outcomes by providing a consistency in policy and controls for managing development, efficiency gains for Council, business and all other users of the planning system. Most importantly, it presents an opportunity to simplify the planning system, broaden the communities understanding of how Auckland's built and natural environment is managed and lead to the improvement in its overall quality.

There is an ongoing need to align strategic planning, policy planning and consent processing to enable the delivery of desired Resource Management outcomes. The development of a new strategic direction for Auckland through the Auckland Plan will create a need for policy planning (using Resource Management Act plans) to align. This, combined with the opportunities inherent within a Unitary Plan, lead to the need to move in a timely manner to produce Auckland's Unitary Plan. This report proposes the development of a discussion draft of the Unitary Plan by December 2012.

Officers have researched a range of broad approaches to the development of the Unitary Plan. The opportunities and delivery efficiencies of combining the existing Auckland Resource Management plans has led to the proposal that most of the existing plans be combined to form the new Unitary Plan. Only Plan Changes and Plans recently made operative or heavily dependent on proposed National Policy Statements are proposed to be potentially initially excluded. Consideration also needs to be given to the merit of including areas that have been the subject of recent, lengthy and highly contentious plan changes.

To progress the development of Auckland's Unitary Plan there needs to be a melding of disciplines and departments from across all of Council and most of its CCO's. This will be at both the operational and governance level. The political support needed to progress the Unitary Plan to a discussion draft stage by December 2012 is anticipated to require a delegation of elected members to meet on a more regular basis with officers than afforded by Forum and Committee dates. The commitment required is likely to be significant.

Recommendation/s

- a) That the report be received.
- b) That the Regional Development and Operations Committee resolve;
 - i) That the Unitary Plan includes the Regional Policy Statement, Regional Plan and District Plan provisions to ensure integrated, consistent and effective resource management planning for Auckland, as envisaged by the Auckland governance reforms.
 - ii) That further investigation be undertaken on the possible initial exclusion of certain District and Regional Plan provisions from the initial notification of the Unitary Plan including:
 - District Plan provisions in relation to the Hauraki Gulf Islands
 - Regional Plan provisions contained in the existing Regional Plan Air, Land and Water and Regional Plan Coastal for matters seaward of the sea-land interface.; and
 - area specific planning provisions where the provisions have been the subject of recent, lengthy and highly contentious plan changes.
 - iii) That a discussion draft of the Unitary Plan be reported back to the Regional Development and Operations Committee by December 2012.
 - iv) That a Unitary Plan political working party be established to provide political guidance during the course of the development of the Unitary Plan and include the following members;
 - Seven Councillors
 - One member from the Maori Statutory Board.
 - v) That the Chief Planning Officer work with the Director of Governance to identify the best way forward for involving Local Boards in the development of the Unitary Plan.
 - vi) That update reports on the development of the Unitary Plan be provided on a quarterly basis to the Planning and Urban Design Forum.
 - vii) That the political engagement model will also involve reports to the Maori Statutory Board and Local Boards at key stages in the development of the Unitary Plan.
 - viii) That the following principles be endorsed as guidance in the development of the Unitary Plan.;

Givens

- Resource Management Act
- New Zealand Coastal Policy Statement
- Hauraki Gulf Marine Park Act
- Waitakere Ranges Heritage Area Act
- National Policy Statements
- National Environmental Standards

First Order Principles

- Bold
- Simple
- Fast
- Innovative

Second Order Principles

- Outcome focussed
- User friendly (includes: use of plain English, intuitive flow and navigation,

- consistency in formatting and use of text, maps as key entry points into the Plan, use of overlays to accommodate specific matter)
- Minimum repetition and better cross referencing
 - Transparency and collaboration / consultation
 - Defendability / robustness
 - Ensure planning burden is relative to planning gain
 - Activity statuses and notification:
 - Clarify the circumstances under which each activity status is to be used and minimise, where possible, the use of certain activity statuses,
 - Increase, where possible, the use of provisions in the plan that predetermine the level of notification necessary for any application.
 - Minimum content as allowed by the RMA (ie objectives, policies and rules for the regional and district plan components). But with additional information such as the statement of issues, or monitoring strategy being non-statutory and sitting outside the Plan.
 - Greater use of illustrations and diagrams (but not to the detriment of significantly increasing the length of the document).
 - Reduce the instances of site specific provisions.

Background

The establishment of Auckland Council and the requirement for the Auckland Plan and the Unitary Plan provides one decision maker, one strategic direction and the ability to align work streams, priorities, budgets and funding. This has the potential to create significant efficiencies including simplifying the planning process; one of the major benefits identified by the Royal Commission into Auckland's governance.

The Unitary Plan is a key document for delivering the 'strategic direction' identified by the Council. It will (ultimately) be a comprehensive resource management plan containing a set of objectives, policies and controls that will manage all activities and development in Auckland.

Developing the plan will require a significant amount of time and resources to complete. It will be the largest Resource Management Act (RMA) plan development project to date in New Zealand. This item sets out a proposed process and timeframe which proposes that a discussion draft of the Unitary Plan be prepared for reporting back to this forum by December 2012. This is considered to be an ambitious, but deliverable target date for the plan.

Proposed Timeline

The Council is moving swiftly to establish a new strategic direction through the Auckland Plan. There is a need to ensure that the documents that can implement the new strategic direction (and in particular the Unitary Plan as the major planning and regulatory tool) do not lag too far behind the Auckland Plan. Preparing the Unitary Plan for Auckland in a timely manner is also necessary to reduce the extent (as far as is possible) to which new plan changes are required and to complete as quickly as possible existing plan changes to existing operative district plans. These plan changes (whether driven by national directives (National Policy Statements and National Environmental Standards), private plan changes or Council initiated) create a transitional and highly complex and inefficient planning process. This can lead to significant delays and costs and unnecessary resource consent applications.

It is recommended that a discussion draft of the Unitary Plan be prepared for reporting back to the Regional Development and Operations Committee by December 2012.

Broad Approach

The Resource Management Act does not define precisely what a Unitary Plan is. It can be any combination of resource management plans merged together into a single plan by a Unitary Authority. Auckland as a Unitary Authority now has the opportunity to combine all or some of the following documents into a Unitary Plan:

Regional Policy Statement
Regional Plans
District Plans

The combination of all or some of the above documents presents a unique opportunity to reduce the complexity of the planning process and make it more efficient; for Council and Auckland's community.

Auckland currently has one Regional Policy Statement (RPS) (and one unreleased draft RPS), four Regional Plans (Coastal, Air Land and Water, Sediment Control and Farm Dairy Discharges) and nine district plans (Auckland – Hauraki Gulf, Isthmus and Central Area, Franklin, Manukau, North Shore, Papakura, Rodney and Waitakere). These pre-amalgamation plans have delivered Auckland Council a complex legacy planning system of multiple policy directions, differing rules, styles and presentations and the need to obtain multiple consents where a proposal is region-wide or crosses forming territorial boundaries e.g. building a jetty across the land/sea interface or a utility company placing pipes or transmissions lines across different territorial boundaries.

Officers have considered the merits of various options for developing the Unitary Plan. The incorporation of the Regional Policy Statement (RPS) – see below, and merging of existing district plans is considered an essential step.

Regional Policy Statement

The inclusion of the RPS within the Unitary Plan is considered important. The current legislative requirement is that every region must have an RPS. Regional and District Plans must 'give effect' to RPS provisions. This relationship strengthens the integrity and consistency of the Unitary Plan and can assist in better considering private plan changes – which must also "give effect" to the RPS. Another key advantage to including the RPS provisions within the Unitary Plan is that there will be considerable efficiencies in terms of the plan development, consultation, notification, submission and decision process, ie - vertical and horizontal consistency of process and policy direction and controls can be achieved for Auckland.

It is noted that the Auckland Regional Council prior to its disestablishment completed a review of the RPS and has a completed draft. It has not been the subject of any consultation, but will provide a useful 'platform' in the development of the Unitary Plan subject to Council approval. The Auckland Plan will provide a new strategic direction for Auckland. The Unitary Plan will deliver on this strategic direction.

District Plans

Merging the nine District Plans is considered very important for the first Unitary Plan. This will produce definite efficiency gains for the planning system as the Unitary Plan can, as far as practical, have one set of consistent rules and provisions across the region (this could include for example consistency in terms of how earthworks are managed). While different areas will have particular natural and physical characteristics, requiring different provisions that are locally specific, large strides towards consistency in zones, overlays and rules will be able to be delivered to more consistently and simply manage subdivision, use and development as well as protection of Auckland's natural and physical resources.

There will likely be exceptions to the above. A number of significant plans have only recently being through the RMA's First Schedule process (notification, submissions, hearings, decisions and the Environment Court), and some are close to being made operative. It would be highly inefficient and costly to 're-notify' these again. This could include the Hauraki Gulf Islands Plan (that is likely to be made operative this year), and locations that are specifically defined and have been the subject of recent intensive planning projects that have only recently resulted in operative planning provisions such as Wynyard Quarter, Long Bay and Flat Bush. The exclusion of locations is not however a matter to take lightly and criteria need to be established to determine the locations. Allowing too many excluded areas across the region will dilute the overall goal of providing one consistent and simplified Resource Management Plan for Auckland.

As the district plan provisions that relate to these areas are only just being finalized the Act allows up to another 10 years before these specific provisions need reviewing. Given the extent of effort taken to reach the position they have and the fact that including these areas in the Unitary Plan would open up another round of potential submissions and litigation it is recommended that options are explored to enable those areas and issues to be excluded from the first Unitary Plan. In this case the existing district plan provisions would continue to apply.

Regional Plans

The existing Regional Plans already manage region wide matters across the whole of Auckland (and beyond in the case of the revised southern boundary). As such they could remain discreet documents as their relevant policy approaches and controls are already consistent across Auckland. There are benefits however to bringing the existing regional plans into the Unitary Plan. This is particularly so in relation to regional functions that are closely linked to district plan land use functions such as the sea-land interface, earthworks and sediment control. Consideration has also been given to when the existing regional plans are due for review (10 years from when operative) and what changes may be occurring at the national level which can impact upon regional plan policy. See Appendix 1 for a schedule of the 10 year review dates for each of the existing Resource Management Plans in Auckland.

The inclusion of the Regional Plans: Coastal, Sediment Control and Farm Dairy Discharges within the Unitary Plan is recommended. These key regional plans are all either due, or soon to be due, for review and relate closely to district plan functions. The exception, within the Regional Plan Coastal, are matters such as aquaculture and other activities that are off shore and away from the land-sea interface. Aquaculture is also the subject of a National Policy Statement (NPS) so there may be grounds to bring these matters into the Unitary Plan at a later date once clarity at the national level is available.

It is recommended that the existing Regional Plan: Air, Land and Water be left as a stand alone Resource Management Act Plan at this point and incorporated into the Unitary Plan at a later date. This Regional Plan has only just recently (October 2010) been made partially operative so to review and enable the re-litigation of the Regional Plan is not considered a wise use of staff resources at this time. Furthermore, a policy setting at the national level in relation to freshwater management is currently uncertain with work progressing by the Ministry for the Environment to prepare a National Policy Statement that will potentially identify a national standards approach over the currently used best practical option approach to managing freshwater.

Existing Resource Management Plan	Inclusion in Unitary Plan
Regional Policy Statement (draft)	Yes
Regional Policy Statement (operative)	Yes
Rodney District Plan	Yes*
North Shore District Plan	Yes*
Waitakere District Plan	Yes*
Hauraki Gulf Islands District Plan	Consider initially leaving out
Central Area District Plan	Yes*
Isthmus District Plan	Yes*
Manukau District Plan	Yes*

Papakura District Plan	Yes*
Franklin District Plan	Yes*
Regional Plan; Coastal	Consider initially leaving out in part
Regional Plan; Air Land and Water	Consider initially leaving out
Regional Plan; Sediment Control	Yes
Regional Plan; Farm Dairy Discharges	Yes

* Consideration needed on the inclusion of planning provisions related to locations that are specifically defined and have been the subject of recent intensive Plan Changes.

In summary it recommended that the Unitary Plan be a partially combined Resource Management Act (RMA) Plan incorporating the Regional Policy Statement provisions, District Plan provisions (with the possible exception of the Hauraki Gulf Islands planning area and other specifically defined locations) and Regional Plan provisions with the possible exception of Regional Air, Land and Water functions and possible coastal functions seaward of where activities directly relate to land-use.

Principles for the Development of the Unitary Plan

Officers have developed a set of guiding principles and approaches for the preparation of the Unitary Plan. These encompass the national directives, Council wide principles and a set of principles that are specific to the Unitary Plan. These have been included in the recommendations to this report and in Attachment 2.

Given the size of Auckland Council and its associated Council-controlled organizations (CCO's) there are complex demands associated with progressing a multi-disciplinary all-of-Council project such as the Unitary Plan. As the project develops, resourcing and staffing requirements will extend across Council and CCO's necessitating multiple work streams and sub-work streams feeding in and out from the core Unitary Plan team.

Governance Relationship

Key to the successful development of the Unitary Plan will be the decision making process on content and direction. The section above has broadly outlined the engagement model at an operational level. An engagement model at the political level is needed by officers so that governance issues can be addressed in a timely fashion. On the basis of a December 2012 target date for the preparation of a discussion draft of the Unitary Plan, a governance engagement model needs to be representative yet also agile enough to allow decision making outside of regular Planning and Urban Design Forum, Maori Statutory Board and Regional Development and Operations Committee meetings.

It is proposed to report on the progress towards a draft Unitary Plan to the Planning and Urban Design Forum, the Maori Statutory Board and the Regional Development and Operations Committee. In addition to the above, a representative delegation of elected members is sought to meet on a more regular basis with officers so that elected members can be kept abreast of work progress, obstacles and opportunities and input into the detailed content of the Unitary Plan. It is suggested that a delegation of seven elected members could provide this governance role. It is suggested that a terms of reference be agreed to before the first working party meeting. If possible the working party should include Councilors with a good knowledge and experience of the RMA ideally as regular hearings commissioners.

The role of Local Boards in the Unitary Plan development process also needs consideration. Local Boards either through their Local Board Plans or as representatives for communities of interest are an essential part of the governance process. It is at this point appropriate to clarify that the development of the Unitary Plan will be an all-of-Council project. The core Unitary Plan team will

be writing the actual provisions to be included in the Unitary Plan – but this step is often the final step in a process primarily driven by other arms of Council or staff within CCO's. As an example, the Area Plans prepared by the Area Spatial Team are documents requiring direct community and Local Board consultation. The Area Plans, once consulted on and adopted, will spatially represent changes to land-use and broadly identify policy directions for multi-suburb wide areas. This information and the robustness of its development is then relied upon to draft Unitary Plan provisions and provisions in maps. It is not intended that there is a need for a Local Board governance role to be exercised twice on matters such as these. There is however a need to involve Local Boards generally in recognition of their co-governance role. It is suggested that this matter be worked on further by the Chief Planning Officer and the Director of Governance to identify the best way forward for involving Local Boards in the development of the Unitary Plan.

It is suggested that where there are matters that have been inadequately consulted on with particular Local Boards that representations be made to relevant Boards on an as-and-when required basis. Guidance can be sought through the delegated Unitary Plan political working party, the Planning and Urban Design Forum or this Committee on when this is appropriate.

Decision Making

The Planning and Urban Design Forum has jurisdiction to guide the development of the Unitary Plan with the Regional Development and Operations Committee holding the overall decision making powers on this matter.

Significance of Decision

The decisions made by Council on the final shape and form of the Unitary Plan will have a direct impact upon Auckland's population, its built form, environmental outcomes and economic prosperity. The Unitary Plan will have a direct relationship to all uses and development in Auckland from the time of its public notification until a point 10 – 15 years hence. The initial decisions sought by this report will set a high level direction for the development of the Unitary Plan. These decisions are in accordance with the anticipated Schedule One process within the Resource Management Act 1991.

Consultation

Consultation for the development of the Unitary Plan is specified by Schedule One within the Resource Management Act 1991. All Schedule One requirements will be met through the development and notification phase of the Unitary Plan.

Financial and Resourcing Implications

The costs associated with the preparation of a Unitary Plan for Auckland will be met from within existing budgets.

To gauge the potential cost implications of reviewing all existing district and regional plans, it is noted that the review of the Hauraki Gulf Islands Plan incurred a cost of \$6.62 million; and the Draft Regional Policy Statement has incurred a cost of \$1.73 million to the point of pre-notification.

Legal and Legislative Implications

Council's Legal Services department have been providing advice to the Unitary Plan team and it is anticipated that ongoing advice will be provided. The extent to which the Unitary Plan can meet the needs of Auckland will be partly determined by the degree of Central Government and legislative support. It is anticipated that there will be an ongoing need to advocate to central government for legal and/or legislative change.

Implementation Issues

Further work is needed to develop a detailed project plan for the delivery of the Unitary Plan. At this point it is anticipated that the work streams arising out of the decisions made by this Committee will be able to be implemented within existing budgets and on time.

Attachments

No.	Title	Page
A	Schedule of 10 year review dates for existing RMA Plans in Auckland	23
B	Principles for the Development of the Unitary Plan	24

Signatories

Authors	Phill Reid, Manager Unitary Plan
Reviewer	John Duguid, Manager Plan Development
Authorisers	Penny Pirrit, Manager Regional and Local Planning
Approver	Dr Roger Blakeley, Chief Planning Officer

ATTACHMENT ONE

The following table provides a simple list of the potential component parts of a unitary plan and their current status in terms of the First Schedule process.

Policy/plan	Due for Review
ARPS	Due for Review in 2011
Regional Plan: Coastal	Due for review by June 2014
Auckland Regional Plan: Air Land and Water	Made operative (in part) October 2010
Auckland Regional Plan: Sediment Control	Due for review in 2011
Auckland Regional Plan: Farm Dairy Discharges	Due for review
Auckland City Central Area District Plan	Due for review in 2015.
Auckland City Isthmus District Plan	Due for review 2008
Auckland City Hauraki Gulf Islands District Plan	Been through recent Schedule 1 process. Shortly to be made operative
Franklin District Plan	Due for review 2010
Manukau City District Plan	Due for review in 2012
Rodney District Plan	Long Schedule 1 process, now largely operative
Papakura District Plan	Due for review in 2009.
Waitakere City District Plan	Due for review in 2013.
North Shore District Plan	Due for Review in June 2012

ATTACHMENT TWO

Principles for development of the Unitary Plan

Item 12

Attachment B

Givens
Resource Management Act
New Zealand Coastal Policy Statement
Hauraki Gulf Marine Park Act
Waitakere Ranges Heritage Area Act
National Policy Statements
National Environmental Standards
First order principles
Bold
Simple
Fast
Innovative
Second order principles and approaches
Outcome focussed
User friendly (includes: use of plain English, intuitive flow and navigation, consistency in formatting and use of text, maps as key entry points into the Plan, use of overlays to accommodate specific matters)
Minimum repetition and better cross referencing
Transparency and collaboration / consultation
Defendability / robustness
Ensure planning burden is relative to planning gain
Activity statuses and notification: <ul style="list-style-type: none"> • Clarify the circumstances under which each activity status is to be used and minimise, where possible, the use of certain activity statuses. • Increase, where possible, the use of provisions in the plan that predetermine the level of notification necessary for any application.
Minimum content as allowed RMA (ie objectives, policies and rules for the regional and district plan components). But with additional information such as the statement of issues, or monitoring strategy being non-statutory and sitting outside the Plan.
Greater use of illustrations and diagrams (but not to the detriment of significantly increasing the length of the document)
Reduce the instances of site specific provisions

Auckland Unitary Plan Development Update

File No.: CP2011/06875

Executive Summary

In April the Regional Development and Operations Committee endorsed the development of Auckland's Unitary Plan and established a Working Party to oversee the plan development process. The Auckland Unitary Plan Political Working Party (Working Party) has now been formed and has been meeting on a fortnightly basis.

The plan development process is broadly on track to deliver a discussion draft of the Auckland Unitary Plan to this Committee in December 2012. The Working Party have endorsed a number of officer papers covering matters such as guiding principles, direction setting on key topics, issue papers, communications and engagement and whether certain existing plans and provisions should be excluded from the notified version of the Auckland Unitary Plan.

Governance progress has also been made in relation to engagement with Local Boards. A Local Boards Unitary Plan Planning Forum has been established and an ongoing reporting cycle back to Local Boards agreed.

Engagement with key stakeholders, such as CCO's, has now commenced. To underpin the agreed principle of openness and transparency, it is sought that issue papers endorsed by the Working Party be placed on the open record to underpin ongoing engagement.

Recommendation/s

- a) That the report be received.
- b) That the Regional Development and Operations Committee endorse the work programme to-date for the development of the Auckland Unitary Plan and the directions endorsed by the Auckland Unitary Plan Political Working Party.
- c) That the term 'Auckland Unitary Plan' be endorsed by the Regional Development and Operations Committee as the official name for this Resource Management Act Plan.
- d) That the Issue Papers, endorsed by the Auckland Unitary Plan Political Working Party, be placed on the open record.

Background

In April 2011 the Regional Development and Operations Committee resolved to embark on the preparation of a Unitary Plan for Auckland. The Unitary Plan was resolved to be a fully combined resource management plan (being the incorporation of a district plan, regional plan and regional policy statement. However, further investigations were to be undertaken on the possible exclusion from initial notification of certain current planning provisions (such as the Hauraki Gulf Islands planning provisions and the regional air land and water provisions).

A set of guiding principles were endorsed to guide the development of the Unitary Plan and Committee members were appointed to the Unitary Plan Political Working Party which is dedicated to oversee the Unitary Plans progression.

The Committee also resolved that a discussion draft be reported back to by December 2012.

Progress with Unitary Plan Development

Governance

The governance structure for developing the Unitary Plan has been established with the Political Working Party meeting for the first time in June 2011. This Working Party now meets on a fortnightly basis to oversee the direction of the programme.

At the Local Board level status reports have been prepared and reported to every Board and representatives have been sought and provided to form a Local Boards Planning Forum. This Forum's first meeting is on 12 October 2011, with its role being the building of knowledge and capability for Local Boards to contribute to the development of the Unitary Plan. Local Board workshops are now timetabled to directly engage on matters of local significance.

Matters considered by Political Working Party

The Political Working Party has considered and endorsed the following matters;

- Terms of reference
- Amendments to guiding principles
- Direction setting paper – Degrees of intervention or regulation
- Direction setting paper – Regional consistency and Local Variation
- Direction setting paper – Heritage and Character
- Direction setting paper – Outcomes and Effects
- Overview of Unitary Plan layout and structure
- Communications and Engagement Strategy
- Issues paper – Natural Environment
- Issues paper – Heritage Culture and Communities
- Issues paper – Built Environment
- Issues paper – Infrastructure
- Issues paper – Rural and Coastal
- Issues paper – Special Areas – City Centre
- Exclusions paper – Coastal provisions
- Exclusions paper – Remaining provisions

Terms of reference

The Unitary Plan Political Working Party has confirmed its responsibility for:

- Providing political guidance and acting as a governance sounding board during the course of the development of the Unitary Plan.
- Providing political guidance on the strategic and policy issues in the development of the Unitary Plan.
- Providing political oversight on public and stakeholder engagement.

Amendments to guiding principles

Following the suggestion of the Regional Development and Operations Committee in April 2011 the guiding principles for the development of the Unitary Plan have been reworked by the Political Working Party. The amendments recommended to the Working Party on October 14 are contained within Attachment 1 to this report. A verbal update can be provided.

Direction setting papers

Sitting alongside the guiding principles a number of papers have been prepared which assist staff to approach the drafting of provisions from a similar perspective.

Extent of Intervention

The extent to which the Unitary Plan is interventionist or market led can be summarised as follows. The Unitary Plan will be outcome focused and derived from the Auckland Plan's directives. It will be more directive in terms of the outcomes to be achieved by its objectives and policies than is the case in most current district plans, but provides an opportunity for new innovative approaches to be adopted. The level of regulation is based on decisions addressing two important presumptions. The first is 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 test of planning burden relative to positive planning gain.

Regional Consistency and Local Variation

The regional consistency and local variation paper concludes both regional consistency and local variations will be required in the Unitary Plan. 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 variations are likely to be required to protect the distinctive character of local areas. It will be important that a strong strategic justification is provided for more restrictive (or liberal) controls so a plethora of local variations are not created for relatively minor differences in character, scale and intensity.

Heritage and Character

The heritage and character paper concludes that 'historic heritage' and 'character' are related terms that describe different aspects of our environment; 'historic heritage' is a component and therefore can be considered a subset of the broad concept of 'character'. This has been debated by the Working Party, and a conclusion reached that 'Historic Heritage' and 'Character' are quite different things, and that the term 'historic character' can be used to describe the character of older parts of Auckland.

Outcomes Based Planning

This paper discussed some of the differences between effects-based and outcomes-based planning, and introduced an approach to preparing an outcomes-based Unitary Plan. Effects-based planning is largely founded on quantitative measures and managing adverse effects, while outcomes-based planning offers the opportunity to look for positive outcomes.

In common with most debates, the choices between effects-based and outcome-based planning are not mutually exclusive. Under the Resource Management Act (RMA), the use of effects-based planning is a given. The question is whether the Unitary Plan should rely solely on effects-based planning (as was the case for many first generation RMA plans), or whether it should employ a mix of effects-based planning and outcomes-based planning.

The outcomes paper concludes 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. The report also proposes that an 'outcomes framework' is established to assist in defining the desired outcomes for spatially defined environments (or areas) throughout Auckland.

Overview of Unitary Plan structure and layout

The Working Party has been briefed on progress by officers towards determining the layout and structure of the Unitary Plan. This remains a work in progress so will be reported back to Committee once direction has been endorsed.

Communications and Engagement Strategy

The strategy focuses primarily on the approach to communications and engagement during the plan development process. This has been broken down into four broad stages;

- Stage One May – December 2011. Direction setting and big policy issues, education on process and timeline.
- Stage Two January – June 2012. Next level of policy issues and other planning matters
- Stage Three July – December 2012. Finer grain and localised issues
- Stage Four January 2013 onwards. Engagement post-decisions on the discussion draft.

The engagement tools will be tailored for each issue and sector group. Broadly the tools will combine;

- Use of the Council website to share information
- Use of controlled access collaboration web portal to share documents
- Informal meetings with sector representatives
- Presentations and workshops with sector groups and established forums
- Possibility of some more general public engagement on specific and potentially high profile issues.

Iwi engagement is being approached jointly between Unitary Plan staff and staff within the Maori Strategy and Relations unit, with a specific draft communications and engagement plan prepared. Iwi engagement is now in its initial stages.

The naming of the Unitary Plan was also a point of discussion with the Working Party. A number of options were discussed, centred around the use of the term 'resource management'. Due to its usage across Council, and now within many sections of the Auckland Plan, it was the view of the Working Party that the term Unitary Plan be kept. To recognise the context, Auckland was added resulting in the preferred title, The Auckland Unitary Plan.

Disclosure of material for Consultation

The Working Party operates in confidence to ensure material critical to the development of the Auckland Unitary Plan does not result in the disclosure of information that could either negatively affect individuals in society or establish an upsurge in particular developments or activities and consequently cause adverse effects on the natural or physical environment. Some material is now considered to be appropriate for release to support engagement with stakeholders. In particular the issue papers that identify the key resource management problems and opportunities for Auckland are worthy of placing on the public record.

It is not considered any of the criteria under the Local Government Official Information and Meetings Act (Section 48) would be compromised by this move and it is in line with Council's own principle of openness and transparency in developing the Auckland Unitary Plan. The next phase of engagement is with key sector groups who are often represented through Council forums, so material is considered important to the engagement process.

Issue Papers

To assist staff with the drafting of provisions, Issue Papers have been prepared for each Unitary Plan work stream. Issues have been prioritised so the greatest consideration can be given to those planning issues that are most pressing. The timing of the preparation of the Issue Papers has enabled pressing issues contained within the draft version of the Auckland Plan, to be acknowledged. The Papers have also identified broad approaches available to address the pressing issues. These broad approaches are to be refined for the following step, producing Options Papers.

Exclusions papers

One of the critical considerations of the Working Party has been the consideration of whether to leave particular provisions out of the Unitary Plan in its notified form and continue to rely on existing operative district and regional plan provisions. At a later date these provisions could then be included in the Unitary Plan by way of a Variation. Independent research was commissioned to identify criteria for forming recommendations on this matter and then to consider and assess a number of existing Plans and locational planning provisions within the current district and regional plans across Auckland. These provisions were as follows;

- Regional Plan: Air Land and Water
- Northern Strategic Growth Area

- Franklin rural
- Long Bay Structure Plan
- Mangere Town Centre
- Wynyard Quarter
- Hauraki Gulf Islands District Plan
- Silverdale North
- Flat Bush Structure Plan

The Working Party separately considered the merits of excluding the Regional Plan Coastal from the Unitary Plan.

The recommendation to the Working Party is that all of the above provisions with the exception of the Hauraki Gulf Islands provisions be included within the notified version of the Unitary Plan for the following reasons;

- There must be a comprehensive Unitary Plan required to deliver strategic direction.
- With a fully combined resource management plan it is difficult to exclude specific regional or area parts.

It is recommended that the Hauraki Gulf Islands District Plan provisions be excluded for the following reasons;

- The provisions are easily able to stand alone from the remainder of the Unitary Plan.
- The current Hauraki Gulf Islands Plan is almost operative so does not need reviewing.

The Working party will consider this recommendation on 14 October 2011. A verbal update will be provided to the Committee at its meeting.

Forward Work Programme

Officers will be reporting Option Papers to the Political Working Party through until Christmas 2011. Option papers are designed to provide sufficient policy direction to enable the drafting of provisions to occur through the first four to six months of 2012.

A model plan, being the framework of the structure and layout of the Unitary Plan will be reported to the Working Party in late October / early November 2011 so that a clear context can be provided for drafting.

The Political Working Party has also requested a 'red flags' exercise whereby outcomes sought by the Auckland Plan are lined up against existing outcomes identified within the Operative district and regional plans. This exercise is to be undertaken at a workshop in early November with the Working Party.

Aside from the Working Party, officers are also progressing a procurement process to obtain software to both hold drafted provisions and to then house provisions on the internet. This procurement process is currently at the request for proposals stage.

Decision Making

The Regional Development and Operations Committee holds the jurisdiction and overall decision making power in relation to the development of the Unitary Plan.

Significance of Decision

The decisions made by Council on the final shape and form of the Unitary Plan will have a direct impact upon Auckland's population, its built form, environmental outcomes and economic prosperity. The Unitary Plan will have a direct relationship to all uses and development in Auckland from the time of its public notification until a point 10 – 15 years hence. The initial decisions sought by this report will set a high level direction for the development of the Unitary

Plan. These decisions are in accordance with the anticipated Schedule One process within the Resource Management Act 1991.

Consultation

Consultation for the development of the Unitary Plan is specified by Schedule One within the Resource Management Act 1991. All Schedule One requirements will be met through the development and notification phase of the Unitary Plan. A copy of Schedule One is included as Attachment B to this report.

Local Board Views

Local Board views are being understood through a newly established Local Boards Planning Forum. Each Local Board has nominated a representative to this forum, which meets on a monthly basis. The inaugural meeting occurred on October 12th 2011 so any views have been expressed post the completion of this report. A verbal update can be provided to the Committee at its meeting.

It is intended that this report be circulated to all Local Boards to update them on the Auckland Unitary Plan development process to date.

Maori Impact Statement

Officers are developing an Iwi engagement strategy to ensure that the consultation requirements of Schedule One within the Resource Management Act 1991 are met. The Working Party also continue to have representation from the Independent Maori Statutory Board.

Financial and Resourcing Implications

The Working Party's recommendation to include all parts of Auckland and all RMA Plans (with the exception of provisions related to the existing Hauraki Gulf Islands Plan) has resourcing implications that senior management are working through. A subsequent report will be prepared on this matter is required.

Legal and Legislative Implications

Council's Legal Services department have been providing advice to the Unitary Plan team and it is anticipated that ongoing advice will be provided. The extent to which the Unitary Plan can meet the needs of Auckland will be partly determined by the degree of Central Government and legislative support. It is anticipated there will be an ongoing need to advocate to central government for legal and/or legislative change.

Implementation Issues

There is a need to discuss the possible impact on resource consents staff. It is not possible to quantify this impact at this stage, but a close working relationship has been established to address the impacts as they are foreseen.

Attachments

No.	Title	Page
A	Amendments to Guiding Principles	25
B	Schedule One to the Resource Management Act 1991	27

Signatories

Authors	Phill Reid, Manager Unitary Plan
Authorisers	John Duguid, Manager Plan Development Penny Pirrit, Manager Regional and Local Planning
Authorisers	Dr Roger Blakeley, Chief Planning Officer

**Unitary Plan Political Working Party
Meeting October 14th 2011**

Unitary Plan Principles reworked

Amendments made to acknowledge suggestions from Unitary Plan Political Working Party on 13 June 2011 within the working party's Terms of Reference.

Current First Order Principles	Alternative Option One	Alternative Option Two
Simple	Give effect to the strategic directions in the Auckland Plan	Give effect to the strategic directions in the Auckland Plan
Bold	User Friendly	Efficient
Fast	Bold	User Friendly
Innovative	Practical	Integrated
	Innovative	Innovative

Current Second Order Principles	Alternative Wording
Outcome focused	No change
User Friendly (includes: use of plain English, 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)	User Friendly (includes: use of plain English, <u>digitally fast and searchable</u> , 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	No change
Defendability/robustness	No change
Ensure planning burden is relative to planning gain	No change
Activity statuses and notification: <ul style="list-style-type: none"> Clarify the circumstances under which each activity status is to be used and minimize, where possible, the use of certain activity statuses, Increase, where possible, the use of provisions in the plan that predetermine the level of notification necessary for any application. 	<p>Seek to use less activity statuses (e.g. permitted activities, restricted discretionary activities, prohibited activities).</p> <p>Where possible use the Plan itself to determine whether resource consents are non-notified or notified.</p>

Minimum content as allowed by the RMA (ie objectives, policies and rules for the regional and district plan components). But with additional information such as the statement of issues, or monitoring strategy being non-statutory and sitting outside the Plan.	Include only essential material in the Plan itself.
Reduce the instances of site-specific provisions.	No change
Greater use of illustrations and diagrams (but not to the detriment of significantly increasing the length of the document).	No change

SCHEDULE ONE TO THE RESOURCE MANAGEMENT ACT 1991

- 1 Time limits**
- (1) [Repealed]
 - (2) Where any time limit is set in this schedule, a local authority may extend it under section 37.
 - (3) Where no time limit is set, section 21 (obligation to avoid unreasonable delay) applies.
 - (4) Where, under this schedule, a request for a plan change is to be heard and an application for a resource consent or a requirement for a designation or heritage order has been made in relation to the same proposal, section 102 (joint hearings) and section 103 (combined hearings) may apply.
- 2 Preparation of proposed policy statement or plan**
- (1) The preparation of a policy statement or plan shall be commenced by the preparation by the local authority concerned, of a proposed policy statement or plan.
 - (2) A proposed regional coastal plan must be prepared by the regional council concerned in consultation with—
 - o (a) the Minister of Conservation; and
 - o (b) iwi authorities of the region; and
 - o (c) any customary marine title group in the region.
- 3 Consultation**
- (1) During the preparation of a proposed policy statement or plan, the local authority concerned shall consult—
 - o (a) the Minister for the Environment; and
 - o (b) those other Ministers of the Crown who may be affected by the policy statement or plan; and
 - o (c) local authorities who may be so affected; and
 - o (d) the tangata whenua of the area who may be so affected, through iwi authorities; and
 - o (e) any customary marine title group in the area.
 - (2) A local authority may consult anyone else during the preparation of a proposed policy statement or plan.
 - (3) Without limiting subclauses (1) and (2), a regional council which is preparing a regional coastal plan shall consult—
 - o (a) the Minister of Conservation generally as to the content of the plan, and with particular respect to those activities to be described as restricted coastal activities in the proposed plan; and
 - o (b) the Minister of Transport in relation to matters to do with navigation and the Minister's functions under Parts 18 to 27 of the Maritime Transport Act 1994; and
 - o (c) the Minister of Fisheries in relation to fisheries management, and the management of aquaculture activities.
 - (4) In consulting persons for the purposes of subclause (2), a local authority must undertake the consultation in accordance with section 82 of the Local Government Act 2002.
- 3A Consultation in relation to policy statements**
- (1) A triennial agreement entered into under section 15(1) of the Local Government Act 2002 must include an agreement on the consultation process to be used by the affected local authorities in the course of—
 - o (a) preparing a proposed policy statement or a variation to a proposed policy statement; and
 - o (b) preparing a change to a policy statement; and
 - o (c) reviewing a policy statement.
 - (2) If an agreement on the consultation process required by subclause (1) is not reached by the date prescribed in section 15(1) of the Local Government Act 2002,—
 - o (a) subclause (1) ceases to apply to that triennial agreement; and
 - o (b) 1 or more of the affected local authorities—
 - (i) must advise the Minister and every affected local authority as soon as is reasonably practicable after the date prescribed in section 15(1) of the Local Government Act 2002; and
 - (ii) may submit the matter to mediation.
 - (3) If subclause (2) applies, the parts of the triennial agreement other than the part relating to the consultative process referred to in subclause (1) may be confirmed before—
 - o (a) an agreement on the consultative process is reached under subclauses (4) and (5)(a); or
 - o (b) the Minister makes a binding determination under subclause (5)(b).
 - (4) Mediation must be by a mediator or a mediation process agreed to by the affected local authorities.
 - (5) If the matter is not submitted to mediation or if mediation is unsuccessful, the Minister may either—
 - o (a) make an appointment under section 25 for the purpose of determining a consultation process to be used in the course of preparing a proposed policy statement or reviewing a policy statement; or
 - o (b) make a binding determination as to the consultation process that must be used.

- (6) The consultative process must form part of the triennial agreement, whether or not the entire parts of the triennial agreement have been confirmed, in the event that—
- o (a) an agreement is reached under subclause (4) or subclause (5)(a) as to a consultative process, as required by subclause (1); or
 - o (b) the Minister makes a binding determination under subclause (5)(b).
- (7) In this clause, affected local authorities means—
- o (a) the regional council of a region; and
 - o (b) every territorial authority whose district is wholly or partly in the region of the regional council.

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

3C Previous consultation under other enactments

- A local authority is not required to comply with clause 3 to the extent that any matter in a proposed policy statement or plan has been the subject of consultation with the same person, group of persons, or their representative or agent under another enactment within the 36 months preceding public notification of the proposed policy statement or plan that the matter relates to, so long as that person, group of persons, or their representative or agent were advised that the information obtained from that consultation was also to apply in relation to matters under this Act

Auckland Unitary Plan – Update on Progress

File No.: CP2012/10494

Executive Summary

The development of the Auckland Unitary Plan has been proceeding apace on this key council project since the last update report to committee in October 2011. Consultation has continued to occur in a targeted way with local boards, iwi, sector groups and other key stakeholders, with oversight from the Auckland Unitary Plan Political Working Party (PWP). The development of the document itself has advanced to an officers' working draft version, with the intention being to report a first working draft of the full document and maps to the PWP at the end of August. The processes relating to the production of the Auckland Unitary Plan as an on-line interactive document have now been confirmed and are progressing in parallel with the main drafting process.

The purpose of this report is to update the committee on the progress that has been made, and in particular, to obtain endorsement from the committee of key directions given to officers by the PWP.

Recommendation/s

- a) That the report be received.
- b) That the Auckland Plan Committee notes the progress made in developing the Auckland Unitary Plan.
- c) That the Auckland Plan Committee supports the directions given by the Auckland Unitary Plan Political Working Party in relation to the development of the Unitary Plan, as outlined in Attachment 1.
- d) That the officers' report and committee resolutions be forwarded to all local boards.

Background

In October 2011 the Regional Development and Operations Committee endorsed the directions agreed by the PWP, named the Auckland Unitary Plan and agreed to leave the Hauraki Gulf Island provisions (as contained in the Hauraki Gulf District Plan) out of the Auckland Unitary Plan until a later date.

Since October 2011 officers have completed a first working draft of the direction-setting parts of the document, and are working intensively with the PWP, local boards, stakeholder groups, iwi and departments across the council and its CCOs to prepare the next working draft of all provisions and maps by the end of August.

Governance

The PWP has met on a regular basis to oversee the direction of the Auckland Unitary Plan programme. Reports have also been presented to various council forums and panels. At the local board level, a local board planning forum has been established, a local board symposium for all local board members has been held and local board workshops on the Auckland Unitary Plan have recently taken place.

Matters considered by the Unitary Plan Political Working Party

The PWP has considered and provided direction on the following matters:

- Implications of the draft Auckland Plan
- Outcomes matrix
- Consultation and engagement
- Direction-setting papers on:
 - 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
 - Aquaculture
 - Rural subdivision
 - Timeline and public engagement

Implications of the Draft Auckland Plan

An exercise was undertaken in November 2011 to identify strategic outcomes or approaches within the draft Auckland Plan where these outcomes or approaches differed markedly from those within current operative Regional Policy Statement, regional or district plans. The exercise identified 'red flags' where officers needed to focus attention to enable new strategic directions or approaches to be effectively implemented within the Resource Management Act (RMA) setting of the Auckland Unitary Plan. This exercise also assisted officers working on the Auckland Plan to identify changes required within the Auckland Plan to more effectively enable its implementation through the Auckland Unitary Plan. Areas of focus were the Rural Urban Boundary, growth release mechanisms and associated staging points, housing typology changes and car parking standards.

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. Attachment 2 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 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 has commenced with the PWP. High level tensions have been split out from the matrix (in the form of direction papers) to enable a more considered discussion and are part way through resolution.

Consultation

Since October 2011 the consultation programme associated with the development of the Auckland Unitary Plan has broadened and become more involved with stakeholder groups. Local board engagement has involved the establishment of a local board planning forum, a symposium for all local board members and local board workshops. Workshops are proposed for all local boards in

August to consider working draft versions of the unitary plan maps. Looking forward to September/October it is intended that draft versions of rules will also be discussed at local board workshops.

The integration of mana whenua feedback into the Auckland Unitary Plan has accelerated following the PWP's approval of an Iwi Engagement Strategy in December 2011. Engagement with the 19 Mana Whenua groups in Auckland commenced with a governance hui in December followed by technical hui in February 2012, where officers met with planning representatives from each of the 19 groups. Workshops were then held in March to consider the issues of greatest significance to mana whenua, being heritage, growth, biodiversity, coastal and freshwater management. Consultation summary reports were subsequently prepared and reported back to the Independent Maori Statutory Board, PWP, mana whenua and to Unitary Plan workstreams to support drafting. The next step is to discuss draft provisions with mana whenua for feedback during August.

Another key part of the consultation process has been a series of sector workshops. The following sectors and stakeholders were involved in these workshops:

- Developers
- 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
- Auckland Transport
- Watercare Services
- Ministry of Education
- Waterfront Auckland
- Hobsonville Land Co
- NZTA

The workshops have created an opportunity to establish a constructive two-way conversation on key issues, and provided an opportunity to test some of the thinking towards draft provisions. From February to April 2012 over 20 workshops were held. A second round of workshops with these sector groups and stakeholders is programmed to commence in July. Engagement with Auckland Transport and Watercare Services occurs at a more detailed level and involves more regular meetings between key staff.

To assist officers and the PWP with implementing the Auckland Plan, and in particular its approach to intensification, Ann McAfee (the former co-director of planning at Vancouver City Council) presented workshops in late February and late May 2012. Ann shared her experiences of working with communities in Vancouver to approve their version of the Auckland Plan, Area Plans and the Unitary Plan. Tensions related to change and intensification within established neighbourhoods were addressed through a well thought through citizen engagement model. 'Peoples panels' were created and stakeholder groups 'cross fertilised' with representatives from different perspectives to allow face to face discussions on issues/choices and tensions. Almost total agreement was reached from this engagement model to support 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 have been of specific interest to the PWP and officers.

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

A further update to the Pacific, Ethnic, Business and Disability Panels will occur in July and August and there are ongoing workshops with the Rural Advisory Panel and Heritage Panel.

Direction Setting Papers

Activity Status, Notification and Guidelines

During March 2012 the PWP considered a series of papers on the use of the activity statuses (e.g. permitted, controlled, discretionary, etc), notification provisions and guidelines. It was agreed that:

- The Auckland Unitary Plan will define the status of 'activities not listed' in the unitary plan;
- The Auckland Unitary Plan will separate use, buildings and subdivision;
- The Auckland Unitary Plan will specify the level of notification required as much as possible, and in some cases will specify non-notification (e.g. where an activity is strategically aligned to the Auckland Plan);
- The Auckland Unitary Plan will be clear about the status of any guidelines (statutory or non-statutory).

Historic Heritage and Historic Character

Presentations to the PWP were also made on the topics of historic heritage, historic character and character in general. The PWP agreed that there is a distinction between historic heritage, historic character and character and that a different regulatory approach should be adopted for each under the Auckland Unitary Plan.

Treaty of Waitangi Directions

A major direction-setting paper on Treaty of Waitangi matters was the subject of discussion at the 25 May meeting of the PWP. The specific matters were Section 33 of the RMA transfer of powers and joint management agreements with Maori, the approach to protecting Maori cultural heritage, how Treaty settlements are recognised within the Auckland Unitary Plan and the approach to Maori land.

The following was agreed in relation to the transfer of powers;

- Identify opportunities for the transfer of powers under section 33 of the RMA for Maori where Maori interests and values are affected in terms of decision-making and monitoring responsibilities.
- Identify alternative opportunities for the transfer of powers to be established with Mana Whenua in appropriate situations where Maori interests and values may be affected through the following methods;
 - Resource consent conditions for Mana Whenua to monitor earthworks in the vicinity of waahi tapu and other sensitive sites.
 - Maori commissioners
- Provide policy guidance on Section 33 matters generally.

For joint management agreements the PWP agreed to provide opportunities for these matters within the Auckland Unitary Plan but to keep the detail of these outside of the document to ensure flexibility.

For sites of significance to Maori the PWP has agreed an approach whereby the 45 currently known sites are to be re-confirmed within the Auckland Unitary Plan and a programme is to be initiated with iwi to identify additional sites with a view to a future plan change to the Auckland Unitary Plan when time and resources allow. For Maori cultural landscapes it has been agreed that the policy framework and methodology for mapping these landscapes will be included in the notified version of the Auckland Unitary Plan. The actual mapping of these landscapes will extend beyond notification so it is anticipated that these will require future incorporation through a plan change.

For the recognition of Treaty settlements the PWP agreed an approach whereby a policy framework will be developed that confirms how Treaty settlement legislation should be addressed in RMA processes. Particular care has been requested by the PWP in relation to how (if at all) matters relating to commercial redress of land, financial redress and rights of first refusal on property could be recognised in the Auckland Unitary Plan. The PWP also agreed to an associated non-statutory approach of mapping key elements of Treaty settlements and forwarding copies of resource consent applications to Treaty settlement groups where their activities may adversely affect the statutory acknowledgement area of a Treaty settlement.

The PWP agreed that Maori land can be recognised through an overlay to the underlying zone to signify that if papakainga housing is proposed it can be assessed via a comprehensive development plan form of resource consent application. A similar technique was also agreed for wahi kainga (papakainga style housing) on general title land. The current zones in existence for marae and other Maori purposes are to be harmonised to a single Maori purpose special use zone.

Density

Density was also the subject of discussion by the PWP. The discussion centred on how design-led standards could be used instead of minimum lot sizes and density controls in existing urban areas. Due to the limited number of PWP members in attendance this item was deferred to a later date.

Rural Urban Boundary

Options for implementing the Rural Urban Boundary (RUB) were considered by the PWP in early May. The continuation of policy development towards implementing an interim RUB was endorsed on the basis of further detail and direction being provided by officers. This approach accepts a staged basis to showing the RUB. A follow-up process of plan changes would be needed to complete the mapping of the RUB once the information on its exact location through the Auckland Plan red box areas of investigation is completed.

Transmission Lines

The provision of a buffer either side of transmission lines was the subject of a presentation to the PWP in May. The PWP agreed to progress an approach of providing development buffers alongside transmission lines in accordance with the National Policy Statement on Transmission Lines while also providing for future upgrading. Further detail is to be provided back to the PWP when it is available on the following matters:

- The degree to which the proposed options differ from the status quo;
- The type and extent of social, economic and environmental effects of proposed options;
- The definition for the type of grid upgrade that would be taken into account in providing buffer rules.

Education, Health and Community Facilities

The proposed approach to managing education, health and community facilities was considered by the PWP on 21 May 2012. The results from stakeholder engagement indicated a desire for a purpose-specific zone for these uses. The PWP agreed with this approach. Also agreed were approaches to manage height, commercial uses, reverse sensitivity and frontage design.

New Settlements

The same PWP meeting on 21 May 2012 also considered how to manage proposals to create new settlements within rural areas. Over the last few years a number of appeals and private plan changes have sought to create new settlements in places such as Weiti, Clevedon and Te Arai. In line with the Auckland Plan it was agreed that the Auckland Unitary Plan would develop an approach based on the avoidance of these new settlements, with objectives and policies that provide a clear set of parameters for considering proposals that will inevitably arise.

Aquaculture

The 5 June session of the PWP considered the approach to managing aquaculture. Agreement was reached to follow a merit-based approach of allowing resource consent applications via a discretionary activity status. This is to be a policy approach until the marine spatial planning process has looked at this issue further. Should a modified approach then be needed, a variation to the Auckland Unitary Plan can be introduced.

Rural Subdivision

The 5 June PWP meeting also considered rural subdivision. The following approach in relation to new dwellings in rural areas was endorsed: single dwellings easy to develop on vacant lots that are without constraints. Constraints would include minimum lot sizes, elite soils, difficulties for servicing and remoteness or poor access roads. For multiple dwellings on lots, a resource consent would be needed and the same constraints considered.

For subdivision in rural and coastal areas a strongly restrictive approach was endorsed. Specifically, consideration would be given to the productive use, elite soils, servicing difficulties and access or bad roads.

Further subdivision opportunities through a reduced minimum lot size in the proposed countryside living zone was agreed, subject to roading constraints. For the extent of the countryside living zone itself, endorsement was given to the zone being extended via structure plan processes.

Unitary Plan Publication

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, has led to the decision to provide the Auckland Unitary Plan on-line as a true interactive electronic plan.

While some hard copies will be made available, it is anticipated that the majority of users will enquire into the Auckland Unitary Plan on-line through a dedicated web page housed within the main Auckland Council website. Following a rigorous tender process, the contract to provide the specialist software needed to provide a 'line of enquiry' access to the Auckland Unitary Plan was awarded to a venture between a New Zealand firm 'Twenty four' and the Australian firm 'ICON'.

The on-line version of the Auckland Unitary Plan is proposed to offer users the opportunity to enquire into the contents of the document via a number of avenues. Firstly, users will be able to view the document in a traditional way from page 1 to page x. Secondly users will be able to type in an address or click on a point within the GIS system to be provided material applicable to zoning, overlays and other special characteristics. Thirdly, the enquiry can be based on a

proposed activity that the user may wish to undertake. Many enquiries will likely be a combination of the second and third forms of enquiry. This system has been specifically chosen to speedily simplify the process of determining whether a particular development proposal needs a resource consent, and has been based on the most popular forms of enquiry that planning officers receive over the front counter and phones.

The on-line enquiry system will be one of the key innovations associated with the Auckland Unitary Plan and has the potential to greatly enhance the public's understanding and use of Auckland's planning system and considerably reduce regulatory costs. It also has the ability to greatly enhance the feedback / submission process by enabling on-line submissions in addition to hard copy.

Decision Making

The Auckland Plan Committee has been delegated the overall decision-making power in relation to the development of the Auckland Unitary Plan.

Significance of Decision

The decisions made by the council on the final shape and form of the Auckland Unitary Plan will have a direct impact on the people of Auckland, its built form, environment and economic prosperity. The Auckland Unitary Plan will have a direct relationship to all uses and development in Auckland from the time of its public notification until a point 10 – 15 years hence. The decisions sought in this report will set the direction for the development of the Auckland Unitary Plan. These decisions are in accordance with those expected of council and anticipated by Schedule One of the Resource Management Act 1991.

Maori Impact Statement

Consultation requirements with mana whenua are being met through following an Iwi Engagement Strategy that in turn meets the requirements of Schedule One of the Resource Management Act 1991. The section on consultation included earlier in the report provides a fuller description of this engagement. The PWP also continues to have representation from the Independent Maori Statutory Board in order to ensure that the IMSB has a significant input into the development of the Auckland Unitary Plan.

Local Board Views

Local board views are currently being canvassed through the local board planning forum, local board symposium and workshops with individual local boards. It is also intended that this report be circulated to all local boards to update them on the Auckland Unitary Plan development process. The related report on the committee agenda (Auckland Unitary Plan – Enhanced Engagement Proposal) discusses enhanced opportunities for local boards to be involved in the development of the Auckland Unitary Plan.

Consultation

Statutory consultation requirements for the development of the Auckland Unitary Plan are specified within Schedule One within the Resource Management Act 1991. All Schedule One requirements will be met through the development and notification phases of the Auckland Unitary Plan.

Consultation has continued to occur in a targeted way with local boards, iwi, sector groups and other key stakeholders with oversight from the PWP. Major opportunities for enhanced community

engagement are discussed in a related report included on the committee agenda (Auckland Unitary Plan – Enhanced Engagement Proposal).

Financial and Resourcing Implications

The development of the Auckland Unitary Plan is progressing within the Planning and Policy Division's operational budget.

Legal and Legislative Implications

The council's Legal Services department has been providing advice to the Auckland Unitary Plan team and it is anticipated that ongoing advice will be provided. The extent to which the Auckland Unitary Plan can meet the needs of Auckland will be partly determined by the degree of Central Government and legislative support. It is anticipated that there will be an ongoing need to advocate to central government for legislative change.

Implementation Issues

In the medium to long term, the Auckland Unitary Plan will have a major positive impact on staff within the council's resource consent department. However, as with the introduction of any new plan prepared under the Resource Management Act, it is likely that training will be required and potentially new processes developed. It is not possible to quantify the impacts at this stage, but a close working relationship has been established between the Regional and Local Planning department and Resource Consents department to address the impacts as they become clearer.

Attachments

No.	Title	Page
A	Political Working Party Directions	95
B	Outcomes Matrix Sheet - Terraced Housing and Apartments Zone	99

Signatories

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Authoriser	Roger Blakeley, Chief Planning Officer

Auckland Unitary Plan Political Working Party Directions – March to June 2012

Activity Status, Notification and Guidelines

- The Auckland Unitary Plan will define the status of 'activities not listed' in the Unitary Plan.
- The Auckland Unitary Plan will separate use, buildings and subdivision.
- The Auckland Unitary Plan will specify the level of notification required as much as possible, and in some cases will specify non-notification (e.g. where an activity is strategically aligned to the Auckland Plan).
- The Auckland Unitary Plan will be clear about the status of any guidelines (statutory or non-statutory).

Historic Heritage and Historic Character

Presentations to the PWP were also made on the topics of historic heritage, historic character and character in general. The PWP agreed that there is a distinction between historic heritage, historic character and character and that a different regulatory approach should be adopted for each under the Auckland Unitary Plan.

Treaty of Waitangi Directions

Transfer of powers:

- Identify opportunities for the transfer of powers under section 33 of the RMA for Maori where Maori interests and values are affected in terms of decision-making and monitoring responsibilities.
- Identify alternative opportunities for the transfer of powers to be established with Mana Whenua in appropriate situations where Maori interests and values may be affected through the following methods:
 - Resource consent conditions for Mana Whenua to monitor earthworks in the vicinity of waahi tapu and other sensitive sites.
 - Maori commissioners.
- Provide policy guidance on Section 33 matters generally.

Joint management agreements:

- Provide opportunities for these matters within the Auckland Unitary Plan but to keep the detail of these outside of the document to ensure flexibility.

Sites of significance to Maori:

- The 45 currently known sites are to be re-confirmed within the Auckland Unitary Plan.
- A programme is to be initiated with iwi to identify additional sites with a view to a future plan change to the Auckland Unitary Plan when time and resources allow.

Maori cultural landscapes:

- The policy framework and methodology for mapping these landscapes will be included in the notified version of the Auckland Unitary Plan. The actual mapping of these landscapes will extend beyond notification so it is anticipated that these will require future incorporation through a plan change.

Treaty settlements:

- A policy framework will be developed that confirms how Treaty settlement legislation should be addressed in RMA processes. Particular care has been requested by the PWP in relation to how (if at all) matters relating to commercial redress of land, financial redress and rights of first refusal on property could be recognised in the Auckland Unitary Plan.
- An associated non-statutory approach of mapping key elements of Treaty settlements and forwarding copies of resource consent applications to Treaty settlement groups where proposed activities may adversely affect the statutory acknowledgement area of a Treaty settlement was also agreed.

Maori land:

- Maori land should be recognised through an overlay to the underlying zone to signify that if papakainga housing is proposed it can be assessed via a comprehensive development plan resource consent application.
- A similar technique was also agreed for wahi kainga (papakainga style housing) on general title land.
- The current zones in existence for marae and other Maori purposes are to be harmonised to a single Maori purpose special use zone.

Rural Urban Boundary

- In principle acceptance of a staged basis to showing the RUB, with a follow-up process of plan changes to complete the mapping of the RUB once further research has taken place.

Transmission Lines

- Providing development buffers alongside transmission lines in accordance with the National Policy Statement on Transmission Lines, while also providing for future upgrading. Further detail is to be provided back to the PWP when it is available on the following matters:
 - the degree to which the proposed options differ from the status quo;
 - the type and extent of social, economic and environmental effects of proposed options; and
 - the definition for the type of grid upgrade that would be taken into account in providing buffer rules.

Education, Health and Community Facilities

- The development of a purpose-specific zone for these uses was supported.
- Agreement in respect of approaches to manage height, commercial uses, reverse sensitivity and frontage design, outlined in detail in the presentation to the PWP.

New Settlements

- An approach based on the avoidance of these new settlements, with objectives and policies that provide a clear set of parameters for considering proposals that will inevitably arise.

Aquaculture

- Use of a merit-based approach of allowing resource consent applications via a discretionary activity status. This is to be a policy approach until the marine spatial

planning process has looked at this issue further. Should a modified approach then be needed, a variation to the Auckland Unitary Plan can be introduced.

Rural Subdivision

New dwellings in rural areas:

- Easy to develop on vacant lots that are without constraints.
- Constraints should include minimum lot sizes, elite soils, difficulties for servicing and remoteness or poor access roads.
- For multiple dwellings on lots, a resource consent would be needed and the same constraints considered.

Subdivision in rural and coastal areas:

- A strongly restrictive approach was endorsed. Specifically, consideration would be given to the productive use, elite soils, servicing difficulties and access or bad roads.

Countryside living:

- A reduced minimum lot size in the existing countryside living areas was supported, subject to roading constraints.
- Extension of countryside living zones should take place via a structure plan processes.

Auckland Unitary Plan – Enhanced Engagement Process

File No.: CP2012/10499

Executive Summary

This report is a companion report to the Auckland Unitary Plan – Progress Update report on the committee agenda. The report discusses the benefits of significant enhancements to the current engagement process for the Auckland Unitary Plan and informs the committee of the Unitary Plan Political Working Party's (PWP) support for an enhanced process. The report also advises the committee of discussions that have taken place between council officers and officials from the Ministry for the Environment. Those discussions have focussed on the council's request for changes to the Local Government Act/Resource Management Act to ensure that the Auckland Unitary Plan becomes operative far sooner than would occur under the current legislation. Ministry for the Environment officials have made it clear that any changes to legislation would need to be accompanied by a highly collaborative upfront process to develop the Auckland Unitary Plan.

Recommendation/s

- a) That the report be received.
- b) That the Auckland Plan Committee supports the enhanced engagement process discussed in the officers' report, and in particular the release of a draft of the Auckland Unitary Plan in the first quarter of 2013 for widespread community and key stakeholder engagement prior to formal public notification under the Resource Management Act.
- c) That officers report back to the Auckland Plan Committee in August with a detailed communications and engagement plan for the Auckland Unitary Plan.
- d) That the Minister for the Environment is advised of the Auckland Plan Committee's support for a significantly enhanced engagement process.
- e) That senior council officers continue to advocate to the Ministry for the Environment for changes to the Resource Management Act/Local Government Act to ensure that the Auckland Unitary Plan becomes operative far sooner than would occur under current legislation.

Background

In March last year, the Regional Development and Operations Committee established a Political Working Party (PWP) for the development of the Auckland Unitary Plan and resolved that a 'discussion draft' be reported back to the committee in December 2012. Responsibility for the approval of the Auckland Unitary Plan has subsequently transferred to the Auckland Plan Committee. Considerable progress has been made with the development of the Auckland Unitary Plan since March 2011, the details of which are outlined in a companion report on the committee's agenda, Auckland Unitary Plan – Progress Update.

Over the past year, officers have spent a great deal of time engaging with key stakeholders and local boards. Given the size of the Auckland region, number of local boards, volume of key stakeholders, and complexity involved in preparing a single plan to replace the Auckland Regional Policy Statement, four operative regional plans and seven operative district plans, widespread community and comprehensive key stakeholder engagement is not possible under the current timeline.

Should the committee wish to see the Auckland Unitary Plan publicly notified early in 2013, a targeted engagement process is all that can be achieved. This brings with it a number of significant risks, including the possibility of an inferior product (having not had the benefit of

extensive feedback/input from a wide range of parties) and the possibility of widespread community opposition. An opportunity exists for a significantly enhanced engagement process that is likely to result in a better quality plan and far greater prospects of community support.

Discussions with Central Government

As members of the committee will be aware, after the national elections in 2011, the council advocated to the in-coming government for changes to the Local Government Act/Resource Management Act to ensure that the Auckland Unitary Plan can become operative as soon as possible. The main reason for this was to ensure that many of the strategic directions in the Auckland Plan can be delivered in a timely manner. The regional and district plans of the former Auckland councils generally took between 5 and 10 years to become operative. In some cases they remain partly under appeal.

Ministry for the Environment officials have made it clear that any changes to legislation would need to be accompanied by a highly collaborative upfront process to develop the Auckland Unitary Plan. In light of this feedback, council officers and Ministry for the Environment officials have met on a number of occasions to discuss options for an alternative end to end process (i.e. from plan development through to notification, submissions, hearings and appeals). Those discussions are on-going.

Key features of an enhanced engagement process

The key features of an enhanced engagement process are likely to include:

Pre-notification

- Beginning in August 2012 with increased engagement activities
- Local board engagement with communities
- Potential stakeholder involvement to drafting aspects/parts of the draft Auckland Unitary Plan
- Release of a draft Auckland Unitary Plan for informal feedback in March 2013
- Road show/drop-in sessions and other engagement activities from March 2013 to June 2013
- 'Friends of submitters' service to assist individuals and groups in giving feedback
- Feedback sessions that provide an informal, round-table process of discussion with elected representatives
- Informal feedback closing June 2013
- Responding to individual feedback to ensure the process is genuine and robust
- Update draft Auckland Unitary Plan based on feedback.

Notification

Auckland Unitary Plan ready for public notification in September 2013.

Post notification

- Three month submission period
- Road show/drop-in sessions
- 'Friends of submitters' service to assist individuals and groups in making submissions
- Pre-hearing meetings/workshops including mediation and expert caucusing to narrow down points of contention and issues
- Possible release of an amended Auckland Unitary Plan for feedback prior to the commencement of hearings.

The role of Local Boards

Local boards have expressed a strong interest in being involved in the development of the Auckland Unitary Plan, and in recent months a number of local board members have raised strong concerns about the current timeline. Under an enhanced engagement process, local boards could take a lead in engaging with local communities. Council officers would work to design and support engagement that was fit-for-purpose for local communities. This could include clusters of local boards engaging together to ensure that some of the opportunities as well as the hard choices are understood by all and shared amongst the different communities.

Regional emphasis

Under an enhanced engagement process it would be logical to hold a regional discussion that runs in parallel to engagement with local communities, including building a better understanding and acceptance of the "hot issues" for the whole of Auckland through an Expo of Ideas or a Mayoral Forum. The focus would be on key directions from the Auckland Plan, including those relating to housing choice, historic heritage and historic character; rural and greenfield development; business land supply; and supporting metropolitan, town and local centres.

Communications campaign

A communications campaign would need to be developed with a focus on educating and informing the whole of Auckland on what the Auckland Unitary Plan addresses. The campaign would also serve to signal to participants that they should get involved early, and have a number of opportunities to be involved. This would include a basic guide on the Resource Management Act and a better understanding of the linkages to the Auckland Plan. It would also include information on what the Auckland Unitary Plan will not cover such as by-laws. A blog could be used to stimulate debate on issues.

Tools for engagement

Auckland is a series of villages with diverse communities and a variety of communication needs. A road show for the draft Auckland Unitary Plan could be designed to meet the needs of specific communities. In a true road show, a vehicle fitted out with the relevant technology could deliver the draft Auckland Unitary Plan directly to communities. Auckland Council facilities such as service centres, libraries and community buildings could be used as drop-in centres. Other methods of taking the Auckland Unitary Plan to communities include:

- Workshops and forums which attract different age groups from different areas to participate together
- Public debates on key issues in public locations such as Aotea Square
- School campaigns working with youth
- Media campaign – TV, radio and suburban newspapers
- Public meetings on key issues
- Attending established community group meetings such as Resident & Ratepayers, Business Associations, industry groups
- Social media including Facebook, Twitter and blogs
- Resources in different languages
- Accessibility for people with special needs.

ePlan

The opportunity to introduce the concept of the on-line Auckland Unitary Plan (the ePlan) and demonstrate how to use it could be run in parallel with engagement on content. Introducing this interactive, on-line tool would have huge value in road-testing the design of the system with those who will use it most, and help people get used to the Auckland Unitary Plan being delivered on the web.

Feedback Loop

Participants in the pre-notification engagements will be advised of how their issues are addressed in the notified version of the Auckland Unitary Plan.

Decision Making

The decisions sought in this report fall within the committee's delegated authority. The key decision sought is an enhanced engagement process for the development of the Auckland Unitary Plan. The benefits of the proposed process are outlined earlier in this report. In terms of costs, it is anticipated that investing in a more robust process prior to formal public notification of the Auckland Unitary Plan will result in cost-savings. This will be achieved as a result of more informed and potentially fewer submissions.

Significance of Decision

The decisions sought in this report do not trigger the council's significance policy.

Maori Impact Statement

Consultation requirements with mana whenua are being met by following an Iwi Engagement Strategy that in turn meets the requirements of the Resource Management Act 1991. The companion report on the committee agenda, Auckland Unitary Plan – Progress Update, provides a fuller description of this engagement. The PWP also continues to have representation from the Independent Maori Statutory Board in order to ensure that the IMSB has a significant input into the development of the Auckland Unitary Plan.

Local Board Views

Local board views are currently being canvassed through the local board planning forum, local board symposium and workshops with individual local boards. The recommendations made in this report build on feedback received from local boards in relation to providing greater opportunities for involvement in the development of the Auckland Unitary Plan.

Consultation

Statutory consultation requirements for the development of the Auckland Unitary Plan are set out in the Resource Management Act 1991 and are on the way to being met. Consultation has occurred in a targeted way with local boards, iwi, sector groups and other key stakeholders with oversight from the PWP. Major opportunities for enhanced consultation and engagement are the subject of this report.

Financial and Resourcing Implications

The development of the Auckland Unitary Plan is progressing within the Planning and Policy Division's operational budget. Officers are currently scoping the financial and resourcing implications of the enhanced engagement process discussed in this report and will report back to the committee with any implications in August (subject to the committee's endorsement of the approach in principle).

Legal and Legislative Implications

As noted, the council has advocated to central government for legislative change to enable the Auckland Unitary Plan to become operative within a reasonable timeframe. The decisions made in response to this report are likely to have a significant impact on any response from central government to the council's request.

Implementation Issues

Should the recommendations in this report be accepted, the implications of implementing an enhanced engagement process will be discussed in greater detail in a subsequent report to the committee in July.

Attachments

There are no attachments for this report.

Signatories

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Reviewer	Penny Pirrit, Manager – Regional & Local Planning
Authoriser	Roger Blakeley, Chief Planning Officer

Auckland Unitary Plan update on progress

File No.: CP2012/12099

Executive Summary

The purpose of this report is to update the Committee on progress with the development of the Auckland Unitary Plan over the past month. Members of the Committee will recall the Committee's decision in July to release the Auckland Unitary Plan as a draft in March 2013. Since July, five local board chairs have been nominated to become representatives on the Auckland Unitary Plan Political Working Party (PWP). Key direction setting papers have been considered and a number of officers are currently in the process of completing a detailed consultation and engagement programme as a result of the Committee's decision to release a draft of the Auckland Unitary Plan prior to formal notification. The detailed programme will be presented to the Committee in September.

Recommendation/s

- a) That the report be received.
- b) That the Auckland Plan Committee endorse the work programme to date for the development of the Auckland Unitary Plan and the directions proposed by the Auckland Unitary Plan Political Working Party contained in Attachment 1 to this report, in particular;
 - i) an enhanced Auckland Unitary Plan engagement process
 - ii) a Greenfield (rural urban boundary) investigation with enhanced engagement with local boards
 - iii) notification to owners of potential historic heritage sites
 - iv) four residential zones to enhance housing choice and affordability
 - v) historic character overlay, with advice to be received from Heritage Advisory Panel and local boards
 - vi) assessment criteria for integrating structure plans with the Auckland Unitary Plan.
- c) That this report and resolutions be forwarded to all local boards for their information.

Background

In July, the Auckland Plan Committee considered the last update report and an associated report on an enhanced engagement programme for the Unitary Plan. This report provides a further update on the development of the Auckland Unitary Plan.

Governance

The PWP has met on four occasions since the last update report. Local board workshops throughout July (clustered into the central, south, north and west local boards) considered key issues that will be addressed by the Auckland Unitary Plan. The Chair of the PWP has held a meeting with representatives from the Local Board Chairs group to discuss local board involvement in the enhanced engagement process. At that meeting, it was agreed that each local board would develop its own engagement plan by the end of July. The local board chairs were

also invited to nominate five representatives to join the PWP meetings. Five representatives have been drawn from the four geographical areas plus one rural representative.

Matters considered by the Political Working Party

- Auckland Unitary Plan enhanced engagement process
- Greenfield Rural Urban Boundary investigations project
- Access to historic heritage sites
- 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

Auckland Unitary Plan enhanced engagement process

On 19 June 2012 the PWP considered a presentation on how an enhanced engagement programme could be undertaken. The PWP considered the purpose of an enhanced engagement process being the:

- production of a better quality plan that has benefited from wide stakeholder and community input; and
- ensuring a process that incorporates the principle of natural justice.

The following indicative timeline was discussed:

- August 2012 – begin enhanced engagement;
- September 2012 – workshops with local boards on maps;
- September – November 2012 – local board led engagement with key stakeholders and continuing targeted engagement between staff and other stakeholders with regional interests;
- March to June 2013 – draft Auckland Unitary Plan released for informal feedback;
- June to July 2013 – review feedback and respond to feedback;
- August 2013 – report the draft back to committee and
- September 2013 – plan finalised for possible notification.

The following topics have been identified by the PWP as the “hot topics” for engagement:

- Achieving a compact city - intensification and protection of historic character and heritage.
- Creating a rural urban boundary - rural greenfields development and the rural urban boundary (RUB).
- Economic development and business growth - business land supply and addressing the effects of out of centre retail and office development.
- The rural economy - significant ecological areas and landscape protection impacts on the use and development of rural land.

It is intended that a more detailed plan for engagement will be reported to the PWP by late July / early August.

Greenfield RUB Investigations Project (See also a separate agenda item on the RUB project)

On 27 June 2012 the PWP considered a presentation on the programme proposed for identifying the location of the Rural Urban Boundary (RUB). A three-stage process was agreed to complete this task.

- Stage 1 – Intermediate RUB based to a large extent on the current Metropolitan Urban Limit in the Auckland Regional Policy Statement.
- Stage 2 – Investigation of priority greenfield areas with the intent of including these areas in the Unitary Plan prior to notification.
- Stage 3 – Investigation of other areas.

Access to historic heritage sites

Following an earlier presentation to the PWP in May on gaining access to 29 sites of historic heritage, this matter was considered further on 6 July 2012. Local boards have agreed for officers to approach the landowners to gain access, provided they continue to be informed and letters seeking access are clear and easily understood. The PWP agreed to the proposed process and asked for the letter to include information on the process and the involvement of heritage experts.

Achieving housing choice, more affordable housing and a quality compact city

Four proposed residential zones (single house, mixed housing, terraced housing and apartment buildings and large lot residential) were outlined to the PWP on 6 July 2012. The outcomes sought from the residential zones are to provide housing choice and affordable housing options in residential areas and integrate this with historic character.

The zones provide for regional consistency but allow for local variation which is provided by overlays (e.g. lot size, density, historic character, landscape protection). The PWP supports the four residential zones, and agreed to an approach of applying the 'mixed housing' and 'terraced housing and apartment buildings' zones near centres and in the case of 'mixed housing', along routes well-served by public transport.

Historic character overlays

The PWP considered the development of a region-wide approach for historic character overlays whilst still recognising the different approaches in the operative district plans. Officers also recommended that the historic character overlays be based in extent on the existing historic character areas currently within the operative district plans. The PWP has requested officers present the proposed approach to the Heritage Advisory Panel and local boards to develop a complete package of provisions for further reporting back to the PWP. The PWP also requested officers to report back on the resource implications of identifying new historic character areas.

Approach to greenfield land development

On 10 July 2012 the PWP considered how the RUB could be incorporated into the Auckland Unitary Plan. The Auckland Unitary Plan may include an intermediate position, with other areas added over time through variations to the Auckland Unitary Plan. An approach to setting an intermediate RUB based on current urban boundaries for satellite and rural coastal towns and the Metropolitan Urban Limit (MUL) for the Auckland urban area was discussed. Subsequent investigations could see the final RUB identified through variations to the Auckland Unitary Plan. The supply of greenfield land will be managed within the RUB through the use of 'future urban' zones that will apply until it is considered appropriate that the land be zoned for development.

Principles of land release were outlined to ensure 20 years of development capacity with an average seven years unconstrained land supply. The PWP supported this approach.

Integrating structure planned areas into the Unitary Plan

At the 10 July 2012 meeting, the PWP also heard how there are 52 structure plans to be assessed for inclusion in the Auckland Unitary Plan. All are at different stages in the planning process and their status is constantly changing. Due to the level of complexity of approaches, the PWP also heard how it is not possible to simply roll these over in their current form for inclusion in the Auckland Unitary Plan. The use of assessment criteria to determine which structure plans are able to be converted into the Auckland Unitary Plan and which will need modification first before being converted was presented and agreed.

Current state of drafting

An officer's draft of provisions is scheduled for completion by 31 August 2012. These will include all objectives, policies, rules, definitions, zoning and overlay maps. These provisions will be available in topic packages (e.g. residential, business) for discussion with local boards, lwi and key stakeholders.

Decision Making

The Auckland Plan Committee holds the jurisdiction and overall decision making power in relation to the development of the Auckland Unitary Plan.

Significance of Decision

The decisions made by the Council on the final shape and form of the Auckland Unitary Plan will have a direct impact upon Auckland's population, its built form, environmental outcomes and economic prosperity. The Auckland Unitary Plan will have a direct relationship to all development in Auckland from the time of its public notification until a point 10 – 15 years hence. The decisions sought by this report will set direction for the development of the Auckland Unitary Plan.

Decisions sought by Committee assist in guiding the development of the Auckland Unitary Plan which in turn will have a significant impact upon residents, public interest, council's delivery on social, economic, environmental or cultural well being and statutory responsibilities. Consultation is being undertaken as identified in this report.

Maori Impact Statement

Consultation requirements with Mana Whenua are being met through following an lwi Engagement Strategy that in turn meets the requirements of Schedule One of the Resource Management Act 1991. The PWP also continues to have representation from the Independent Maori Statutory Board.

Local Board Views

Local board views are currently being understood through the local board planning forum, local board symposium and workshops with local boards.

It is also intended that this report be circulated to all local boards to update them on the Auckland Unitary Plan development process to date.

As noted earlier in this report, additional local board representation has been sought by the PWP with five local board chairs invited to become part of the PWP. Local boards have also been asked

to prepare short engagement plans for the main engagement phases: September – November 2012 and March – June 2013.

Consultation

Statutory consultation requirements for the development of the Auckland Unitary Plan are specified within Schedule One within the Resource Management Act 1991. All Schedule One requirements will be met through the development and notification phase of the Auckland Unitary Plan.

Consultation has continued to occur in a targeted way with local boards, Iwi, sector groups and other key stakeholders with oversight from the PWP. Major opportunities for enhanced community consultation exist based on the release of a draft Auckland Unitary Plan in March 2013.

Financial and Resourcing Implications

The development of the Auckland Unitary Plan is currently progressing within the operational budget of the policy and planning division. The enhanced engagement process agreed by this Committee may put pressure on this budget.

Legal and Legislative Implications

Council's Legal Services department has been providing advice to the Auckland Unitary Plan team and it is anticipated that ongoing advice will be provided. The extent to which the Auckland Unitary Plan can meet the needs of Auckland will be partly determined by the degree of Central Government and legislative support. It is anticipated that there will be an ongoing need to advocate to central government for legislative change. The key legislative change sought is the removal of Environment Court appeals on the Auckland Unitary Plan (until it becomes operative). The Minister for the Environment has yet to confirm whether or not the Government will support this request.

Implementation Issues

There is a need to discuss the possible impact of the Auckland Unitary Plan on resource consent staff. It is not possible to quantify the impact at this stage, but a close working relationship has been established to address the impacts as they are foreseen.

Attachments

No.	Title	Page
A	Attachment 1 - Auckland Unitary Plan Political Working Party Directions - June-July 2012	93

Signatories

Authors	Phill Reid - Manager Unitary Plan
Authorisers	Penny Pirrit - Regional & Local Planning Manager Roger Blakeley - Chief Planning Officer

Attachment 1 – Auckland Unitary Plan Political Working Party Directions – June – July 2012

Auckland Unitary Plan Enhanced Engagement Process

Indicative timeline for enhanced engagement agreed as presented.

Topics for engagement identified as:

- Achieving a compact city – intensification and protection of historic character and heritage.
- Creating a rural urban boundary – rural greenfields development and the rural urban boundary (RUB).
- Economic development and business growth – business land supply.
- The rural economy – significant ecological areas and landscape protection impacts on the use and development of rural land.

Greenfield Rural Urban Boundary Investigation Project

The PWP agreed with the three-stage approach as presented to determine the Rural Urban Boundary and requested that a new step two be included to provide an initial listening session with local boards to identify community stakeholders and confirm the approach.

Access to historic heritage sites

The PWP agreed with the proposed approach of sending letters seeking access to 29 owners of historic heritage sites. Local boards are to be kept advised on the process and the letters are to include information on process and the involvement of heritage experts.

Achieving housing choice, more affordable housing at a quality compact city

The PWP supported the four residential zones presented by officers (single house, mixed housing, terraced housing and apartment and large lot residential), and agreed to an approach of applying the 'mixed housing and 'terraced housing and apartment buildings' zones near centres and in the case of 'mixed housing', along routes well-served by public transport.

Historic character overlays

The PWP endorsed the use of a region-wide approach (whilst retaining the legacy North Shore District Plan and Isthmus District Plan approaches) to historic character overlays and requested that officers report back on the resource implications of identifying new historic character areas.

A completed package of provisions is to be reported back to the Heritage Advisory Panel before being reported back to PWP and local boards.

Greenfield land and the RUB

The PWP supported and confirmed the approach to be applied in the Auckland Unitary Plan for the release of greenfield land for development being:

- staged approach of intermediate and final RUB (in some locations only) in the notified Auckland Unitary Plan;
- remaining areas to be set after additional investigations and subsequent variations to the Auckland Unitary Plan; and
- use of future urban zone and structure plans to guide development of particular greenfield areas.

Integrating structure plans into the Auckland Unitary Plan

The PWP agreed with the use of an assessment criteria approach to determine which structure plans can be converted directly into the Auckland Unitary Plan and which structure plans need modification prior to being converted.

Auckland Unitary Plan Update

File No.: CP2012/13386

Purpose

1. To update Committee on progress with the development of the Auckland Unitary Plan over the last month.

Executive Summary

2. The programme of direction setting presentations has continued to the Auckland Unitary Plan Political Working Party. Agreed directions across a dozen presentations have enabled officers to continue the drafting process ahead of the first working draft scheduled for completion at the end of August. An enhanced engagement programme is then to commence with local boards and other stakeholders with feedback processes and decision-making to be completed at the beginning of December ahead of presenting a full draft Auckland Unitary Plan to the committee in February 2013.

Recommendation/s

- a) That the report be received.
- b) That the Auckland Plan Committee endorses the work programme to date for the development of the Auckland Unitary Plan and the directions proposed by the Auckland Unitary Plan Political Working Party contained in Attachment A to this report.
- c) That this report and resolutions be forwarded to local boards for their information.

Discussion

3. The Auckland Unitary Plan Political Working Party (PWP) has met on five occasions since the last update report. The PWP now includes the following local board chairs;

Mr Bob Howard

Ms Lindsay Waugh

Mr Shale Chambers

Mr Derek Battersby

Mr John McCracken

A local board forum was held on 30 July 2012 with Auckland Unitary Plan development matters related to historic heritage, the Rural Urban Boundary and significant ecological areas considered. Further presentations have also been given to the Rural Advisory Panel, the Forestry Liaison Panel, the Business Advisory Panel and the Heritage Advisory Panel.

Matter considered by the Auckland Unitary Plan Political Working Party

- Enhanced engagement planning
- Significant ecological areas
- Coastal discharges
- Freshwater management
- Stock exclusion

- Business
- City centre
- Commercial sex industry
- Sustainable design
- Signs
- Air quality
- Plan preparation programme
- Infrastructure (parking)

Auckland Unitary Plan Enhanced Engagement process

Following on from a presentation on engagement in June the issue was considered further by PWP on 26 July 2012. Three phases of engagement are proposed as follows;

- Phase 1 – development of draft - July to November 2012.
- Phase 2 – informal feedback on draft Auckland Unitary Plan - March – May 2013.
- Phase 3 – formal engagement on notified plan - post September 2013.

Phase 1 will involve working closely with local boards, Iwi and regional stakeholders to socialise the Auckland Plan issues and take people on the journey to implement these through the Auckland Unitary Plan. Engagement will involve a civic forum as well as collaborative workshops with key stakeholders. Local boards have identified key stakeholders within their board areas and a programme is to be prepared and reported back to the local board chairs reference group.

The PWP identified the following four key issues for engagement in phase 1.

- Achieving a compact city.
- Creating a rural urban boundary.
- The rural economy.
- Economic development and business growth.

Significant ecological areas

The PWP considered officers recommendations to include Significant Ecological Areas (SEAs) in the Auckland Unitary Plan. The approach would involve the use of an overlay on the maps to show the location of SEAs. The current 1000 SEAs (or 16% of the region) is currently being assessed alongside an additional 800 sites (a further 4% of the region) against five criteria used to determine the degree of significance. Approximately 40% of the land covered by SEAs is in public ownership. The proposed provisions would allow for minor works to vegetation within an SEA for activities such as keeping vegetation clear of buildings. Consents would be required for larger scale vegetation removal and activities such as new plantation forestry within an SEA. Alongside these provisions a package of incentives to landowners of SEAs was also discussed.

The timing for the completion of the assessment of the existing and new SEAs was the subject of discussion with the PWP recommending that the work programme be accelerated. This is to enable the provisions and maps to be part of the Phase 1 enhanced engagement process.

This matter was reported back at the PWP meeting on 2 August 2012. Officers reported that a full investigation of new SEA sites cannot be completed in time for the September local

board workshops and it was proposed that the existing SEA sites and a layer of sites under investigation be presented. The PWP agreed to this approach.

Coastal discharges

The policy approach to manage wastewater and stormwater discharges to the coast was also discussed by the PWP on 26 July. The recommended approach involves the retention of existing policy as set out within the operative regional plan coastal. A staged approach to the implementation of a standards-based approach to discharges would be taken through a future variation to the Auckland Unitary Plan. The PWP agreed with this approach which would include a timetable for the setting of discharge standards.

Freshwater management

The policy approach to the management of freshwater quality is also proposed as a staged approach towards the setting of standards on a catchment basis. The introduction of the National Policy Statement on Freshwater Management has identified that a standards-based approach is now required. The implementation programme to identify these standards is however something that will extend beyond the period available for the preparation of the Auckland Unitary Plan. Therefore a stepped policy approach was discussed with interim objectives and limits for water quality and quantity being incorporated into the Auckland Unitary Plan while the work programme continues towards identifying specific limits for each of the 14 proposed water management zones within the region. This approach was supported by the PWP.

Stock exclusion

Following a number of presentations to the Rural Advisory Panel on stock exclusion from water courses, officers presented a range of options to PWP. A spectrum of policy approaches was considered, from the current approach of advocacy and education alone through to a comprehensive approach of fencing and planting the margins of both permanent and intermittent streams over the next 5 years. The approach supported by the PWP involves building on the 'clean stream accord' (fencing with no setbacks or riparian planting alongside permanently flowing streams, wetlands and the coastal marine area). The approach would also allow five years to comply and would be supported by fencing subsidies. For intermittent streams the same approach would be taken with an additional five year period provided to achieve compliance.

Business

On 27 July 2012 the PWP considered a presentation on the Auckland Unitary Plan's approach to centres and business areas. The hierarchy of zones from the CBD down to neighbourhood centres, two industrial zones and two mixed use zones were discussed. Planning issues related to the relative mix of activities within these zones and the lack of land supply for some business types were considered.

The PWP considered the Auckland Plan centres based strategy and agreed that the Auckland Unitary Plan should encourage commercial activities within centres, enable commercial activity outside of centres in locations where greater intensity is desirable (and established centres are not adversely affected) and set criteria for considering whether commercial activity could occur in other areas. To support this the activities of residential, retail and office will be managed so as to protect the integrity and primary function of the proposed heavy and light industrial zones.

The placement of the Rural Urban Boundary and progressive release of 'future urban' land within the RUB were agreed as the best mechanisms to address the business land supply issue.

City centre

The PWP considered the proposed approach to managing development in the CBD. Officers outlined the proposed City Centre zone and its associated precincts that will recognise locations within the City Centre that have their own distinctiveness and character. Locations that have recently undergone plan changes such as Wynyard Quarter and the Learning Precinct will have their planning provisions remain relatively unchanged. There are changes proposed to height and site intensity controls to make them more permissive, and the bonus system is being modified to focus on incentivising the protection of heritage and historic character. Commercial activity is to be enabled throughout the City Centre zone while residential will be incentivised away from the 'engine room' area of the lower Queen St valley. The PWP agreed with the above policy approach provided the CBD Advisory Panel is kept informed of the changes in planning approaches. Also sought is the integration into the Auckland Unitary Plan of provisions to promote the City Rail Link.

Commercial sex industry

The presentation on how the Auckland Unitary Plan is proposing to manage the commercial sex industry focused on two possible broad approaches. The general approach would be to manage the commercial sex industry through the general land uses of home occupations (home based brothels) retail (adult retail) and entertainment facilities (commercial scale brothels and strip clubs). The second more specific approach would be to have specific definitions and approaches to home-based brothels, adult retail, commercial scale brothels and strip clubs. Also discussed were the related effects of these activities, being intensity and location of activities, parking, signage and anti-social behaviour.

Officers outlined the results of recent engagement with local boards, industry and stakeholder groups as well as the Regulatory and Bylaws Committee. The results of this engagement tended to favour the general policy approach.

The PWP raised concerns about shop window displays, ground level frontage and signage. The PWP sought that these matters be referred to the Regulatory and Bylaws Committee for further consideration before being reported back to the PWP.

Sustainable design

The adoption of provisions to support sustainable design in the Auckland Unitary Plan was the subject of a PWP presentation on 27 July. Following guidance from the Auckland Plan officers presented a number of options for the use of development standards and a ratings/assessment tool for new development. This assessment tool enables a development to be assessed against economic, social, cultural and environmental wellbeing indicators to arrive at a score.

The options presented for the use of standards and a ratings/assessment tool were as follows.

- Option 1 – set sustainable performance standards for new buildings.
- Option 2 – assess development against a ratings/assessment tool (either required or incentivised).
- Option 3 – use non-regulatory methods.

Following discussion the PWP agreed to an approach whereby Option 1 would be used sparingly and targeted at outcomes like bicycle storage facilities, water sensitive design and waste management. Option 2 was supported for new office development over 2000sqm, multi unit residential development and possibly at the neighbourhood scale for greenfield development. Option 3 was supported to compliment Options 1 and 2 in instances where the

RMA is less effective. The PWP sought that this matter be reported back with more details on the incentives and the cost implications of these.

Signs

The management of signs through both bylaws and the Auckland Unitary Plan was the subject of the PWP meeting on 2 August. Also considered was whether the management approach should vary between signs of different sizes and for placement on heritage buildings. Discussion centred around the relationship of signage to building branding, the effect of signs on the vibrancy of centres and the merits of split governance and decision making responsibilities of using both bylaws and the Auckland Unitary Plan. The PWP agreed in principle to an approach that manages small signs through bylaws and large signs and signs on heritage buildings through the Auckland Unitary Plan. As there was not a clear majority on this issue, officers intend to consider the issues raised by the PWP and report back on the matter.

Air Quality

The management of transport emissions and domestic fire emissions in the context of Auckland becoming the 'world's most liveable city' was considered by the PWP on 2 August. For the management of transport emissions, the considerations centred upon what land use management approach should be taken in addition to advocacy towards reducing emissions from vehicles at source. Options requiring resource consent for different sensitive uses within a buffer from state highways and regional arterial roads were considered by the PWP.

Discussion centred around the relative risks and relationship to the strategic directions of the Auckland Plan. The PWP agreed to progress an approach of requiring resource consent as a restricted discretionary activity for child care centres to locate within 150m of a state highway or 75m of a regional arterial road.

The second part of this presentation was on the topic of emissions from domestic fires. The National Environmental Standard on Air Quality has set standards that are to be met by the year 2016. Against this backdrop officers have identified domestic fires as a major source of particulate emissions for management through the Auckland Unitary Plan and bylaws. The discussion by the PWP centred around the phasing of this approach. The PWP agreed for the Auckland Unitary Plan to set the direction on the management of domestic fires through objectives and policies, with bylaws used as the regulatory implementation method.

Plan preparation programme

Two presentations were provided to the 10 August session of the PWP related to the forward work programme. Firstly a presentation was provided on the proposed notification process for the Auckland Unitary Plan. This presentation followed on from the Governing Body resolution on 24 November 2011 that highlighted the importance of implementing the Auckland Plan and an agile approach to planning. The presentation covered the pre-notification enhanced engagement phase, extended and enhanced submission period, direct support to assist submitters, set-up of the hearings panel, status of the notified Auckland Unitary Plan relative to the operative plans and finally the decisions phase and appeal rights. Key messages coming from the presentation were that:

- The Auckland Plan has set the strategic direction for Auckland into the future.
- Community expectations are of change to planning provisions.
- Many of the existing RMA plans are past their review date and require updating.
- The Auckland Unitary Plan is the key tool for implementing the Auckland Plan.

- The Auckland Unitary Plan will simplify planning rules and processes across Auckland giving greater clarity to what can or can't happen.
- The Auckland Unitary Plan will provide additional capacity for housing and business, and will enable a range of housing and employment choices.
- It is critical that the Auckland Unitary Plan replaces the existing 14 resource management plans as soon as possible so that Auckland can move forward in the direction of the Auckland Plan.

The second presentation on the plan preparation programme related to the steps between August 2012 and March 2013. A table of the Auckland Unitary Plan packages to be used for engagement between August and November 2012 was discussed, along with the decision-making processes on how feedback from this engagement can be incorporated into future draft provisions. The PWP agreed to hold full day workshops in the first week of December to consider the implications of this feedback from engagement.

Infrastructure (parking)

The PWP meeting on 10 August 2012 addressed the options for managing parking associated with development, as well as the provision of long and short stay car park facilities in the City Centre and fringe. The preferred approach put forward by officers is to apply a different parking approach for centres as compared with the rest of the region. This would involve:

- Applying parking maximums in centres and the city centre fringe.
- Applying minimums (as well as maximums) in some centres not on the Frequent Public Transport Network by 2022.
- Apply parking minimums (with no maximums except offices) outside centres.
- Apply parking maximums to offices in all locations.
- Parking provisions to be accompanied by a land use approach which controls out of centre development eg retail.
- Parking provisions to be supported by comprehensive parking management plans from Auckland Transport.

For car park facilities (buildings and at grade) in the City Centre and fringe, officers recommended that long stay parking be discouraged through the use of the non-complying activity status. The rationale for this is to limit the growth in congestion during peak periods and to support existing and future community investment in public transport. Short stay parking is recommended for management through the application of a discretionary activity status. This is seen as allowing visitor and customer parking to support businesses and the economic viability of the City Centre and city fringe area, as these visitors and customers are more likely than commuters to travel outside of the peak periods. All of these recommended approaches were agreed with by the PWP.

Consideration

Local Board Views

4. Local board views are currently being understood through the local board planning forum, membership on the PWP and through workshops with local boards. It is also intended that this report be circulated to all local boards to update them on the Auckland Unitary Plan development process to date. An enhanced period of engagement with local boards is commencing in September and in turn local boards will also be engaging on the Auckland Unitary Plan with key stakeholders within each local board area.

Maori Impact Statement

5. Consultation requirements with Mana Whenua are being met in accordance with an Iwi Engagement Strategy that in turn meets the requirements of Schedule One of the Resource Management Act 1991. The PWP also continues to have representation from the Independent Maori Statutory Board.

Implementation Issues

6. There is a need to discuss the possible impact of the Auckland Unitary Plan on resource consent staff. It is not possible to quantify the impact at this stage, but a close working relationship has been established to address the impacts as they are foreseen.

Attachments

No.	Title	Page
A	Auckland Unitary Plan Political Working Party Directions - July-August 2012	15

Signatories

Authors	Phill Reid - Manager Unitary Plan
Authorisers	Penny Pirrit - Regional & Local Planning Manager Roger Blakeley - Chief Planning Officer

Auckland Unitary Plan update

File No.: CP2012/15883

Purpose

1. To update committee on progress with the development of the Auckland Unitary Plan over the last two months.

Executive Summary

2. The programme of direction-setting presentations has continued to the Auckland Unitary Plan Political Working Party (PWP). Following the completion of an August working draft version of the Auckland Unitary Plan, a series of packages of provisions have also been assembled and considered by the working party. These packages of provisions and draft maps have been used to support local board engagement and broader stakeholder engagement undertaken over the last two months.

Recommendation/s

- a) That the report be received.
- b) That the Auckland Plan Committee endorse the work programme to date for the development of the Auckland Unitary Plan and the preliminary directions proposed by the Auckland Unitary Plan Political Working Party contained in Attachment 1 to this report.
- c) That this report and resolutions be forwarded to local boards for their information.

Discussion

3. The Auckland Unitary Plan Political Working Party (PWP) has met on five occasions since the last update report. A local board forum was held on 27 September 2012 with Auckland Unitary Plan development matters related to the natural environment considered. Further presentations have also been given to the Pacific Peoples Advisory Panel, Rural Advisory Panel and the Heritage Advisory Panel.
4. Matters considered by the PWP
 - Contaminated land
 - Air quality – industrial emissions
 - Auckland Unitary Plan draft maps
 - Update on engagement
 - Local board packages
 - Process for new historic heritage and historic character areas
 - Tree protection (considered twice)
 - Landscape features (considered twice)
 - Treaty of Waitangi package (considered twice)
 - Stormwater
 - Residential package (considered twice)

- Historic heritage assessment areas
- Open space
- Transmission line corridors
- Rural package
- Residential feedback
- Historic character
- Business package
- Volcanic view shafts (considered twice)
- Rural urban boundary (RUB) investigation.

5. Contaminated land

The approach to the management and identification of contaminated land was considered on 15 August 2012. The existing provisions in the operative district and regional plans are in need of review both because of the inconsistency and because a National Environment Standard (NES) has been introduced requiring a single approach to assessing and managing contaminants in soil to protect human health. The PWP heard how the NES now also requires that information is collated and made available to council staff and the public. Officers recommended that the Auckland Unitary Plan incorporate a regulatory approach (implement the NES through amalgamated district and regional plan provisions) together with the non-regulatory approach of compiling and maintaining a publicly available database on contaminated land within Auckland (Option 4). The PWP gave general support for this approach and requested a report back with more detail on the contaminant thresholds and the criteria used for their identification.

6. Air quality – industrial emissions

Industrial emissions to air was the subject of the third presentation given to PWP on 15 August 2012. In particular, the presentation focused on the buffering of land uses and the relationship of this to the availability of heavy industry land in both existing areas and greenfield areas. Officers recommended Option 3, being the alignment of the regional rules for air discharge with district rules controlling the location of land uses. This would utilise a 500 metre air discharge overlay that would expand out from the edges of heavy industrial areas and restrict sensitive land uses. Where existing sensitive activities would be compromised by this overlay, then the overlay would transition back into the heavy industrial area from the perimeter of the sensitive area. Also recommended was that the overlay only apply to specific areas (new greenfield areas to be determined, Wiri, East Tamaki, Penrose/Te Papapa, Otahuhu/Favona, Avondale and regionally significant infrastructure to be determined).

7. Auckland Unitary Plan draft maps

The 15 August 2012 PWP concluded with a workshop exercise for PWP members to examine and provide feedback on the first draft set of Auckland Unitary Plan zoning and overlay maps. A presentation was provided on the draft list of zones and overlays and the process by which operative district and regional plan zones and overlays had been converted to equivalent new Auckland Unitary Plan zones and overlays. Also discussed was the methodology for intensification and how it had been implemented relative to the operative plan zones and overlays. PWP members then spent two hours examining the maps and providing feedback to officers on what changes may be needed to assist in the preparation of subsequent draft sets of maps.

8. Update on engagement

Since mid-August 2012, engagement has taken place at a number of levels:

Sector workshops

- Aggregate/Quarrying
- Transport Provisions and Strategic Transport Corridor Zone Part I
- Transport Provisions and Strategic Transport Corridor Zone Part II
- Provisions for Roads, Utilities within Roads and General Utility Provisions
- Coastal and Conservation and Environmental Groups
- Provisions for Three Waters
- Restaurant Brands and McDonalds
- Retirement Village Owners
- Provisions for Electricity and Gas
- Retail/Plan Change 6 (Business)
- Provisions for Telecommunications
- Boat Moorings and Safe Anchorages
- Business Parks
- Developers (Residential/Growth)

Local Board hosted stakeholder events

Two workshops were held for each local board during September – the first one provided the boards with an opportunity to review the maps, the second outlined some of the draft provisions. All feedback during these workshops has been captured within a feedback management system and interim reports have been provided to local boards. All feedback will be responded to prior to March.

Local boards also hosted stakeholder events during October.

Local Board	Date	Attendance
Albert-Eden	Tuesday, October 02, 2012	18
Waitemata	Thursday, October 04, 2012	40
Orakei	Monday, October 08, 2012	22
Devonport-Takapuna	Tuesday, October 09, 2012	34
Hibiscus and Bays	Tuesday, October 09, 2012	14
Hibiscus and Bays	Wednesday, October 10, 2012	20
Maungakiekie-Tamaki	Wednesday, October 10, 2012	10
Otara-Papatoetoe	Wednesday, October 10, 2012	23
Maungakiekie-Tamaki	Thursday, October 11, 2012	15
Rodney	Thursday, October 11, 2012	36
Franklin	Tuesday, October 16, 2012	25
Kaipatiki	Wednesday, October 17, 2012	10
Papakura	Wednesday, October 17, 2012	30
Upper Harbour	Thursday, October 18, 2012	15
Franklin	Tuesday, October 23, 2012	TBC
Howick	Wednesday, October 24, 2012	TBC
Puketapapa	Wednesday, October 24, 2012	TBC
Manurewa	Thursday, October 25, 2012	TBC
West boards combined	Monday, October 29, 2012	TBC
West boards combined	Tuesday, October 30, 2012	TBC
West boards combined	Wednesday, October 31, 2012	TBC

In addition, Waitemata Local Board ran a community briefing on the Unitary Plan attended by around 20 people.

Civic Forum

This was intended to involve people who would not normally be involved in the development of the Unitary Plan – getting them up to speed on the key directions in the Auckland Plan, what the Unitary Plan will do and information about the process we are running. Recruitment 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. An introductory session provided the context and an overview of the hot topics, followed by a day's discussion on 'Where we live and work' and 'How to protect our natural environment, character and heritage'. Around 80 people attended.

Online forum

A parallel process took place online. People's Panel members were invited to participate and media articles encouraged non-People's Panel members to join in. The online discussion runs from 25 October to 7 November.

Consultative Leaders Forum

Targeted at strategic stakeholders, the Consultative Leaders Forum was designed to get high level input into key issues facing the development of the Unitary Plan. Forum one focused on the topic of achieving a compact city while protecting the things we value. Forum two is scheduled for mid-November. 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.

Maori engagement

Following the endorsement of the Treaty of Waitangi package of provisions by the PWP on 11 September 2011 working draft provisions and associated maps were released to Mana Whenua on 24 September for an 8 week review period. A series of elective workshops in support of feedback were held through October on the topics of heritage, growth, natural environment and coastal provisions. Further meetings are proposed to specifically consider the Maori Purpose Zones and the Rural Urban Boundary. There will be an officers report back to PWP on the above in December. Workshops have also been held with various Mataa Waka groups.

9. Local board packages

With the completion of a first working draft version of the Auckland Unitary Plan at the end of August, the 22 August 2012 PWP meeting considered how best to present material from this working draft. A series of packages of provisions was considered, with each package focussed on topics of interest to the engagement audiences of local boards, key stakeholders and the PWP. The packages agreed for assembly and engagement were:

- Residential
- Business
- Natural environment
- Historic heritage and historic character
- Rural
- Treaty of Waitangi.

10. Process for new historic heritage and character areas

Following the receipt of a memo from the Heritage Advisory Panel on the timing of heritage assessments and Auckland Unitary Plan provisions for intensification, the PWP considered earlier advice that no new historic character overlays be included in the March draft of the Auckland Unitary Plan. The PWP heard how the heritage team is reviewing and rolling over approximately 2100 existing sites and evaluating 50 new ones. The Long-term Plan has also now provided funding for a 10 year programme of heritage area assessments. Local boards have also budgeted for heritage-based work. Given the resourcing and Auckland Unitary Plan timetable, four proposed areas for investigation were recommended:

- Mangere
- Otahuhu
- Onehunga
- Balmoral

The PWP agreed with the following process going forward:

- (a) The criteria for identification of historic character areas are to be drafted by the end of September 2012
- (b) These criteria are to be considered by the PWP and the Heritage Advisory Panel
- (c) The criteria and areas for investigation are to be included in the March draft for community engagement
- (d) Should any local board want to identify any additional candidate areas for character overlays, then these areas would need to be progressed subsequent to the notification of the Auckland Unitary Plan
- (e) That the outcomes of the four new areas of investigation above be reported to the PWP for consideration for inclusion in the notified Auckland Unitary Plan.

11. Tree protection

On 28 August 2012 the PWP considered the recommended policy approaches for the management of notable trees, trees on roads and reserves, and other trees in urban areas. The presentation explained the role of urban trees in contributing to Auckland's natural character and set the context around existing district plan protection and recent RMA changes that set the scope within which ongoing tree protection can occur.

For notable trees, officers recommended the STEM (standard tree evaluation method) criteria be used for assessing existing and nominated notable trees and discussion centred around the relationship of the tree to the ongoing reasonable use of properties. PWP supported the rolling over of existing and nominated trees following a report back on the detailed criteria for assessing notable trees. The role of road and reserve trees as highly visible contributors to amenity was also discussed, and in particular the relationship of the trees to infrastructure that shares the same space. The PWP was advised by officers that discussion with utility operators were progressing well towards striking an agreed policy approach. The PWP supported a single set of tree protection provisions for roads and reserves with a range of permitted activities to ensure council's tree assets can be adequately managed, eg a council tree management plan or protocol. Other trees, being those currently protected in locations such as the coastlines, urban gully systems, the foothills of the Waitakeres and along riparian margins, were also discussed. The PWP reached a majority view that these trees should continue to be protected.

The 6 September 2012 PWP meeting received the report back on the criteria to be used in the assessment of notable trees. Discussion centred on how the criteria considers the negative effects of trees, and in some situations, whether the criteria should use a points system or a descriptive approach. The PWP supported the work progressing to a further December report back on progress.

12. Landscape features

On 28 August 2012 the PWP also considered the overall approach to landscape protection, which includes the sub-parts of:

- Outstanding natural landscapes (ONLs)
- Outstanding and high natural character areas (ONCs and HNCs)
- Outstanding and signification natural features (ONFs and SNFs).

The differences between these landscape overlays were described with the RMA itself and its companion New Zealand Coastal Policy Statement (for ONCs and HNCs), being the primary drivers of landscape protection policy. The PWP was presented with a proposed policy approach which uses rules for structures, earthworks and vegetation protection to retain the values associated with the different landscape overlays. The policy approach would also involve supporting non-regulatory incentives, being landowner assistance of advice, grants and possible rates relief. The PWP recommend that no action be taken to contact landowners until the PWP has reviewed the draft Auckland Unitary Plan maps to see where these overlays have been applied. However, the overall policy approach was generally supported.

The 6 September 2012 PWP meeting included a report back on this matter with the draft Auckland Unitary Plan maps provided for the PWP to examine and landscape architect Stephen Brown on hand to answer questions.

13. Treaty of Waitangi package

The contents of the Treaty of Waitangi package assembled from the recently completed August draft version of the Auckland Unitary Plan was the subject of a presentation to the 6 September 2012 PWP meeting. In addition, officers sought to confirm the approach for Mana Whenua and Mataawaka engagement. Officers outlined the contents of the Treaty of Waitangi package being Issues, objectives, policies and rules on;

- Landscape and natural features
- Historic heritage
- The management of the Hauraki Gulf
- Indigenous biodiversity
- The coastal environment
- Contaminated land.

In addition, maps of the Maori land overlay, Maori purpose zone, sites of significance to Mana Whenua, Maori cultural heritage alert layer and the treaty settlement alert layer were included.

The engagement process proposed for Mana Whenua through to July 2013 was outlined and the engagement with Mataawaka proposed for October 2012.

PWP members questioned the adequacy of funding and timing for identifying sites of significance to Mana Whenua. PWP member and chair of the IMSB, David Taipari raised a number of issues on behalf of the IMSB in relation to the content within the package and the proposed engagement. A meeting between the Chair of the IMSB and the Chair of the PWP, Deputy Mayor Penny Hulse, has been arranged to discuss the concerns raised by the IMSB.

The PWP reconvened this item on 11 September 2012 and endorsed the release of the Treaty of Waitangi package and its associated engagement programme.

14. Stormwater

The 6 September 2012 PWP meeting also considered a presentation on the proposed approach for managing stormwater, including seeking to minimise flooding risk.

The PWP heard the main features of the approach, being:

- The appropriate approach depends on the type of zone, vulnerability of the activity and the level of risk.
- A comprehensive approach to redevelopment enables more effective management of risk compared to a site by site approach.
- All types of development in flood plains should be avoided in greenfield areas.
- Restrict infill development in existing residential zones where flood plains exist.
- Apply a discretionary activity status to development in business zones where flood plains exist.
- Progress a mixed approach in intensification areas, subject to risk assessments and urban design outcomes.

The specific policy approaches for managing stormwater quality and quantity were outlined, being:

- Manage stormwater primarily at source through land use controls with public solutions focused in priority areas where they are most effective.
- Apply on-site quality controls to high contaminant generating activities region-wide.
- Apply controls at the time of redevelopment.
- Limitation on impervious areas with more stringent controls in locations of combined services or sensitive streams.

No specific direction was sought from the PWP and officers are continuing the mapping of floodplains relative to locations of intensification before a more detailed report back to the PWP.

15. Residential package

The controls within the residential package assembled from the August working draft version of the Auckland Unitary Plan were the subject of a presentation at the 11 September 2012 PWP meeting. Discussion occurred across a number of matters including:

- The extent to which the first Auckland Unitary Plan achieves the Auckland Plan directives for intensification.
- Thresholds for the removal of density controls.
- Appropriateness of height to boundary and yard setback controls.
- The need for a diagram to illustrate the residential zoning approach around centres.

The discussion was recommenced at the following PWP meeting on 17 September 2012 with members raising building heights as a primary concern. Officers confirmed that this is also the main feedback from local boards.

16. Historic character areas

The 17 September 2012 PWP meeting again considered the approach to historic character areas. The focus of this item was the extent to which the intensification approach intersects with the policy approach around the protection of historic character areas. Maps were produced for PWP members to show the proposed Auckland Unitary Plan zones, the existing character overlays and the historical development pattern of Auckland pre-1944. The importance of resolving the issue was also emphasised as it also impacts on the investigation of the RUB. Officers recommended that the currently approved policy approach be continued. This involves rolling over existing areas of historic character and assessing four additional areas for inclusion in the notified version of the Auckland Unitary Plan. PWP members raised a number of issues in discussion being:

- Should heritage assessments be completed across the region before areas are zoned for intensification?
- Discussion around the resourcing and availability of heritage experts to progress survey work.
- The risk of not zoning areas for intensification on the compact city approach.
- Impacts upon the city rail link.

The PWP requested that officers investigate a number of matters further and report back to the PWP.

17. Open space

The development of draft provisions for public open space was the subject of the next presentation considered at the 17 September 2012 PWP meeting. Officers outlined the outcomes sought by the four main public open space zones, two special purpose zones and a selection of precincts. Also presented were draft rules to manage uses and development on public open space.

Matters raised in discussion by PWP members included the relationship of the draft provisions to reserve management plans, consideration of buildings in open space relative to demands of increasing density and the appropriateness of commercial activities such as restaurants on public open space.

The PWP requested a report back on this topic, specifically:

- High level policies for public open space and recreation.
- Providing more opportunities for appropriate activities in open space with necessary controls in place.
- The need for reserve management plans following Treaty settlements.
- Information on case law, examples and implications to inform discussion on a consistent approach to private open space.

18. Transmission line corridors

Officers provided a report back presentation on the progress towards draft provisions to manage development under and adjoining electricity transmission lines. Within urban and greenfield zones an inner and outer electricity transmission corridor of 12 and 20 metres respectively from the centreline is proposed. Within rural areas, a single corridor of 32 metres either side of the centreline is proposed. Officers also presented draft performance standards for development and an alternative set of performance standards put forward by Transpower following consultation with them.

Following discussion on the current extent of underbuild, costs associated with undergrounding and longer term potential health and amenity effects, the following preliminary directions were given by the PWP:

- Generally avoid intensification in buffer areas and change maps to remove the terraced housing and apartment buildings zone from sites within the buffer areas.
- Advocate to change Transpower's approach to undergrounding due to impact of removing land from being available for intensification.
- New buildings should generally be discretionary activities in the inner buffer and alterations permitted within buffer zones.
- Officers to report back on the proposed approach for engaging directly with affected parties.

19. Rural package

The contents of the rural package assembled from the August working draft version of the Auckland Unitary Plan was the subject of a presentation to the 26 September 2012 PWP meeting. Discussion occurred across a number of matters including:

- For the mixed rural zone there was an acknowledgement of the challenges and complexities associated with this zone given the dual aspirations of retaining rural purpose while being open to innovative future rural activities.
- For the proposed rural coastal zone there were questions around whether overlays could protect the natural values associated with these locations rather than a zone.
- For rural subdivision there was discussion on the visual intrusion policies and rules as well as the extent of the transferrable development rights between rural and urban areas.
- The need for a report back to look at the overlay maps relative to the rural zones to assist with a decision on whether outcomes can both be met through overlays or zone changes.
- A call for further discussion on transferrable development rights was also made.

20. Residential feedback

Also considered on 26 September was an update on feedback received from local boards. The following matters were raised:

- The need for consideration of a longer term approach to transition gradually to maximum heights.
- Concern around residential rules enabling bigger single homes rather than more dwellings.
- In relation to town centres whether specific centres had correctly been identified as large as opposed to small town centres.

21. Historic character

This presentation to the 12 October 2012 PWP traversed a number of policy development matters under historic character and heritage.

Firstly, the PWP reconsidered the resource consent status for various development activities within existing historic character areas. The consideration of replacement buildings at the same time as applications for demolition was supported. Consideration was then given to the identification of new historic character areas. Beyond the four additional locations (Balmoral, Mangere, Otahuhu and Onehunga) previously agreed for investigation, the PWP considered the use of a historic settlement patterns map to identify areas for possible zoning changes (to the draft Unitary Plan maps) and/or requirements for consents to demolish or alter buildings. The PWP endorsed the progression of this investigation with the Heritage Advisory Panel. The Heritage Advisory Panel was also requested to consider the appropriateness of the 1940 cut-off date for investigation and draft assessment criteria for managing development activities within these areas once identified.

In relation to historic heritage places/items the PWP was provided with an update on the roll-over of existing schedules and assessment of new places. Options to call for additional nominations were considered. Officers have been asked to discuss with the Heritage Advisory Panel an option whereby heritage groups would be invited to nominate additional historic heritage places/items and that the Heritage Advisory Panel would be requested to review these.

22. Business

This presentation to the 12 October 2012 PWP was presented in three parts. Firstly, members were updated on the contents of the August working draft of the Auckland Unitary Plan in relation to the City Centre zone. These reflect the Auckland Plan directions and City Centre Master Plan aspirations. The following were the key points:

- A wide range of permitted activities is proposed, while concentrating retail activity in the core area.

- Building heights managed through general height limits and controls for sun in public places and volcanic view shafts.
- Floor area ratios and height controls will manage overall density.
- Positive design features and public benefits will be incentivised.
- Minimum dwelling standards for floor area, mix of dwellings and outlook space.
- Improvements to ground floor frontage controls.
- Parking provisions that reduce the reliance on private cars.
- Use of precincts to vary the permissible land uses and controls.

Discussion occurred across a couple of matters being daylight access into bedrooms, balcony design and the addition of cycle paths as a positive public benefit to be incentivised. The PWP endorsed the general direction of the draft provisions and requested the addition of cycle paths to the bonus provisions.

The second part of this presentation was an overview of the remaining business provisions that apply outside the city centre. The following were the key points:

- Building heights are proposed to increase in many town and local centres.
- Implementation of the Auckland Plan direction to locate new retail and office activities in centres.
- New buildings in most business zones will require a resource consent to enable the building design to be assessed.
- Maximum car parking ratios (and no minimums) proposed for centres on the frequent public transport network.

Discussion occurred across a number of matters including:

- Height controls allowing eight stories in large town centres and whether this could be a staged approach.
- The need to model the look of the full package of controls with the possible use of 3D software.
- The need for active edges to buildings that front onto green space.
- The need to accurately define land uses, with the example of tailors and jewellers that as manufacturing should be able to locate alongside retail.
- The need for future plan changes to align land use with transport planning, example being changes to the frequent public transport network.

The PWP endorsed the general direction of the provisions and requested that the discussion points be addressed within further drafts.

The third part of the business package was the recommended approach to the management of the commercial sex industry. In particular, the PWP was presented with the definitions, activity status and rules related to the commercial sex industry as contained in the August working draft of the Auckland Unitary Plan. The following were the key points of the presentation.

- Align the definition of commercial sexual services with the definition in section 4 of the Prostitution Reform Act.
- Do not specifically define home-based brothels, strip clubs and adult retail. These should be kept within the general definitions of home occupations, night clubs and retail respectively.

- Generally restrict the uses of commercial sexual services and night clubs in neighbourhood centres and enable them to occur more easily as the scale of the centre increases through town centres to the city centre.
- Use general signage controls to address commercial sex industry signs. Specific frontage controls to be used for commercial sexual services and strip clubs.
- Use general parking controls to manage all commercial sex industry activities.

During discussion, working party members raised various concerns being:

- The need for specific frontage and location controls on adult retail.
- The city fringe areas should not have permissive controls like the city centre zone that it surrounds.
- Further consideration needed on how to manage adult retail.

The following table was generally supported as a proposed approach to the activity status of the commercial sex industry.

Type of centre	Neighbourhood	Local	Town (small)	Town (large)	Metro	City
Commercial sexual services (excluding home occupation)	NC	NC	D	RD	P (option B)	P
Adult retail	TBC	TBC	TBC	TBC	P	P
Night club	NC	NC	RD	RD	P	P

P Permitted **RD Restricted Discretionary** **D Discretionary** **NC Non-complying**

TBC To Be Confirmed

23. Volcanic view shafts

The Auckland Unitary Plan approach to volcanic view shafts and height-sensitive areas was the subject of a presentation to the PWP on 12 and 17 October 2012. The presentation recounted the planning history of the visual protection of Auckland's volcanic cones which has most recently resulted in change 8 to the Auckland Regional Policy Statement becoming operative, and the Regional Development and Operations Committee directing the preparation of plan changes to the operative district plans to give effect to change 8.

The presentation illustrated a number of different volcanic view shafts across the region and in particular the relationship of the view shafts to building height restrictions within metropolitan and town centres. Discussion on the activity status related to development underneath the view shafts and for instances where development proposed to penetrate through the floor of a view shaft. The PWP noted that the view shafts themselves do not appear to have a significant impact on intensification and indicated general support for the activity status proposed (generally permitted below view shaft, restricted discretionary between floor of view shaft and height sensitive area, non-complying for the penetration through a view shaft or a height sensitive area).

24. Rural urban boundary (RUB investigation)

The 17 October 2012 PWP considered initial options for where the RUB might go in the southern investigation areas. Officers outlined a range of alternatives ready for initial public consultation. PWP members were also advised that the consideration of options within the north and west would also be progressed to be ready for inclusion in the Auckland Unitary Plan by September 2013.

The PWP considered how the Auckland Plan growth modelling envisages that 55,000 additional dwellings and 35,000 employees will be needed in the southern greenfield areas.

While potentially achievable, it was advised that a number of issues will need to be addressed such as wastewater treatment, stormwater, possible re-alignment of State Highway 22, iwi concerns and education services.

Discussion raised a number of matters being:

- The need to avoid undue haste and ensure issues such as wastewater, wading birds, impacts on the Manukau Harbour and stream water quality are properly addressed.
- The need to look at Waiuku more closely. Kingseat and Glenbrook were also mentioned.
- The ability given resources to carry out work in the north and west at the same time as this work in the south.

The PWP called for officers to produce a table to show the allocation of growth and provide research on soil and flooding protection.

Consideration

Local Board Views

25. Section 9 of this report details the engagement with local boards on the development of the Auckland Unitary Plan. In addition a number of local board chairs continue to be members on the PWP. It is intended that this report be circulated to all local boards to update them on the Auckland Unitary Plan development more fully. The enhanced period of engagement with local boards continues as discussed within section 9 above and it is anticipated that local boards will make formal recommendations to the PWP at their November meetings.

Maori Impact Statement

26. Consultation requirements with Mana Whenua are being met in accordance with the Iwi Engagement Strategy that in turn meets the requirements of Schedule One of the Resource Management Act 1991. Early consultation has also taken place with various Mataa Waka groups. The PWP continues to have representation from the Independent Maori Statutory Board.

Implementation Issues

27. There is a need to discuss the possible impact of the Auckland Unitary Plan on resource consent staff. A series of testing programmes using a cross section of consents against the draft Auckland Unitary Plan provisions is being undertaken. Whilst it remains difficult to quantify the impact at this stage, a close working relationship has been established to address the impacts as they are foreseen.

Attachments

No.	Title	Page
A	Auckland Unitary Plan Political Working Party Directions August - October 2012	51

Signatories

Authors	Phill Reid - Manager Unitary Plan
Authorisers	Penny Pirrit - Regional & Local Planning Manager Roger Blakeley - Chief Planning Officer

Attachment 1 – Auckland Unitary Plan Political Working Party Directions – August – October 2012

15 August 2012 (contaminated land, heavy industry air emissions)

Confirmed the proposed six packages of Unitary Plan content (issue and rules) for decision making and engagement, with amendments as noted.

PWP gave general support for Option 4 (refer main body of this report) for the UP approach to contaminated land and requested a report back with further information on criteria for identification of thresholds.

PWP gave general support for Option 3 (refer main body of this report) for heavy industry air emissions, taking into consideration the issues raised.
Officers to discuss with the Economic Development Manager a process to facilitate transition of heavy industry to new locations (30 year timeframe).

22 August 2012 (Historic heritage and historic character areas)

The PWP endorsed the recommended process for assessment of new heritage areas, with amendments as follows:

- Recommendation 3 to make it clear that the criteria and areas for investigation will be included in the March draft for community engagement and not in the material provided for engagement in September 2012;
- Recommendation 4 to make it clear that this future work programme would be subsequent to notification of the Unitary Plan.

28 August 2012 (Tree protection, landscape features)

The proposal to roll over existing and nominated notable trees was supported.

Option 3 for trees in streets and reserves (a single set of rules for trees in reserves and streets that provides a range of permitted activities to ensure Council's tree assets can be adequately managed e.g. a council tree management plan or protocol) was supported by the PWP, with Crs Coney and Walker recording their disagreement.

The working party indicated general support for Options 2 and 5 for other trees (retain tree protection in sensitive areas and roll over the areas where general tree protection applies as per the operative plans since the Environment Court declaration).

No action to be taken to contact landowners until the working party has reviewed the maps for landscape, natural character and natural features and the new areas proposed for inclusion.

The working party indicated general support for the proposed approach to outstanding natural landscape, natural character and natural features, and requested a preview of the maps at the next meeting.

17 September 2012 (Historic character areas, open space)

Refine the maps and report back to PWP:

- Confirm the accuracy of the pre 1940s maps,
- Overlay the pre 1940 areas with the intensification zones to give a better sense of the scale and extent of the areas affected,
- Include the City Rail Link zones and
- Include the areas that are being assessed.

Officers to investigate interfaces between Auckland Unitary Plan rules and what is happening with parks management plans to ensure alignment.

Ensure consistency of the open space approach with the overarching management plan for maunga.

Officers to report back on:

- High level policies for public open space and recreation
- Providing more opportunities for appropriate activities in open space with necessary controls in place
- Requirement for a reserve management plan after Treaty settlement
- Clarify approach to restaurants etc on open space and some examples
- Information on case law, examples and implications to inform discussion on consistent approach to private open space.

26 September 2012 (Transmission line corridors, rural package)

Electricity transmission buffers:

- Generally avoid intensification in buffer areas and change maps to remove the terraced housing and apartment buildings zone from sites within the buffer areas.
- Advocate to change Transpower's approach to undergrounding due to impact of removing land from being available for intensification.
- New buildings should generally be discretionary activities in the inner buffer and alterations permitted within buffer zones.
- Officers to report back on the proposed approach for engaging directly with affected parties.

Further discussion needed on transferable development rights for rural areas.

12 October 2012 (Historic character areas, business provisions, including the city centre and commercial sex industry)

Option 2 for interim protection of potential historic character areas supported as a starting point (refer main body of this report)

Continue discussions on appropriate date threshold(s) and criteria for determining historic character with Heritage Advisory Panel.

Rigour of the notification process should increase with the importance/earliness of the building.

Resource consent assessment criteria for historic character – replacement buildings must be assessed at the same time as the demolition is assessed.

Individual buildings – Discussions with Heritage Advisory Panel on nominations of additional buildings.

General support for the proposed direction of the business and city centre provisions.

Add provision of cycle paths to bonus features in the city centre provisions.

The following table outlines the general approach for commercial sex services, adult retail and nightclubs supported as a starting point by the PWP:

Type of centre	Neighbourhood	Local	Town (small)	Town (large)	Metro	City
Commercial sexual services (excluding home occupation)	NC	NC	D	RD	P (option B)	P
Adult retail	TBC	TBC	TBC	TBC	P	P
Night club	NC	NC	RD	RD	P	P

- Further thinking required around how to manage adult retail.
- Add active edges for buildings fronting green space in centres.
- Change terminology in business provisions - pedestrian cover instead of veranda.

17 October 2012 (Volcanic cone view protection)

The PWP noted that the view shafts themselves do not appear to have a significant impact on intensification and indicated general support for the activity status proposed (generally permitted below view shaft, restricted discretionary between floor of view shaft and height sensitive area, non-complying for the penetration through a view shaft or a height sensitive area).

Use the 86 view shafts in RPS and do not look into any new volcanic cone view shafts at this stage.

Auckland Unitary Plan - Update

File No.: CP2012/21077

Purpose

1. To update the Auckland Plan Committee on progress with the development of the Auckland Unitary Plan over the last month.

Executive Summary

2. The programme of presentations has continued to the Auckland Unitary Plan Political Working Party (PWP). The directions and content of the August working draft version of the Auckland Unitary Plan have been considered by PWP as well as local boards, Mana Whenua and other general stakeholders. Feedback on the August draft has been collated and contentious matters are to be considered by PWP during a two day workshop to be held on 3 and 4 December 2012. Subsequent changes to the working draft are now being made by officers ahead of the draft Auckland Unitary Plan being reported back to this Committee in February 2013 for the endorsement of its public release in March 2013.

Recommendation/s

- a) That the Auckland Plan Committee endorse the work programme to date for the development of the Auckland Unitary Plan and the preliminary directions proposed by the Auckland Unitary Plan Political Working Party contained in Attachment 1 to this report.
- b) That this report and resolutions be forwarded to local boards for their information.

Discussion

3. The Auckland Unitary Plan Political Working Party (PWP) has met on two occasions since the last update report.

4. Matters considered by PWP

- Existing road and rail with high traffic noise
- Natural environment package overview
- Effect of natural environment overlays on use and development

5. Existing road and rail with high traffic noise

The approach to managing the noise from high use road and rail corridors on adjoining land was considered by the PWP on 31 October 2012. A range of options were presented from doing nothing in the Auckland Unitary Plan through to requiring sensitive activities (eg residential development or schools) to include noise mitigation for both indoor and outdoor areas. Discussion occurred across a number of matters including;

- Whether noise mitigation should be required for outdoor activities in addition to indoor.
- The impact of the proposed approach on earlier PWP discussions around front boundary fences and walls where the direction was that they should be open in nature between 1.2 and 1.8m.
- Ongoing discussions needed with NZTA, Auckland Transport and Kiwi Rail to share the responsibility with adjoining owners for noise mitigation.

PWP endorsed the development of provisions for noise mitigation within indoor areas of sensitive activities that adjoin rail corridors or road corridors with 20,000 plus vehicle movements per day (option 3). Controls applying to outdoor areas were not supported. Front boundary fences and walls were supported as solid construction through to 1.8m in height where sensitive uses adjoined rail corridors, or road corridors with over 50,000 vehicle movements per day.

6. Natural Environment Package overview

The 31 October 2012 PWP was also provided with an overview of the natural environment package of provisions which comprised;

- Outstanding Natural Features, Landscapes and Character
- Significant Ecological Areas
- Coastal Management
- Land Disturbing Activities
- Stormwater
- Stock Exclusion from waterways

The legislative drivers behind the natural features, natural character and landscape approaches were discussed, with the main point being that where a property is tagged with a number of these overlays there should ideally be a single set of resource consent triggers.

The significant ecological areas content within the package looks to ensure no further loss or degradation and to promote restoration. PWP heard how Council will work with landowners to achieve this.

For coastal management, the key features within the package are;

- Use and development will need to consider effects on land and sea to avoid some of the past issues with location and design of ferry terminals, marinas and wharves,
- Appropriate use and occupation of coastal areas through rules and zoning – stronger direction eg moorings,
- Incorporation of matauranga Maori and the special relationship of the coastal environment to Mana Whenua,
- More flexibility in dredging provisions,
- Aquaculture will be considered a discretionary activity.

For land disturbing activities (includes earthworks, roading construction, mineral extraction, forestry clearance and cultivation), district and regional earthworks rules will be integrated so only one consent application will be required. The drivers behind the controls remains the retention of soil on land and out of water, protection of productive potential, retaining amenity values and retaining important landform features.

For stormwater the approaches to water quality, flooding and quantity were outlined with the following being the key features;

- Stronger rules than existing with use of the 100 year flood plain as a benchmark for controlling vulnerable activities,
- Requiring risk mitigation plans for development,
- Reduce flows at source – with the targeted use of section 30 of the RMA to address problems with existing uses,
- Integration of regional and district controls.

For stock access, controls would apply to intensive livestock grazing and permanent streams five years after the notification of the Unitary Plan. Following ten years, intermittent streams

would also be subject to the stock exclusion rules. The approach is consistent with the New Zealand Coastal Policy Statement, the National Policy Statement for Freshwater Management and the Auckland Plan.

Discussion from PWP members ranged across the above matters with the following main points made;

- The importance of getting the marine spatial planning project underway to address concerns from the Hauraki Gulf Forum,
- Resolution of problems with existing mooring management areas will mean more people are strongly encouraged to install moorings in designated areas,
- Free anchorage should be provided in designated areas,
- There needs to be acknowledgement that cultivation is a normal farming practice,
- A setback distance has not been provided in rules requiring stock exclusion from streams. Incentives for planting could be considered to compliment the controls.
- The use of Section 30 for stormwater matters should only be used at the time of significant redevelopment,
- Further work needs to be done to assess the relationship of locations of intensification to the constraints associated with stormwater,
- Coastal occupation charging work will be considered for a later variation.

7. Effect of natural environment overlays on use and development

This presentation to the 9 November PWP session used the GIS viewer of the Auckland Unitary Plan maps. The presentation was centred around the viewer, with PWP checking a number of locations across Auckland to see the extent to which the natural environment associated overlays affect the use and development of land. An overview was also provided on the overall percentage of zones that are affected by the various natural environment overlays.

The overlays provide a mechanism to enable the management of effects on areas identified as having significant or outstanding values. The rules associated with each of the overlays were summarised and considered relative to the various rural and urban zones.

PWP discussion raised the following main points;

- The Rural Advisory Panel held a collaborative workshop with key environmental Non Governmental Organisations on natural character and landscape overlays. Feedback suggested that the general rural and coastal zones should be more permissive, with controls concentrated in areas with high natural values,
- PWP sought that the provisions not preclude mineral extraction, large export-led horticulture operations and the development of the coastal biomarine industry,
- The large number of overlays was queried. The rules for Outstanding Natural Landscape and High Natural Character have been combined but the requirements of legislation require their respective specific values to be assessed and managed,
- How the approach is communicated is important. Local boards need to understand what the current rules are and what is proposed for change.
- The current state of Significant Ecological Areas in urban areas should not be regarded as the ecological baseline and the approach needs to allow for remedial action and restoration of degraded areas.
- The need for additional control for natural character in the Coastal Marine Area (CMA) was queried.

The working party confirmed a level of comfort with the general approach to natural environment overlays and supported the continued development of provisions with the provisos that;

- There is tailored engagement with rural communities and meetings with Rodney and possibly Franklin local boards,
- Urban Significant Ecological Areas need to ensure controls do not restrict works to enhance amenity or restore degraded environments including some mangrove removal.

8. Update on engagement

Since mid-August 2012, engagement has taken place at a number of levels:

Sector workshops

- Aggregate/Quarrying
- Transport Provisions and Strategic Transport Corridor Zone Part I
- Transport Provisions and Strategic Transport Corridor Zone Part II
- Provisions for Roads, Utilities within Roads and General Utility Provisions
- Coastal and Conservation and Environmental Groups
- Provisions for Three Waters
- Restaurant Brands and McDonalds
- Retirement Village Owners
- Provisions for Electricity and Gas
- Retail/Plan Change 6 (Business)
- Provisions for Telecommunications
- Boat Moorings and Safe Anchorages
- Business Parks
- Developers (Residential/Growth)

Local Board hosted stakeholder events

Two workshops were held for each local board during September – the first one provided the boards with an opportunity to review the maps, the second outlined some of the draft provisions. All feedback during these workshops has been captured within a feedback management system and interim reports have been provided to local boards. All feedback will be responded to prior to March.

Local boards also hosted stakeholder events during October.

Local Board	Date	Attendance
Albert-Eden	Tuesday, October 02, 2012	18
Waitemata	Thursday, October 04, 2012	40
Orakei	Monday, October 08, 2012	22
Devonport-Takapuna	Tuesday, October 09, 2012	34
Hibiscus and Bays	Tuesday, October 09, 2012	14
Hibiscus and Bays	Wednesday, October 10, 2012	20
Maungakiekie-Tamaki	Wednesday, October 10, 2012	10
Otara-Papatoetoe	Wednesday, October 10, 2012	23
Maungakiekie-Tamaki	Thursday, October 11, 2012	15
Rodney	Thursday, October 11, 2012	36
Franklin	Tuesday, October 16, 2012	25
Kaipatiki	Wednesday, October 17, 2012	10
Papakura	Wednesday, October 17, 2012	30
Upper Harbour	Thursday, October 18, 2012	15

Franklin	Tuesday, October 23, 2012	TBC
Howick	Wednesday, October 24, 2012	TBC
Puketapapa	Wednesday, October 24, 2012	TBC
Manurewa	Thursday, October 25, 2012	TBC
West boards combined	Monday, October 29, 2012	TBC
West boards combined	Tuesday, October 30, 2012	TBC
West boards combined	Wednesday, October 31, 2012	TBC

In addition, Waitemata Local Board ran a community briefing on the Unitary Plan attended by around 20 people.

Civic Forum

This was intended to involve people who would not normally be involved in the development of the Unitary Plan – getting them up to speed on the key directions in the Auckland Plan, what the Unitary Plan will do and information about the process we are running. Recruitment 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. An introductory session provided the context and an overview of the hot topics, followed by a day's discussion on 'Where we live and work' and 'How to protect our natural environment, character and heritage'. Around 80 people attended.

Online forum

A parallel process took place online. People's Panel members were invited to participate and media articles encouraged non-People's Panel members to join in. The online discussion runs from 25 October to 7 November.

Consultative Leaders Forum

Targeted at strategic stakeholders, the Consultative Leaders Forum was designed to get high level input into key issues facing the development of the Unitary Plan. Forum one focused on the topic of achieving a compact city while protecting the things we value. Forum two is scheduled for mid-November. 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.

Maori engagement

Following the endorsement of the Treaty of Waitangi package of provisions by the PWP on 11 September 2011 working draft provisions and associated maps were released to Mana Whenua on 24 September for an 8 week review period. A series of elective workshops in support of feedback were held through October on the topics of heritage, growth, natural environment and coastal provisions. Further meetings are proposed to specifically consider the Maori Purpose Zones and the Rural Urban Boundary. There will be an officers report back to PWP on the above in December. Workshops have also been held with various Mataa Waka groups.

Planning is also now underway for engagement on the draft Auckland Unitary Plan for March 2013.

Consideration

Local Board Views

9. An intensive programme of consultation with local boards has followed the completion of the August working draft version of the Auckland Unitary Plan maps and text. Local boards are consolidating their responses through board meetings in November and these are to be reported back to PWP at the two day workshop on 3 and 4 December 2012. In addition, a number of local board chairs continue to be represented on the PWP.

Maori Impact Statement

10. The collation of Iwi responses to the August working draft provisions has occurred during November and are also to be reported directly to PWP at the workshop on 3 and 4 December 2012. Consultation requirements with Mana Whenua are being met in accordance with the Iwi Engagement Strategy that in turn meets the requirements of Schedule One of the RMA. The PWP also continues to have representation from the Independent Maori Statutory Board.

Implementation Issues

11. None to report.

Attachments

No.	Title	Page
A	Auckland Unitary Plan Political working Party Directions - October-November 2012	15

Signatories

Authors	Phill Reid - Manager Unitary Plan
Authorisers	Penny Pirrit - Regional & Local Planning Manager Roger Blakeley - Chief Planning Officer

Attachment 1 – Auckland Unitary Plan Political Working Party Directions – October – November 2012

31st October – Existing road and rail with high traffic noise

Endorsed option 3 for noise control - controls around indoor areas.
Noise control option 5 (outdoor controls) was not supported.
Agreed no control over proximity to boundary/separation distance from road/rail for outdoor living areas – not supporting the proposed rule of no outdoor living area within 10m of boundary with rail corridor or high volume road.
Ensure fence rules allow for solid walls up to 1.8 metres in high noise locations (rail corridors and roads over 50,000 vpd)

31st October – Natural Environment package overview

Noted need to consider free anchorage in the Gulf to ensure ongoing access.
Supported directions of proposed stormwater approach but seeking further information on implications for development in floodplains, and extent of application of stormwater provisions.
Agreed to defer work on coastal occupation charging until after notification.

9 November – Effect of natural environment overlays on use and development

a) Confirmed that the role of the working party is to give guidance, not make decisions.
Confirmed that the UP team can continue to work in the directions outlined in the presentation on natural environment overlays, taking into account the specific points raised in the discussion including ensuring controls applying to SEAs do not restrict development that provides for ecological restoration (eg the removal of mangroves in certain situations).
Basis for discussion with rural boards and communications with their communities to be what is in the existing controls and the extent to which the proposed Unitary Plan controls will differ from these.
The Auckland Unitary Plan needs to provide for current extraction activities and ensure future mineral resources are referenced and protected from new constraints.
Confirmed GIS viewer is a useful tool for review of maps

Auckland Unitary Plan - March Draft

File No.: CP2013/00418

Purpose

1. To endorse the release of the draft Auckland Unitary Plan for further engagement and feedback.

Executive Summary

2. The Auckland Unitary Plan has been developed to the stage that it is ready for release as a draft document for widespread public engagement and feedback.
3. This is an important step in the enhanced Auckland Unitary Plan engagement programme being used to raise community awareness as well as improve the quality of the plan itself.
4. By being non-statutory, the draft Auckland Unitary Plan will enable the community to become familiar with the plan, whilst not in the meantime impacting upon any development rights.
5. A two and a half month informal feedback period, accompanied by a widespread awareness raising and engagement programme, is proposed to support the release of the draft Auckland Unitary Plan.
6. The feedback received will inform the final draft version of the plan delivered to Council for formal notification later this year.

Recommendation/s

That the Auckland Plan Committee:

- a) Endorse the draft Unitary Plan for public release on 15 March 2013;
- b) Endorse a feedback period on the draft Auckland Unitary Plan from 15 March 2013 to 31 May 2013;
- c) Recommend delegation be provided to the Deputy Mayor and one other councillor and local board chair from the Unitary Plan Political Working Party to approve minor editorial changes to the draft Auckland Unitary Plan through until its release.

Discussion

7. Since the formation of Auckland Council, officers and elected members have been working to produce the Auckland Unitary Plan. The Auckland Unitary Plan has been prepared under the Resource Management Act 1991 (RMA) as a plan to manage all development within Auckland and to support Auckland's 30 year vision contained within the Auckland Plan.
8. The Auckland Unitary Plan will enable council to manage all development across the region through a single RMA plan. Fourteen RMA plans are currently being used to undertake this task. The Auckland Unitary Plan has the capacity to create significant efficiencies including simplifying the planning process, one of the major benefits identified by the Royal Commission into Auckland's governance.
9. Developing the Auckland Unitary Plan has required a significant amount of time and resources, and will continue to do so. This is by far the largest RMA plan project to date in New Zealand and has been prepared in a timeline unprecedented for major RMA plans.

10. The Auckland Unitary Plan has been progressed to the stage that it is now ready for release in draft form. Through inviting public feedback on all provisions, the plan can be improved further and the public can come to understand the role and content of the plan. The plan is not being formally notified, therefore it does not affect current development and any feedback received is not a formal submission.

Governance timeline

11. The Auckland Unitary Plan preparation process was first reported to the Regional Development and Operations Committee (RDOC) in April 2011. That committee endorsed the formation of the Auckland Unitary Plan Political Working Party (PWP). The PWP has met regularly since its formation and has recommended directions for the development of the plan. These directions have been regularly reported to the governing body (firstly RDOC then the Auckland Plan Committee) where decisions on the plan development process have been made.
12. There has been a consensus amongst PWP members on a wide range (though not all) approaches proposed for the development of the draft Auckland Unitary Plan. Likewise, the decisions by the governing body on the development of this plan has largely been consistent with the recommendations of the PWP although has not always been unanimous.
13. Whilst decision making on the development of the Auckland Unitary Plan is the responsibility of the governing body, local boards have also been heavily involved with the development of the plan. A local board planning forum, representation from local board chairs on the PWP and then direct engagement into the drafting process through the latter half of 2012 has occurred.
14. Maori have also been directly involved with the development of the plan. Two Independent Maori Statutory Board (IMSB) members have represented the board on the PWP and iwi have been engaged directly on Treaty of Waitangi provisions and other provisions of interest to iwi such as those for the natural environment.
15. Central government has also supported the plan preparation process through advice from officials and support to council in undertaking an enhanced public engagement process. Legislative changes to the RMA have been introduced to parliament to streamline the process for the development of the Auckland Unitary Plan.

Plan preparation timeline

16. The development of the Auckland Unitary Plan has been marked by a number of key phases.
17. Firstly, direction setting was agreed with a number of guiding principles endorsed. Secondly, the scope of the Auckland Unitary Plan was set with the decision by RDOC that the Auckland Unitary Plan be a new fully combined RMA plan for Auckland and not simply a joining together of existing RMA plans. The one exception to this is that the regional and district plan provisions within the Auckland Unitary Plan will not apply to the former Hauraki Gulf Islands planning area.
18. Issue papers were then prepared across all of the key RMA planning issues facing Auckland and presented to the PWP. This step enabled a focus of attention on the most pressing issues, such as balancing historic heritage and natural environment protection whilst providing opportunities for the city to grow.
19. To consider in an integrated way the range of options available to address the issues with each zone, an 'outcomes matrix' was prepared by a wide range of individuals and groups. The matrix set out the range of outcomes sought for each draft Auckland Unitary Plan zone. This presented the PWP with a mechanism to consider and balance the range of competing desired outcomes for each zone.

20. A series of direction setting papers on matters of tension within the outcomes matrix were then reported to the PWP through most of 2012 to assist the development of objectives, policies and rules within the plan.
21. In late August 2012, an officer's draft of provisions was produced for targeted engagement with local boards, iwi and key stakeholders. Feedback from this informal consultation was then prioritised and matters of most concern identified. Four all day PWP workshops were held in December 2012 to consider these matters and recommend direction on policy development.
22. Following a further officer's review of provisions in January 2013, the draft Auckland Unitary Plan is now ready to be released for informal public feedback.

Engagement timeline

23. An Iwi Engagement Strategy was endorsed in December 2011 and led to a governance hui that month and technical hui in February 2012. Engagement has involved all 19 mana whenua groups in Auckland. Iwi workshops followed in March 2012 to consider the issues of greatest significance to manu whenua, being heritage, growth, biodiversity, coastal and freshwater management. Consultation summary reports were then prepared and reported to the IMSB, PWP, mana whenua and to officers to support drafting. Officer's draft provisions were then shared with mana whenua in August to October 2012 with feedback provided to officers to further support drafting.
24. Another key part of the consultation process has been a series of sector workshops. These commenced in February 2012 with over 20 workshops held. This was repeated again in July 2012. Sectors and stakeholders involved included groups such as developers, large format retail operators, schools, conservation and heritage groups, government departments, infrastructure providers, social service providers and Council controlled organisations (CCO's). The workshops created an opportunity to establish constructive two-way conversations on key issues, allowing stakeholders to raise any concerns and enable officers to test some of their thinking towards draft provisions.
25. In mid 2012 the Auckland Plan committee supported the plan development process adopting an enhanced engagement approach. This move from targeted to enhanced engagement was supported to enable a higher level of community and stakeholder testing of plan provisions, thereby also enabling the production of a higher quality plan. A key element of the enhanced engagement process was the decision to release the plan as a draft document for widespread community and stakeholder engagement prior to formal public notification under the RMA.
26. The enhanced engagement process is made up of three phases:

Phase one	-	August - December 2012 – engagement with iwi, local boards, advisory panels, stakeholders and sector groups.
Phase two	-	March – August 2013 – release of March draft for informal feedback, local board workshops and civic forum, iwi engagement, on-line communications and engagement, media campaign, workshops and road shows.
Phase three	-	Date (TBD) – onwards – plan presented to Council ready for formal notification, friends of submitters to help the community prepare submissions, extended submission periods, road shows/drop-in sessions, pre-hearing mediation and caucusing.

Phase One

Phase one has now been completed and summarised in Attachment One 'Phase one Engagement Summary Report'.

Phase two

27. The next step in the enhanced engagement process is the release of the draft Auckland Unitary Plan for informal public engagement and feedback. This is proposed to commence with a launch event over two days at the Viaduct Events Centre on 15 and 16 March 2013.
28. Councillors, IMSB members, local board members and stakeholders who have been involved so far in helping to shape the draft Auckland Unitary Plan will be invited. Local boards are encouraged to invite their key stakeholders. The launch event will be a series of discussions alongside an exhibition of key issues relating to the draft Auckland Unitary Plan. A public open day will take place at the centre on Saturday 16 March.
29. The draft Auckland Unitary Plan is to be made available primarily on-line. The on-line version will be able to be viewed either as a PDF or as an e-plan which enables the entire plan to be filtered for information relative to an address and/or an activity. The on-line version will also be displayed at dedicated computer terminals within main libraries. Hard copies of the draft plan will only be made available within local board offices and for mana whenua groups. All place based provisions (eg precincts) will be available only on-line or on CD where attached to a hard copy draft plan. This is to avoid excessive printing costs.
30. The feedback period is proposed to run from 15 March to 31 May 2013. To support and enhance this feedback process the following is proposed:
 - Civic forums, planning clinics and mini expos – south, west, north, central.
 - Iwi workshops and governance hui.
 - Community forums, disabled communities forum, older peoples forum, youth forum.
 - Civic engagement hubs in main libraries with trained staff to guide people in the use of the e-plan and completing feedback forms.
 - Feedback forms available on-line and in hard copy.
 - Roadshows
 - On-line forum, engagement calendar, FAQ's, on-line games, Auckland Unitary Plan video, Guide to the Unitary Plan booklet.
 - Letters to landowners affected by landscape, ecology, Rural Urban Boundary (RUB) and transmission line provisions.
 - Displays at major council run events.
31. It is important that elected members acknowledge that there may be varying views within the community relative to certain provisions within the draft plan. It is through understanding the issues raised by individuals, stakeholders, sector groups and the community as a whole that improvements can be made to the draft plan.
32. This enhanced engagement process step of releasing a draft Auckland Unitary Plan is a purposeful step to enable the plan to be improved before it is formally publicly notified and before it has a legal effect on development rights across Auckland.

Consideration

Local Board Views

33. An intensive period of consultation with local boards was completed in December 2012 and has directly assisted officers in making improvements to the Auckland Unitary Plan text and

maps. An Auckland Plan Committee workshop was held on 11 February 2013 to brief all Councillors and local board members on the content of the draft Auckland Unitary Plan prior to its release. Copies of the draft Auckland Unitary Plan were provided under memo to governing body councillors and local board chairs at this workshop. Further engagement opportunities are proposed between March and May 2013 for local boards to discuss the draft Auckland Unitary Plan with their communities and feed back to officers and the governing body. In addition, a number of local board chairs continue to sit on the PWP.

Maori Impact Statement

34. Consultation requirements with Mana Whenua are being met in accordance with the Auckland Unitary Plan Iwi Engagement Strategy that in turn meets the requirements of Schedule One of the RMA. Significant engagement has occurred to date as outlined in Attachment A. The PWP also continues to have representation from the Independent Maori Statutory Board.

Attachments

No.	Title	Page
A	Phase one engagement - summary report	13

Signatories

Authors	Phill Reid - Manager Unitary Plan
Authorisers	Penny Pirrit - Regional & Local Planning Manager Roger Blakeley - Chief Planning Officer

Auckland Unitary Plan

Phase 1 Engagement Summary Report



Item 9

Attachment A

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1 Executive Summary

Council's goal is to create a robust, high-quality Unitary Plan for notification that Aucklanders understand and support. Engagement has been occurring for over 18 months on key issues relating to the Unitary Plan starting with the Auckland Unleashed document.

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 this approach was reconsidered with a decision made 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 on the Unitary Plan ran from 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 to the public for feedback in March 2013.

Key features of the Local Board engagement involved the following:

- Early September - 19 Local board workshops - Informing on planning maps
- Mid-September - 19 Local board workshops - feedback on planning maps and briefing on UP "packages"
- September and October - Local Board Planning Forums
- Late September - November Local Board-led community activities such as key stakeholder workshops

Council staff have also held workshops with 150 people from a variety of key sectors, an innovative two-week online forum, a 60-person civic forum hosted by passionate Aucklander 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 will help the council develop the draft Unitary Plan to be ready for March 2013, when Phase 2 of our informal public consultation programme begins.

2 Enhanced engagement

2.1. Background

Auckland Council is embarking on the development of its draft Unitary Plan (UP) for the Auckland region.

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. This approach was presented to the Political Working Party in July 2011 and endorsed by them. In accordance with this approach workstreams were liaising with the relevant stakeholders and specific sector workshops were held in March /April 2012.

The opportunity arose to review this previous targeted approach to engagement. The Auckland Plan Committee at its meeting on the 3rd July 2012 confirmed an enhanced engagement process with an aim of developing a draft plan to be released in March 2013 for an informal feedback stage closing on 31 May 2013. This is to be followed by a council decision in September 2013 regarding notification of the proposed plan.

The engagement process sought to be collaborative so that Council produces a better quality plan which has benefited from community input. The process incorporated the principles of natural justice in light of the request to the Ministry of the Environment by Council for limited appeal rights.

2.2. Purpose of an enhanced engagement approach

Council has been seeking legislative change to the RMA to reduce the appeals process to points of law only. To support this proposition a very strong front end engagement process for the UP is necessary. This approach is encouraged and supported by the Ministry of the Environment. It is proposed that this be achieved in a number of ways, including through the provision of feedback to all participants and facilitated discussions with communities on issues during the release of both the draft and notified versions of the UP.

The purposes of an enhanced engagement process are:

- producing a better quality plan which has benefited from community input;
- ensuring a process that incorporates the principle of natural justice in light of the request for limited appeal rights.

The UP will give effect to the recently adopted Auckland Plan (AP) and is the document which implements many of the directions of the AP for developers, businesses, residents and communities. As a resource management plan, the UP will directly affect the property rights, aspirations and environments of all Aucklanders. The AP began high level discussions around key issues such as business and residential land supply but it is the UP which will give effect to these directions in a statutory plan. The UP will benefit from more extensive engagement with Auckland's communities.

2.3. The overall approach

The engagement approach was a collaborative one and sought to get different views round the table. This provided an opportunity to look at the issues and have discussion and identify the trade-offs that may need to occur on key issues and directions in the AP.

There are a number of benefits to this process:

- Focuses on giving all sectors of the community the opportunity to be genuinely involved in shaping the Unitary Plan
- Different engagement techniques provide opportunities to hear from sectors of the community who would otherwise not be able to or want to engage in a statutory process
- Provides opportunities to talk in informal settings to both the council and other sectors of the community, thereby improving the quality of discussion and outcome
- Provides a more user-friendly feedback and hearings process

- Better informed submissions will reduce time and costs during the hearing and post-decision phases.

3 Building on the Auckland Plan

Council has been engaging with Aucklanders for the last 18 months with the direction being set in the Auckland Plan. During that extensive engagement Aucklanders told us they wanted:

- More business land
- Parks and sporting facilities
- Economic growth
- Protect our rural areas and the environment
- No urban sprawl
- Affordable housing
- Place based growth
- Less car dependency
- Quality built environment
- Integrated transport
- Enable Maori economic and social well being
- People first
- Protection of heritage and character

4 Communications

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.

Activity included:

4.1. Media

- 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

4.2. Political

- Engagement with Governing Body and Local Board representatives;
- Providing briefing and key messages as required

4.3. Internal

- Internal news stories
- Regular briefings for Executive Leadership Team
- Interactive briefing session for Senior Leadership Team

During October there was also an internal briefing attended by over 150 staff. This provided an update on the process /timeline for the draft UP and also answered questions on key directions. Further briefings will be carried out in early 2013 to ensure staff are kept in the loop.

5 Audiences for Phase 1

In phase 1 of the enhanced engagement, the focus has been on involving stakeholders in the development of the draft plan and building awareness in the broader community to prepare them for engagement on the draft to be released in March 2013.

There have been a number of audiences during Phase 1. This included:

- Elected representatives;
- Political Working Party (PWP);
- Local Boards;
- Mana Whenua and Mataawaka
- CCOs;
- Advisory Panels;
- Government departments /Ministries as identified in the Resource Management Act;
- Adjoining local authorities;
- Internal stakeholders;
- External stakeholders;
- Sector groups
- Local communities

Appendix 2 is a calendar of events in Phase 1. The Council's Feedback Management System (FMS) was used to capture the feedback received in this phase.

6 Activities in Phase 1

Since mid-August 2012, engagement has taken place at a number of levels. They include the following:

6.1. Regular updates to PWP and Auckland Plan Committee

As part of the process the Political Working Party increased its number of sessions to provide more direction and input to the development of the plan. Regular reports were also provided to the Auckland Plan committee

6.2. Local Board hosted stakeholder events

Two workshops were held for each local board during September – the first one provided the boards with an opportunity to review the maps, the second outlined some of the draft provisions. All feedback during these workshops has been captured within a feedback management system and interim reports have been provided to local

boards. The key points raised by the feedback will be responded to during February 2013 workshops with individual Local Boards.

Local boards also hosted stakeholder events during October. The table below provides the details of these:

Local Board	Date	Attendance
Albert-Eden	Tuesday, October 02, 2012	18
Waitemata	Thursday, October 04, 2012	40
Orakei	Monday, October 08, 2012	22
Devonport-Takapuna	Tuesday, October 09, 2012	34
Hibiscus and Bays	Tuesday, October 09, 2012	14
Hibiscus and Bays	Wednesday, October 10, 2012	20
Maungakiekie-Tamaki	Wednesday, October 10, 2012	10
Otara-Papatoetoe	Wednesday, October 10, 2012	23
Maungakiekie-Tamaki	Thursday, October 11, 2012	15
Rodney	Thursday, October 11, 2012	36
Franklin	Tuesday, October 16, 2012	25
Kaipatiki	Wednesday, October 17, 2012	10
Papakura	Wednesday, October 17, 2012	30
Upper Harbour	Thursday, October 18, 2012	15
Franklin	Tuesday, October 23, 2012	35
Howick	Wednesday, October 24, 2012	25
Puketapapa	Wednesday, October 24, 2012	15
Manurewa	Thursday, October 25, 2012	17
West boards combined	Monday, October 29, 2012	13
West boards combined	Tuesday, October 30, 2012	17
West boards combined	Wednesday, October 31, 2012	11

In addition, Waitemata Local Board ran a community briefing on the Unitary Plan attended by around 20 people.

The Local Board Forums continued during this period, meeting on a monthly basis to provide local board input into content issues as well as to build knowledge and capability and to share information. The process has been aided with the introduction of the Deputy Mayor/Chairs Reference group to discuss local board and community engagement processes. In August a representative group of Local Board Chairs was invited to join the Political Working Party (PWP) to assist in direction setting for the draft Plan.

6.3. Mana Whenua

Engagement with Mana Whenua began in December 2011 with a Governance Hui to provide an introduction to the Unitary Plan and to discuss how we could work together with Mana Whenua in the development of the Unitary Plan.

This was followed in February / March 2012 with 14 individual / cluster Hui and four topic-based workshops to identify significant issues / outcomes for consideration in the development of the Unitary Plan.

Following the endorsement of the Treaty of Waitangi package of provisions by the PWP on 11 September 2012, working draft provisions and associated maps were released to Mana Whenua on 24 September for an 8 week review period. A series of

elective workshops in support of feedback were held through October on the topics of heritage, growth and natural resources. A further meeting was held to specifically discuss the Rural Urban Boundary in the southern part of the Region.

Written feedback was received from Mana Whenua groups, containing nearly 700 points of feedback.

6.4. Mataawaka

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 260 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. Te Waka Angamua (Maori Strategy and Relations) have played a critical role in supporting the organisation and facilitation of all engagement events with Mana Whenua and Mataawaka.

6.5. Policy Advisory Group

The Policy Advisory Group (PAG) was established in early 2011 as a senior level inter-departmental officers group to advise the Unitary Plan team on direction prior to matters being considered at a political level. As well as departments internal to council, representation from the Independent Māori Statutory Board, Council Controlled Organisations and government departments attended. The group also served the purpose of building capability and commitment within teams outside of the Unitary Plan team to assist in its development. PAG met on a roughly fortnightly basis through until late 2012.

6.6. Consultative Leaders Forum

Targeted at strategic stakeholders, and aiming to bring different view points to the table, the Consultative Leaders Forum was designed to get high level input into key issues facing the development of the Unitary Plan. Forum one focused on the topic of achieving a compact city while protecting the things we value. Forum two occurred on the 16-November and focused on business and the economy. 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.

The feedback received in each session has helped develop the draft plan with key feedback around how to incentivise and celebrate best quality design, building and

public spaces as well as how to use market attractive locations to create the spark for urban growth / intensification.

6.7. Civic Forum

The purpose of the Civic Forum was to involve people who would not normally be involved in the development of the UP and build their awareness of and interest in the Unitary Plan – getting them up to speed on the key directions in the Auckland Plan, what the Unitary Plan will do and information about the process we are running. Recruitment 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. An introductory session provided the context and an overview of the hot topics, followed by a day's discussion on 'Where we live and work' and 'How to protect our natural environment, character and heritage'. Around 80 people attended.

An external facilitator /MC (Te Radar) made the session interesting and light, the feedback received was that the process had been valuable and those participating gained a new understanding of the UP. These Civic Forums will be repeated in phase 2 but with a wider geographical spread.

Six round-table discussions were facilitated by senior managers with a note-taker writing key points from the discussion on flip charts. After each round of discussion, participants were invited to review other tables' discussions and were encouraged to vote for the three points they agreed with most strongly using sticky dots.

The design of the process followed similar approaches taken in Australia and Canada which identified the benefits of targeted approaches to engage with people not normally involved.

6.8. Online Forum

A similar 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. The online discussion ran from 25 October to 7 November.

All 10,559 People's Panel members were sent an email outlining the process and discussion topics and asking them to opt in to take part in the forum. This resulted in 1601 interested participants signed up to take part from a wide spread of locations across the region as well as a broad mix of demographic groups. Of these, 856 (53%) clicked on the link to read through the discussion. In addition, 1508 people came to the forum directly from the Auckland Council website. This means that a total of 1914 people saw the discussion. By the time the forum was closed we had received 864 posts from 172 participants over the three different discussion themes.

The conversation was wide ranging and covered a number of themes regarding people's attitudes to population growth, housing density, intensification, urban sprawl, section sizes, the need for good urban design and tight consenting processes, where businesses should best be located, the role of public transport, heritage protection, protecting the environment, view shafts and rural areas, and a host of other topics.

6.9. Sector workshops

During February /March 2012 there were a number of workshops held for sectoral groups and follow up workshops were held in October/November 2012 with the following:

- Aggregate/Quarrying
- Transport Provisions and Strategic Transport Corridor Zone Part I
- Transport Provisions and Strategic Transport Corridor Zone Part II
- Provisions for Roads, Utilities within Roads and General Utility Provisions
- Coastal and Conservation and Environmental Groups
- Provisions for Three Waters
- Restaurant Brands and McDonalds
- Retirement Village Owners
- Provisions for Electricity and Gas
- Retail/Plan Change 6 (Business)
- Provisions for Telecommunications
- Boat Moorings and Safe Anchorages
- Business Parks
- Developers (Residential/Growth)

Details of participants in these workshops are provided in Appendix 2.

6.10. Advisory Panels

There have been regular updates on the process to each of the council's Advisory Panels. The Youth Advisory Panel only recently re-established so have only received one briefing so far.

The Rural Advisory Panel has been particularly active holding a number of collaborative workshops with invited rural and environmental stakeholders participating in robust discussion on issues relating to rural Auckland.

6.11. Professional institutes briefing

On the 27 November 2012 the project team hosted a briefing for over 180 members of the following professional bodies:

- Institute of Architects
- Institute of landscape architect
- Institute of surveyors
- Institute of Planners
- Institute of engineers

This was a valuable Q & A session and an introduction to the Eplan. This session was well received with an opportunity for these professional bodies to get a first-hand view of the power of the Eplan as well as some of the key direction the draft UP is taking.

6.12. New Zealand Institute of Architects

A briefing was given to the urban design group of NZIA on the 20th of November. It was presented by Penny Pirrit and attended by approximately 30 members.

This was followed up with another session on the 10 December 2012. The NZIA have been particularly interested in the key directions and have provided valuable feedback as the draft policies and rules have been drafted.

6.13. Character Coalition

UP staff and elected members have met with members of the Character Coalition on two occasions. The Character Coalition is an umbrella group representing heritage, historical and special interest groups and residents associations who care deeply about Auckland. Some of the key issues raised during the two workshops included the issue of notification, concern over what is considered by architects to be "in context" and "sympathetic" and loss of appeal rights. Council is committed to work with the Character Coalition and will meet regularly during Phase 2.

6.14. Other

Other groups or organisations that have been involved in meetings during Phase 1 include:

- Manukau Harbour Forum
- Property Council
- Housing NZ
- Todd Property
- Julie Ann Genter M.P.
- Environmental Protection Agency
- Environmental Counsel
- Tramco Group
- Mental Health Service
- Waitakere Ranges Protection Society
- Piha Resident and Ratepayers Association
- Whitford Resident and Ratepayers Association
- Flaxroots Village Planning Project
- Urban Issues Group
- Cranleigh

7 Responding to feedback

One of the benefits of releasing a draft Unitary Plan is to receive feedback and make changes to create a better quality notified version. The Feedback Management System (FMS) is being used to manage the feedback in a similar manner it is used for RMA submissions now.

The feedback in Phase 1 has been analysed and as at 30 November 2012, 697 lwi feedback points were received and 1987 local board feedback points. We also received 9 detailed responses from other Council departments and CCOs and 34 detailed responses from other stakeholder groups. Major issues raised were 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 3 and 4 December and two subsequent meetings on 11 and 12 December.

8 Local Board resolutions

Each Local board passed a resolution at their November 2012 Business meetings with respect to the draft UP. Some key issues have emerged that the UP team have taken on board as the drafting is being finalised. In their feedback it was noted that the Local Boards support the general approach of one Unitary Plan for Auckland with a consistent approach to zones and overlays. They did however consider that the Unitary Plan needs to be supported by local planning (through area plans) that reflect local issues. Some local boards consider that until area plans are developed, an interim approach of maintaining existing development potential should be adopted to avoid irreversible outcomes. A number of Boards consider that there should be triggers in place before additional development potential can be unlocked including:

- Ensuring all infrastructure is in place to handle population growth (including transport, water/wastewater, social and community infrastructure)
- Providing for a staged approach to developing town and local centres
- Undertaking precinct planning to ensure ad hoc development does not occur.

Good quality design for all developments is very important to all local boards. Design guidelines and controls should be included in the Unitary Plan and local boards and the public should be consulted on the development of these design guidelines and controls. Many boards are concerned that new developments should provide for and enhance existing park and open space. Others felt there needs to be good transitions and buffers between different zones, particularly between residential and business zones

Appendix 1 – Phase 1 participants

Mana Whenua engagement – Iwi Authority

Ngāti Wai Trust
Ngāti Manuhiri Settlement Trust
Ngāti Rehua - Ngāti Wai Ki Aotea Trust
Te Rūnanga o Ngāti Whātua
Te Uri o Hau Settlement Trust
Ngāti Whātua Nga Rima o Kaipara Charitable Trust
Ngāti Whātua o Orakei Māori Trust Board
Te Kawerau Iwi Tribal Authority
Te Ahiwaru - Makaurau Marae Trustees
Te Akitai Iwi Authority
Ngāti Tamaoho Trust
Te Ara Rangatū o Te Iwi o Ngāti Te Ata Waiohū Incorporated
Ngai Tai ki Tāmaki Tribal Trust
Waikato – Tainui Te Arataura
Ngāti Paoa Trust
Ngāti Maru Runanga
Patukirikiri
Ngāti Whanaunga Incorporated
Te Runanga a Iwi o Ngāti Tamaterā

Mataawaka workshops 15 Oct (Takapuna), 24 Oct (Manukau), 25 Oct (Henderson)

Te Herenga Waka o Orewa Marae
Te Roopu Waiora
Mataatua Marae
Netball Manurewa
Manurewa Marae
Auckland Disability Law
Te Roopu Waiora
Mataatua Marae
Auckland Transport
Plunket Manukau
NZEI
Comet Auckland
DesignTRIBE
Hoani Waititi Marae
Ezekiel 33 Trust

Sector workshops

Housing New Zealand 25 Sep & 1 Oct

Aggregate Quarrying 4 Oct
Aggregate and Quarrying Association
Winstone Aggregates
Holcim New Zealand Limited
Kaipara Ltd
Fulton Hogan
Mark Tollemache - consultant to Winstone's
David Hay - consultant to Kaipara Ltd/Brookby Quarry

A separate meeting was held with Stevenson's Quarry

Transport Provisions and Strategic Transport Corridor Zone 15 & 16 Oct 12

Auckland Council
Auckland Transport
Boffa Miskell
KiwRail
Lawrie Environmental
New Zealand Transport Agency
The Planning Company

Provisions for roads, utilities within roads and general utility provisions - 17 Oct 12

Auckland Council - Transport Strategy
Auckland Transport
AUOG and Vector
Boffa Miskell
Chorus
Counties Power
New Zealand Transport Agency
Tattico
Telecom NZ
Telstraclear
Transpower
Vector
Watercare

Coastal and Conservation and Environmental Groups - 18 Oct 12

Fish & Game
Jane Sherard
Royal Forest & Bird Society (NZ)

Provisions for Three Waters - 23 Oct 12

Auckland Council
Watercare

Restaurant Brands and McDonalds (Drive Throughs) - 23 Oct 12

Restaurant Brands
McDonalds
Provisions for Electricity and Gas - 24 Oct 12
AUOG and Vector
Contact Energy
Counties Power
Genesis Energy
Mighty River Power
NZ Refining Company (Refining NZ)
Tattico
Transpower
Trustpower
Vector
Wind Farm Group

Retirement Village Owners - 24 Oct 12

Acacia Cove
Beca
Bentley & Co Ltd
BUPA
Chow Hill
Hopper Developments
Metlifecare

Northbridge
Oceania
Oceania Group & Selwyn Group
Retirement Villages Association
Retirement Villages Association
Summerset Group Holdings Ltd
Vision Senior Living
Wasley Knell Consultants Ltd

Provisions for Telecommunications - 25 Oct 12

2 Degrees Mobile
Auckland Council, Economic Development
Chorus
Telecom
Telecommunications Forum
Telstraclear
Vodafone

Boat Moorings and Safe Anchorages - 29 Oct 12

Auckland Harbourmaster
CANANZ & RNZYS Cruising Division Convenor
Stephen Wagstaff
Waiheke Boating Club
Yachting NZ

Business Parks - 30 Oct 12

Barker & Associates
Bentley & Co Ltd
Goodman
Smales Farm

Developers (Residential/Growth) - 31 Oct 12

Alan Bradbourne
AMP Capital
APGL Ltd
Awatere Ltd
Barkers & Associates
Barry Copeland
BCHT Ltd
Beacon pathway
Bell Gully
Bentley & Co
Bob Demler
C & C Strategic Ltd
Cabra Developments
CKL Ltd
Conrad Properties
Cooper & company
Cranleigh
Dawson Partners
DNZ Property Ltd
Douglas Allan
Fletcher Residential
Foodstuffs
Greenstone Group
Hamison Grierson
Hawkins
HNZC
Hobsonville Land Co

Hoppers Developments
Howard Parklands Ltd
HP Ltd - Joe Noma
Hugh Green Group
John Childs
Jomac Ltd
Juliet Reynolds
Kiwi Income Property Inc
Krukziener properties
Land Solutions Ltd
Manson's
Mark Benjamin - TNP
Mark Ockham
McConnell Property
Nakhle Group
NZIA
O-I glass
Osborne hay
Planning focus
Progressive Enterprises Ltd
Redwood group
Ross Reid
Southern Consortium
Stevenson Properties
Strategic resources ltd
Sugar Tree
Tattico
The Neil Group
The Warehouse
Todd Property
Transurban
Veros
Vikon Ltd
WAM
Warren Kyd
Westfield
Williams Land Ltd
Woods & partners

Large format retail/Plan Change 6 (Business) – 24 Oct 12, 29 Nov 12, 19 Dec 12

AMP Capital
Antares Restaurant Group Limited Trading as BURGER KING®
Auckland Transport
Barker & Associates
Bentley & Co Ltd
Bunnings Limited
Chapman Tripp
Countdown
Ellis Gould
Flow
Foodstuffs (Auckland) Limited
Kiwi Income Property Trust
McDonald's Restaurants (NZ Ltd)
Progressive Enterprises
Russell McVeagh
Smales Farm
The Warehouse
Westfield

Religious Groups - various meetings

General Trust Board of the Anglican Diocese
St Johns College Trust Board
St Stephens & Queen Victoria Schools Trust Board
Trust Investments

Schools - various meetings

Catholic Schools
Integrated Schools NZ
Private Schools
Ministry of Education

Hospitals - various meetings

North Shore, Waitakere, Middlemore, Manukau Super Clinic
Mercy Hospital
Auckland District Health Board
Waitakere District Health Board

Universities/Research - various meetings

Auckland University
Auckland University of Technology
Massey University
Mt Albert Research Centre
Unitec
Wilson Home Trust

Open Space - various meetings

Auckland Volcanic Cones Society
Bruce Pulman Park
Cornwall Park
Friends of Regional Parks

Heritage - various meetings

Character Coalition
Devonport Heritage
Kingsland Business Association

Character Coalition workshops - 25/10/12 and 22/11/12

Civic Trust
Civic Trust Auckland
Devonport Heritage
Eilersie Residents Association
Milford Residents Ratepayers Association
Character Coalition workshops - 25/10/12 and 22/11/12 (continued)
Mt Roskill (Puketapapa) Historical Society
Orewa Residents and Ratepayers Association
Parnell Heritage
Remuera Heritage
Save Our St Heliers
Snells Beach Residents and Ratepayers
Tamaki Drive Protection Society
Tree Council South Epsom
TRRA
Warkworth Liaison Group
Western Bays Community Group

Major Recreational Facilities - various meetings

ASB Showgrounds
ASB Tennis Centre

Auckland Museum
Auckland Zoo
Auckland University of Technology / Millennium Institute of Sport and Health
Bruce Mason Centre
Counties Racing Club
Eden Park
Eilerslie Racecourse
MOTAT
Mt Smart Stadium
North Harbour Stadium
North Shore Event Centre
Pukekohe Raceway
Trusts Stadium
Western Springs Stadium

Consultative leaders forum - 29/10/12 and 16/11/12

AECOM
Auckland District Health Board
Auckland University
Auckland University Students
Boffa Miskell
Bunnings Limited
Character Coalition
COMET Auckland
Committee for Auckland
Cranleigh/External Advisory Panel
David Clendon MP - Green Party
Dwell Healthy Homes Ltd
Ethnic Peoples Advisory Panel
Friends of Regional Parks
Goodman
Grey Power
Henderson Valley Residents Association
Heritage Advisory Panel members
Heme Bay Residents Association
Hon Phil Twyford MP
Housing NZ
Hugh Green Group
Institute of Architects
Kiwi Income PT
Land Solutions Ltd
Louisa Wall MP - Labour
Manukau East Council of Social Services
Manurewa Youth Advisory Panel
MECOSS
Media
Mount Albert Residents Association
Nakhle Group
New Zealand Housing Foundation
New Zealand Institute of Architects
New Zealand Police
NZ Council for Infrastructure Development
Ockham
Onehunga Business Association
Peddle Thorp
Preserve the Swanson Foothills Soc
Radio NZ
Resource Management Law Association of New Zealand Inc.
Samson Corporation Limited

Save Our St Heliers / Character Coalition
SFH Consultants Limited
Sills van Bohemen Architects
SKYCITY Entertainment Group
Stakeholder Strategies
Studio D4
Takapuna Beach Business Association
Tattico
The Warehouse
Titirangi R&R Assoc
Todd Property Group
TONEA Investments (NZ) Limited
Unitary Plan External Advisory Group
Waitemata Police
Winstone Aggregates
Youth Advisory Panel Chair
Youth Advisory Panel Member

Rural Advisory Panel workshops – 20 July 2012 and 19 October 2012

Aquaculture NZ
Auckland Conservation Board
Dept of Conservation
Egg Producers Federation of NZ
Environmental Defence Society
Equine Industry
Federated Farmers
Fish and Game
Fonterra
Forestry
Forest & Bird
Rural Advisory Panel workshops – various (continued)
Friends of the Earth
Horticulture New Zealand
Integrated Kaipara Harbour Management group
New Zealand Forest Owners
New Zealand Wine
Ngati Manuhiri
Ngāti Whātua Mana Whenua
Poultry Industry Association of NZ
Primary Focus
Rural Contractors New Zealand and Aggregate & Quarry Assn
Umupuia Marae, Ngai Tai ki Tāmaki
Waiuku resident

Professional Bodies Briefing - 22 Nov 12 - 190 delegates
Promoted to NZPI, NZIA, NZILA, NZIS and IEPNZ members

Phase 1

Appendix 2 – Phase 1 Calendar

	Morning	Afternoon	Evening 1	Evening 2
Wednesday, 12 September 2012	Property Council workshop			
Wednesday, 19 September 2012		Property Council workshop		
Tuesday, 25 September 2012		Housing, New Zealand workshop		
Tuesday, 2 October 2012	Albert-Eden Local Board		Waitemata Local Board	
Thursday, 4 October 2012			Orakei Local Board	
Monday, 8 October 2012			Devonport-Takapuna Local Board	Hibiscus & Bays Local Board
Tuesday, 9 October 2012			Hibiscus & Bays Local Board	Maungakiekie-Tamaki Local Board
Wednesday, 10 October 2012	Orara-Papatōtōe Local Board			
Thursday, 11 October 2012	Maungakiekie-Tamaki Local Board		Rodney Local Board	
Monday, 15 October 2012	Transport Provisions		Matāwaka Hui – North	
Tuesday, 16 October 2012	Transport Provisions		Franklin Local Board	
Tuesday, 16 October 2012		Mana Whenua workshop		
Wednesday, 17 October 2012		Provisions for roads, utilities within roads and general utility provisions		Papakura Local Board
Wednesday, 17 October 2012		Mana Whenua workshop		Board
Thursday, 18 October 2012		Waitemata local board - community event	Kaipatiki Local Board	Matāwaka Hui – Central
Tuesday, 23 October 2012		Provisions for three waters	Upper Harbour Local Board	
Tuesday, 23 October 2012		Restaurant Brands & McDonalds	Franklin Local Board	
			Civic Forum Introduction	

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Wednesday, 24 October 2012	Mana Whenua workshop (all day)		Matawaka Hui - South	
Wednesday, 24 October 2012	Provisions for electricity and gas	Retail 7 Plan change 6 (business)	Howick Local Board	Puketapapa Local Board
Thursday, 25 October 2012	Mana Whenua workshop		Character coalition	
Thursday, 25 October 2012		Provisions for telecommunications	Manurewa Local Board	Matawaka Hui - West
Friday, 26 October 2012	Mana Whenua workshop			
Monday, 29 October 2012	Breakfast briefing with three west boards		Boat Mooring's and Safe Anchorage's	
Tuesday, 30 October 2012	Mana Whenua workshop	Consultative forum		
Tuesday, 30 October 2012		Business Parks	West local boards	
Wednesday, 31 October 2012		Developers (residential / growth)	West local boards	
Friday, 16 November 2012	Consultative forum		Professional bodies briefing	
Wednesday, 21 November 2012				
Thursday, 22 November 2012			Character coalition	

Key

- Civic forum
- Local board led stakeholder engagement
- Regional stakeholders
- Local board led community engagement
- Mana Whenua engagement

Unitary Plan: Post Informal Feedback Process

File No.: CP2013/09640

Purpose

1. To update the Committee on the proposed process for the development of the Unitary Plan after the conclusion of the informal feedback period on the 31st May 2013.

Executive Summary

2. As part of the development of the Unitary Plan a draft version has been made available for public feedback. The feedback period commenced on 15th March and will conclude on the 31st May 2013.
3. By the end of the feedback period over 200 events and meetings will have been held to inform and provide opportunities for discussion and debate on the draft.
4. Post 31st May officers will be analysing all of the feedback received over June. Workshops with the Auckland Plan Committee and Local Board members are scheduled to occur in July and August to consider the feedback and give direction to officers on changes to the draft plan.
5. As key issues are identified there will also be opportunities for 'collaborative workshops' with interested parties to identify possible options for resolving these issues

Recommendation/s

That the Auckland Plan Committee:

- a) endorse the process post 31st May for considering feedback on the draft Unitary Plan, including opportunities to address key issues through a collaborative workshop process where appropriate.

Discussion

6. The draft version of the Unitary Plan was released on the 15th March this year so that feedback could be given on how the plan could be improved prior to its formal public notification later this year. The feedback period concludes on the 31st May 2013.
7. At the time of writing this report over 177 events (with over 10,400 attendees) had been held across Auckland to provide information to communities on the draft Unitary Plan; 105,917 visits to the website have occurred and around 2233 telephone and email enquiries have been dealt with.
8. After the feedback period concludes at the end of May officers will continue to code and analyse the feedback received to identify issues and potential options for addressing those options. In addition, where aspects of the draft Unitary Plan have generated a significant range of diverse/opposing views it is proposed to hold collaborative workshops to see whether a solution to the matter can be identified. This process has been used in the past with the Rural Advisory Panel and Environmental Interest groups working together on stock exclusion provisions.
9. During July and August there will be workshops held with the Auckland Plan Committee to which Local Board members are invited. These workshops will receive reports from officers on matters that have been raised through the feedback process and which require direction from the Committee. Feedback, which identified mistakes in the draft, Unitary Plan eg

spelling mistakes or obvious mapping errors will be fixed without reporting to the Committee. In addition to the workshops, it is proposed to have two days of site visits to places around Auckland, where key issues have been identified through the feedback process and where elected representatives would benefit from seeing on the ground the potential impact of proposed rules in the Unitary Plan eg RUB location, rural production areas impacted by SEA/ONC overlays, pre-1944 areas. Formal meetings of the Auckland Plan committee to consider amendments to the draft Unitary Plan recommended from the workshops are planned for August and September. The proposed timetable for the workshops, site visits and meetings is attached as Attachment A.

10. Whether or not further workshops/meetings will be required can only be determined once we know the number of feedback responses and whether they all raise discrete issues or a number raise the same issue.

Consideration

Local Board Views

11. Local Boards can follow a two-step process in terms of feedback. In the first instance, they can put in feedback by the 31st May, and secondly they can present to the Committee their views in late July once they have had a chance to review feedback received from their Local Board areas.

Maori Impact Statement

12. Hui have been held with iwi across Auckland during the feedback period to ensure iwi are informed on the draft Unitary Plan, and the opportunity to provide feedback. A Governance Hui is being held in May. The IMSB has provided feedback on those areas of the draft Unitary Plan which would benefit from a rewording in order to ensure Maori aspirations and values are provided for.

Attachments

No.	Title	Page
A	Proposed Schedule of Workshops, Site Visits and Meetings	21

Signatories

Authors	Penny Pirrit - Regional & Local Planning Manager
Authorisers	Roger Blakeley - Chief Planning Officer

Proposed Schedule of Workshops, Site Visits and Meetings

	Unitary Plan PWP	Auckland Plan Committee UP Workshops	Auckland Plan Committee UP Local Board workshops	Site Visits	Auckland Plan Committee Meetings
June 2013	Friday 14 June Wednesday 19 June				
July 2013		*Friday 5 July (direction setting workshop) *Monday 8 July (direction setting workshop) *Friday 12 July (direction setting workshop)	Monday 28 July Tuesday 30 July Wednesday 31 July	Friday 2 August Monday 5 August	
August 2013		Friday 9 August Monday 12 August Friday 16 August Monday 26 August			
September 2013 (TBC)					Monday 16 September Wednesday 18 September

*NB: all local board members will be invited to attend and listen to the presentations at the APC direction setting workshops on Friday 5 July, Monday 8 July and Friday 12 July.

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Councillor Casey moved an amendment seconded Cr Coney

- e) support in principle the upgrade of Federal Street as a smoke free area

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

For:

Councillors: Dr Cathy Casey
Sandra Coney
Hon Chris Fletcher
Michael Goudie
Mike Lee
Richard Northey
Wayne Walker

Against:

Councillors: Cameron Brewer
Penny Hulse
Des Morrison
Calum Penrose
Dick Quax
Noelene Raffills
Sharon Stewart
David Taipari
Glen Tupuhi
Sir John Walker
Penny Webster

The division was declared LOST by 7 votes to 11.

Secretarial Note: The meeting adjourned at 12:40 and reconvened at 12:55

Cr Hartley returned to the meeting at 12:55 pm
Member Taipari exited the meeting at 12:57 pm.
Member Taipari returned to the meeting at 01:05 pm.
Cr Penrose exited the meeting at 01:11 pm.
Cr Goudie exited the meeting at 01:13 pm.
Cr Goudie returned to the meeting at 01:18 pm.
Member Tupuhi exited the meeting at 01:28 pm.

11 Unitary Plan: Post Informal Feedback Process

Resolution number APC/2013/57

MOVED by Deputy Mayor PA Hulse, seconded Cr P Webster:

That the Auckland Plan Committee:

- a) **endorse the process post 31 May 2013 for considering feedback on the draft Unitary Plan, including opportunities to address key issues through a collaborative workshop process where appropriate.**

CARRIED

Cr C Brewer moved an amendment to the original motion, seconded Cr Fletcher:

- b) **support that ward councillors and local boards work with officers to decide what collaborative workshops and open meetings are required and that are specific to their area.**

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

For:

Councillors: Cameron Brewer
Dr Cathy Casey
Sandra Coney
Hon Chris Fletcher
Michael Goudie
Ann Hartley
Penny Hulse
Mike Lee
Des Morrison
Richard Northey
Dick Quax
Sharon Stewart
David Taipari
Sir John Walker
Wayne Walker

Against:

Councillors: Penny Webster

The division was declared CARRIED by 15 votes to 1.

Cr Quax exited the meeting at 01:51 pm.

Cr Webster exited the meeting at 01:40 pm.

12 Auckland Council's response to Te Ture Whenua Maori Act 1993 Review Panel Discussion Document

Resolution number APC/2013/58

MOVED by Cr RJ Northey, seconded Member DE Taipari:

That the Auckland Plan Committee:

- a) approve the Auckland Council submission to the Te Ture Whenua Māori Act 1993 Review Panel Discussion Document subject to the inclusion of the outcomes from the Māori engagement hui on 16 May.
- b) agree to delegate to the Chair and Mr Glen Tupuhi to finalise and approve the submission in accordance with the resolutions of the Committee.
- c) forward a copy of the final submission to the Independent Māori Statutory Board and the Local Boards for their information.

CARRIED

13 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

Cr Goudie exited the meeting at 01:52 pm.

Cr Morrison exited the meeting at 01:52 pm.

14 Procedural motion to exclude the public

That the Auckland Plan Committee:

- a) agree that the public be excluded from the following part(s) of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987

Unitary Plan Update and Workshop Issues

File No.: CP2013/17069

Purpose

1. The Committee is requested to consider the discussions at Auckland Plan Committee workshops held on 3, 5, 6, 7, 11 and 12 July 2013, and to note the interim directions towards the development of the notified version of the Auckland Unitary Plan.

Executive Summary

2. Auckland Unitary Plan workshops are being held with all members of the Auckland Plan Committee, Independent Maori Statutory Board representatives and Local Board Chairs. Any interim directions discussed at the workshops are reported to a formal meeting of the Auckland Plan Committee to provide for further discussion. The interim directions will assist officers in developing a notified version of the Auckland Unitary Plan. Final decisions will be made by the Auckland Plan Committee and Governing Body. This report relates to the workshops held on 3, 5, 6, 11 and 12 July 2013 that dealt with the following topics:

- Rural
- Retail
- Signs
- Parking
- Electricity transmission corridors
- Stock access to streams and the Coastal Marine Area
- Trees and utilities
- Universal design
- Genetically modified organisms (GMOs)
- Aircraft noise
- Mapping

Recommendation/s

That the Auckland Plan Committee:

- a) Notes the interim directions (outlined in the report) relating to the following topics:
 - i) Rural
 - ii) Retail
 - iii) Signs
 - iv) Parking
 - v) Electricity transmission corridors
 - vi) Stock access to freshwater and the Coastal Marine Area
 - vii) Trees and utilities
 - viii) Universal design
 - ix) Genetically modified organisms (GMOs)
 - x) Aircraft noise
- b) Forward this report and resolutions to all local boards.

Discussion

3. Informal public engagement on the draft Auckland Unitary Plan was completed on 31 May 2013. Almost 23,000 pieces of feedback were received. Officers are continuing to analyse the feedback and are considering any changes that could be made to develop a proposed Auckland Unitary Plan for notification.
4. In order to inform the Auckland Plan Committee of the feedback and the suggested approaches from officers, workshops have been set up to discuss key issues and areas where interim directions are needed. The workshops consist of all members of the Auckland Plan Committee, Independent Maori Statutory Board representatives and Local Board Chairs. The interim directions provided at these workshops are subsequently reported to formal meetings of the Auckland Plan Committee. A workshop and meeting work programme was discussed at the Auckland Plan Committee workshops. The remainder of this report outlines the feedback received to date relating to each workshop topic and the interim directions that were generally agreed.

3 July 2013 workshop

Rural

Rural subdivision

5. The following issues have been identified in the feedback to date:
 - Support for retaining productive land, and elite and prime land
 - Support for retaining farms as larger blocks
 - Seek continued right to subdivide in exchange for restoring wetlands/bush
 - Opposition to and support for transferable title subdivision
 - Change activity status of rural subdivision from prohibited to non-complying or discretionary
 - Suggestions that minimum site size should be less than 150ha in the Rural Production zone
 - Seek more permissive boundary adjustment provisions
 - Economic/non-economic reasons for smaller rural site sizes.
6. The following interim directions were generally agreed:
 - Confirm strategy of no net increase in number of rural sites, to protect productive land and avoid fragmentation
 - Investigate additional flexibility for rural subdivision by:
 - Allowing some opportunities for Transferable Rural Site Subdivision to Countryside Living areas where enhancement planting takes place within defined locations
 - Allowing more than one Transferable Rural Site Subdivision opportunity where vegetation is protected
 - Adding a new boundary relocation rule to allow restructuring of site boundaries
 - Providing for farm parks.

Countryside living minimum site sizes

7. The following issues have been identified in the feedback to date:
 - Support for proposed provisions

- Support 'mix' of Countryside Living minimum lot sizes
- Reduce minimum lot size to:
 - 4000m²
 - 0.5ha
 - 1 ha
 - 1.8ha
 - 2ha
- Not enough land zoned (especially as receiver areas for transfers)
- Too much land zoned, some includes productive farmland
- Countryside Living areas need careful delineation.

8. The following interim directions were generally agreed:

- Consider opportunities for new Countryside Living areas at the mapping workshops
- Consider whether there are opportunities to reduce the minimum site sizes in some parts of the Countryside Living zone at the mapping workshops
- Investigate smaller sites around rural townships.

Mixed Rural zone

9. The following issues have been raised in the feedback to date:

- Application of Mixed Rural zone does not align with the Auckland Plan "Mixed Rural Environment"
- Insufficient Mixed Rural zoned areas in the draft Auckland Unitary Plan.

10. The following interim directions were generally agreed:

- Introduce new Mixed Rural zones based on the Auckland Plan (relates to Rodney).
- Include investigation of Mixed Rural zones in Franklin area also
- Review in conjunction with review of activities within Rural Production zone.

Additional dwellings in rural zones

11. The following issues have been identified in the feedback to date:

- Need to provide for more than one dwelling per site as a permitted activity (currently a discretionary activity)
- Farming/equestrian activities often need more than one dwelling
- Allow staff or farm-workers accommodation
- Allow two or three dwellings on very large sites
- Want second dwellings so can retire on the land.

12. The following interim directions were generally agreed:

- Provide for a second dwelling on sites greater than 40Ha and a third dwelling on sites greater than 100Ha as a permitted activity
- Provide for a second or subsequent dwelling as a restricted discretionary activity on sites smaller than 40ha
- Do not provide for subdivision around the second or subsequent dwelling.

3 July 2013 workshop

Retail

General Business zone

13. The following issues have been identified in the feedback to date:

- Feedback about the General Business zone from the general public is limited
- Feedback from retail operators typically supports the concept of a General Business zone. There are also multiple re-zoning requests for a General Business zone to be applied to certain properties.

14. The following interim directions were generally agreed:

- Continue the use of the General Business zone as an option for appropriate out-of-centre retail development
- Examine if some additional areas should or should not be rezoned General Business zone
- Discuss any proposed changes at the mapping workshops
- Investigate non-complying activity status for 'large format retail' in the Mixed Use zone.

Identified Growth Corridors

15. The following issues have been identified in the feedback to date:

- Feedback is limited, however the concept is generally supported by the Retail Group, who were parties to Change 6 to the Auckland Regional Policy Statement.

16. The following interim directions were generally agreed:

- Implement the Identified Growth Corridor policy approach (Change 6) for enabling appropriate commercial development along corridors
- Examine if segments of some corridors are appropriate to be Identified Growth Corridors
 - Part of: Link Drive, Mount Wellington (between Ellerslie Panmure Highway and Sylvia Park), Lincoln Road, Ti Rakau Drive and Stoddard Road
- Discuss any proposed segments at the mapping workshops.

3 July 2013 workshop

Signs

17. The following issues have been identified in the feedback to date:

- Restrict the proliferation of signage
- Restrict billboards to approved sites
- The draft Auckland Unitary Plan is too restrictive
- Provide for billboards in the road reserve as a restricted discretionary activity
- Avoid billboards on public open space along Tamaki Drive.

18. The following interim directions were generally agreed:

- Continue with the approach in the draft Unitary Plan for billboards outside the road reserve:
 - Tight control over new billboards in all zones except industrial zones (i.e. restricted discretionary, discretionary or non-complying activities depending on zone, size and location) consider more restrictive approach to light industry as against heavy industry
 - Free-standing billboards generally have a tougher activity status than billboards attached to buildings (excluding heritage buildings)
 - Billboards attached to the front façade of buildings generally have a tougher activity status than billboards attached to the side or rear façade buildings
- Manage billboards in the road reserve as restricted discretionary activities where they are placed on street furniture (bus shelters, phone booths, etc).

- Manage other billboards in the road reserve according to the activity status of the adjacent zone.
 - Ensure “Strategic Transport Corridor” is included in these provisions
 - Review provisions for “welcome to x village” type-signs to make them more permissible
 - Need to work with New Zealand Transport Agency and Auckland Transport.

5 July 2013 workshop

Parking

19. The following issues have been identified in the feedback to date:

- Concern about intensification and increased on-street parking (traffic and amenity concerns)
- Remove minimums from all zones - especially Mixed Housing
- Opposition to removal of minimums - including from some business associations
- Require all dwellings to have two onsite parking spaces
- Key retailers (mall / supermarket / large format retail) – apply minimums (and no maximums) to retail in all locations. Don’t constrain short-term parking
- Opposition to changes to City Centre maximum rates
- Specific concerns about the parking rates for particular activities (e.g. retirement villages, self-storage facilities, warehousing).

20. The following interim directions were generally agreed:

- Retain the draft Auckland Unitary Plan approach to residential parking
- Investigate the possibility of a minimum of one car park per dwelling in the Mixed Housing A zone and report back with the proposed changes to the Mixed Housing zone provisions
- Retain the draft Auckland Unitary Plan approach to retail parking
- Investigate the possibility of alternative provisions for rural/outer centres.

5 July 2013 workshop

Electricity transmission corridors

21. The following issues have been identified in the feedback to date:

Transpower

- Supports approach of permitting non-sensitive activities in urban areas, provided they comply with the NZECP 34:2001
- Seeks non-complying activity status for intensive farming buildings (e.g. milking sheds, poultry farming) within the transmission corridor
- Seeks an outer subdivision corridor in rural and urban zones, with restricted discretionary status for subdivision creating a building platform in the corridor.

Auckland Regional Public Health Service

- Supports approach, subject to clarification of sensitive activities.

Federated Farmers

- Seeks removal of corridors and reliance on NZECP34:2001 instead.

Commercial sector

- Seek removal of all corridors from commercial and industrial zones and requests clear statements signalling undergrounding
- Prefer reliance on NZECP 34:2001.

Residential Development sector

- Seek removal of corridors or if retained, restricted discretionary activity status in the Inner Corridor.

Residents

- Oppose corridors and consider Transpower should compensate for occupation of land.

22. The following interim directions were generally agreed:

Inner and Rural Corridor

Retain the inner and rural corridor in order to prevent risks to people and property, protect the electricity transmission network and preserve line access for inspection and maintenance and to protect amenity values.

Outer Corridor

Remove the outer corridor in urban areas. Control over subdivision is not warranted given that activities in the outer corridor are unlikely to impede maintenance activities and compliance with the NZECP 34: 2001 is mandatory.

Intensive farming buildings in the Rural Corridor

- Maintain the status quo. Not demonstrated to be a significant issue in the rural context. Intensive farming is not a sensitive activity under the National Policy Statement definition.
- Insert statement about undergrounding at beginning of the Auckland Unitary Plan.

5 July 2013 workshop

Stock access to freshwater and the Coastal Marine Area

Freshwater

23. The following issues have been identified in the feedback to date:

- Timeframes are too generous
- Rule not enforceable; measure of 18 Stock Units/Hectare
- Rule should apply to all cattle
- Setback from water should be required
- Rule should be consistent with the dairy industry's Water Accord.

24. The following interim directions were generally agreed:

- The draft Auckland Unitary Plan rule should be retained as is (the policy direction has been agreed upon during a collaborative process with the Rural Advisory Panel and select Non-Government Organisations).
- The definition for intensively grazed production land is updated to include how 18 Stock Units/Hectare is to be measured.

Coastal Marine Area

25. The following issues have been identified in the feedback to date:

- The draft Auckland Unitary Plan rule:
 - is not sufficient to meet New Zealand Coastal Policy Statement obligations
 - should be extended to prohibit all stock in Coastal Marine Area (below mean high water springs) consistent with other regional councils.

26. The following interim directions were generally agreed:

- That the draft Auckland Unitary Plan rule be extended to:
 - prohibit stock access in Significant Ecological Areas (Marine 2) 5 years from the time the plan is notified and from the rest of the Coastal Marine Area 7 or 10 years from notification
 - prohibit stock access elsewhere in Coastal Marine Area (apart from droving/horse-riding = permitted activity) within 7-10 years of plan being notified.

5 July 2013 Workshop

Trees and utilities

27. The following issues have been identified in the feedback to date:

General public

- Generally supportive of tree protection – approximately 72% support or are seeking greater levels of protection for trees and vegetation

Feedback from utility operators

- Support provisions for works on trees under the Corridor Access Request process
- Seek that the operation and maintenance of existing network utilities is permitted where trees and vegetation are protected.

28. Concerns were raised about the Corridor Access Request process. Officers were requested to report back on this matter as part of a presentation on Significant Ecological Areas and other vegetation controls.

6 July 2013

Rural Urban Boundary (RUB)

29. Officers presented the issues and options for the RUB in five areas: Warkworth, Silverdale, Kuemu-Huapai, Drury-Karaka and Pukekohe. Preliminary proposals for the RUB in each location were outlined and detailed feedback was provided.

The following interim directions were provided:

30. **Manawhenua**

- Avoid known areas of concern (e.g. wahi tapu, coastal) and mitigate impacts on water quality.

31. **Capacity**

- Strive to achieve target capacities but good urban form is the ultimate goal.

32. Transport

- Integration of transport and land use is a critical Auckland Plan requirement.
- Apply the following principles to help determine the RUB:
 - Efficient use of transport infrastructure
 - Supporting modal shift to public transport, walking and cycling
 - Enabling efficient freight movement
 - Supporting place-making and connected urban form
 - Minimise reliance on risky projects.

33. Environmental Protection

- Seek to avoid sensitive areas and/or mitigate via structure planning processes.

34. Wastewater, water supply and stormwater

- Concentrate RUB urban area to enable a comprehensive wastewater response
- Ensure high-level stormwater mitigation via structure plans.

35. General

- Confirm direction that officers undertake further work on the RUB as per the workshop notes related to all of the areas (south, north and northwest)
- Where appropriate, feed this additional work into the mapping workshops on 12 July and 2 August 2013
- Endorse as an interim direction that the RUB work for rural and coastal towns and serviced villages be undertaken post-notification of the Auckland Unitary Plan
- Endorse as an interim direction that the process for large, complex edge work be done post-notification of the Auckland Unitary Plan, but that the Okura catchment, Puhinui and Takanini complex edge feedback be reported back at a subsequent workshop
- Endorse as an interim direction that the process for smaller, less complex edge work proceed and that local boards be involved through the mapping workshops on 12 July and 2 August 2013.

11 July 2013

Universal design

36. The following issues have been identified in the feedback to date:

- Universal design is addressed in the draft Auckland Unitary Plan but needs to be stronger and more consistent
- The Building Act and Building Code address some aspects of Universal Design for publically accessible and commercial buildings but not residential development
- Why not use a requirement for at least a percentage of housing to meet a high standard of universal access/design?
- All new dwellings should be subject to universal access design requirements
- Public facilities and open space must be designed to be accessible to people of all ages and abilities
- Use Lifemark as a guideline for the accessibility of housing.

37. Universal design was the subject of a Unitary Plan reference group forum of key stakeholders in early July. The following views were expressed at the forum:

- Acknowledged that universal design for public and commercial buildings are referred to in the Building Act and Code, but it is not always delivered.
- Content of the draft Auckland Unitary Plan is sufficient, there is no need to have a rules.
- Rules are required to ensure the outcome is achieved but it is unreasonable to require all new houses to meet universal design standards.
- Incentives should be used for aspects of a building's design that can be achieved simply.
- Cost to making a new building compliant with Lifemark (used as a standard for Universal Design) was reported to be \$500 compared with a cost of \$35,000 to retrofit a house which has not been built to a universal design standard.

38. The following interim directions were generally agreed:

- A balanced approach is required
- Acknowledge the limitations of the Auckland Unitary Plan in addressing all aspects of universal design
- No Auckland Unitary Plan rules for commercial or publically accessible buildings that are covered by the Building Act
- Apply standards to a proportion of new houses. Example: 20 % of residential development which contains 10 or more dwellings to meet the following:
 - Minimum doorway (810mm), stairway (900mm) and corridor widths (1050mm)
 - Greater size of a single car parking space (3.5m width and maximum gradient of 1:20)
 - Gradient and width of access from the street or car park to the entrance of a dwelling (1.2m width, maximum slope of 1:20 and cross fall of 1:50).
- Auckland Design Manual will incorporate more detailed (non-statutory) Universal Design Guidance
- Investigate issue of downstairs toilets within dwellings in the Auckland Design Manual.

11 July 2013

Genetically modified organisms

39. The following issues have been identified in the feedback to date:

- Feedback received – 338 total
 - 337 support stronger management of GMO use
 - 103 supported the issue and objective in the draft Auckland Unitary Plan although commented on dissatisfaction with wording
 - 90 requested the Inter-council Working Party provisions be adopted
 - 93 called for a precautionary statement
 - 149 international support no genetically modified organism use – main feedback, prohibit GMO use
 - 188 local/NZ support stronger management – main feedback, prohibit GMO use
 - 1 opposes local authority management – Minister for the Environment

40. A consensus was not reached on the approach that should be taken to GMOs in the Auckland Unitary Plan at the workshop.

41. Officers presented the following options in response to the feedback on GMOs:

- Auckland Unitary Plan silent on GMOs

- Draft Auckland Unitary Plan status quo and include a reference to the Environmental Protection Agency process
- Non-RMA policy
- Auckland Unitary Plan using the Inter Council Working Party's suggested approach.

42. A consensus was not reached at the workshop on the approach that should be taken to GMOs in the Auckland Unitary Plan.

11 July 2013

Aircraft noise

43. The following issues have been identified in the feedback to date:

Auckland International Airport

- Seeks a consistent approach and alignment with the provisions for the other airports
- Seeks the rezoning of residential properties within the High Aircraft Noise Area to Light Industry zone.

Auckland University of Technology

- Seeks restricted discretionary activity status for additions/alterations to an Activity Sensitive to Aircraft Noise (ASAN)
- Seeks limited notification to Auckland International Airport for ASAN in the High Aircraft Noise Area, instead of public notification.

44. The following interim direction was generally agreed:

- Introduce prohibited activity status for activities sensitive to aircraft noise within the High Aircraft Noise Area for Auckland Airport, rezone all residential properties within the Auckland Airport High Aircraft Noise Area to Single House zone and provide for a limited range of commercial activities in this part of the single house zone as a discretionary activity.

12 July Mapping Workshop

45. The first of two major mapping workshops occurred on 12 July 2013. This workshop considered changes to the zoning and heights overlay maps. The workshop was based around the geographic areas of local boards and considered feedback to the draft Unitary Plan and the directions given at earlier APC workshops on matters such as the spatial extent of the THAB zone, the heights in centres and THAB and the split of the Mixed Housing Zone.

46. The outcomes from the day were captured and are currently being entered electronically into the internal working version Unitary Plan GIS system. This work will continue to be revised further at the second major mapping workshop on 2 August 2013 where the remaining feedback can be considered alongside further directions as they come from 12 July 2013 – 2 August 2013 APC workshops.

Consideration

Local Board Views

47. Local board chairs participate in all Auckland Plan Committee Unitary Plan workshops. All Local Board members are invited to participate in the mapping workshop to be held on 12

9 Unitary Plan Update and Workshop Issues

Cr Fletcher entered meeting at 10:17 am.

Mayor Brown entered the meeting at 10:17 am.

MOVED by Cr MA Hartley, seconded Mayor LCM Brown:

That the Auckland Plan Committee:

- a) discuss and noting the interim directions (outlined in the report) relating to:
 - i) principles for building heights in centre zones
 - ii) principles for building heights around centres in the Terrace Housing and Apartment Building zone
 - iii) principles for notification for height infringements in centres and the Terrace Housing and Apartment Building zone
 - iv) principles for volcanic viewshafts and blanket height sensitive areas
 - v) approach to design quality
 - vi) provisions in the Mixed Housing zone
 - vii) provisions in the Terrace House and Apartment Building zone
 - viii) minimum dwelling size controls
 - ix) notification of development control infringements.
- b) forward this report and resolutions to all local boards for their information.

Cr Brewer moved an amendment by way of substitution to b) seconded by Cr Fletcher:

Resolution number APC/2013/74

MOVED by Cr C Brewer, seconded Cr CE Fletcher:

- b) That these proposed interim directions and principles be noted and that they be sent to the local boards for their consideration, feedback and guidance before any agreement by the Governing Body.**

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

For:

Councillors: Anae Arthur Anae
Cameron Brewer
Len Brown
Dr Cathy Casey
Hon Chris Fletcher
Michael Goudie
Ann Hartley
Penny Hulse
Des Morrison
Richard Northey
Calum Penrose
Dick Quax
Sharon Stewart
Glen Tupuhi
Sir John Walker
Wayne Walker

Against:

Councillors: Sandra Coney
Mike Lee

The division was declared CARRIED by 16 votes to 2.

CARRIED

The substantive motion was put.

Resolution number APC/2013/75

MOVED by Cr MA Hartley, seconded Mayor LCM Brown:

That the Auckland Plan Committee:

- a) **discuss and noting the interim directions (outlined in the report) relating to:**
 - i) **principles for building heights in centre zones**
 - ii) **principles for building heights around centres in the Terrace Housing and Apartment Building zone**
 - iii) **principles for notification for height infringements in centres and the Terrace Housing and Apartment Building zone**
 - iv) **principles for volcanic viewshafts and blanket height sensitive areas**
 - v) **approach to design quality**
 - vi) **provisions in the Mixed Housing zone**
 - vii) **provisions in the Terrace House and Apartment Building zone**
 - viii) **minimum dwelling size controls**
 - ix) **notification of development control infringements.**
- b) **note the proposed interim directions and principles and that they be sent to the local boards for their consideration, feedback and guidance before any agreement by the Governing Body.**

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

For:

Councillors: Anae Arthur Anae
Len Brown
Dr Cathy Casey
Michael Goudie
Ann Hartley
Penny Hulse
Des Morrison
Richard Northey
Calum Penrose
Glen Tupuhi
Sir John Walker

Against:

Councillors: Cameron Brewer
Sandra Coney
Hon Chris Fletcher
Mike Lee
Dick Quax
Sharon Stewart
Wayne Walker

The division was declared **CARRIED** by 11 votes to 7.

CARRIED

Adjournment of Meeting

Resolution number APC/2013/76

MOVED by Deputy Mayor PA Hulse, seconded Cr AJ Anae:

That the meeting adjourned at 12.30pm for lunch and reconvened at 1pm.

CARRIED

10 Auckland Council submission on the Constitutional Review

MOVED by Cr AJ Anae, seconded Cr MA Hartley:

That the Auckland Plan Committee:

- a) receive and approve (subject to any amendments) the proposed Auckland Council submission to the Constitutional Review Advisory Panel, noting the submission covers the following key points:
 - i) local government is an integral part of New Zealand's constitutional arrangements and must be included in any constitutional reform (including reform that results in a single written constitutional document);
 - ii) a summary of the way in which Maori views are represented in the Auckland Council context;
 - iii) an observation that the debate about the length of the Parliamentary term is about the balance between the democratic right of citizens to be able to choose and change the government at frequent intervals, and giving elected members appropriate time to develop and implement robust policies;
 - iv) noting that the question posed about the length of the term of Parliament has potential implications for Auckland Council;
 - v) extracts from the Auckland Plan that illustrate the values and aspirations of Aucklanders;
- b) consider whether to support the Wellington City Council remit at the Local Government New Zealand Annual General Meeting, that:

Local Government New Zealand will seek to promote an amendment to the Constitution Act 1986 that gives constitutional expression to local government within New Zealand's democratic governance arrangements.
- c) delegate authority to the Chair and Deputy Chair of the Auckland Plan Committee approval of the final Council submission; and
- d) requests that this report with the Committee's decision and the final submission be circulated to all Local Boards, the IMSB and the Advisory Panels.

Resolution number APC/2013/77

MOVED by Cr RJ Northey moved an amendment, seconded Deputy Mayor PA Hulse:

- b) **supports the Wellington City Council remit at the Local Government New Zealand Annual General Meeting that:**

"Local Government New Zealand will seek to promote an amendment to the Constitution Act 1986 that gives constitutional expression to local government within New Zealand's democratic governance arrangements."

CARRIED

Secretarial Note: Pursuant to SO 3.15.5, Councillors Quax, Brewer, Penrose and Stewart requested that their dissenting votes be recorded.

Unitary Plan update

File No.: CP2013/18806

Purpose

1. The purpose of this report is to inform the committee of progress with the development of the Auckland Unitary Plan and to outline the next steps in the decision-making process.

Executive Summary

2. Auckland Unitary Plan (AUP) workshops are being held with all members of the Auckland Plan Committee, Independent Maori Statutory Board representatives and local board chairs to work through feedback on the draft AUP and seek direction on key changes for the notified version of the AUP. Final decisions on the AUP will be made by the Auckland Plan Committee and Governing Body. This report relates to the workshops held on 24 and 31 July and 1 and 2 August 2013. The following topics were considered at the workshops:
 - Significant Ecological Areas
 - Mangroves
 - Residential provisions
 - Historic heritage, historic character and the pre-1944 overlay
 - City Centre waterfront heights
 - Port of Auckland
 - Mapping.
3. On 29 and 30 July all local boards presented a summary of their formal resolutions in respect of the draft AUP to the Auckland Plan Committee. Key issues raised that require further consideration will be highlighted for decisions at the decision meetings of this committee at the end of August. A number of the issues raised by the local boards were also discussed between local board members, officers and councillors at the second all-day mapping workshop held on 2 August.
4. On 5 August 18 Mana Whenua groups presented a summary of their feedback on the draft AUP to the Auckland Plan Committee.
5. Officers are currently in the process of making amendments to the draft AUP based on the interim directions received at the various workshops held in June, July and August, and will seek decisions from the Auckland Plan Committee on the AUP on 28, 29 and 30 August.

Recommendation/s

That the Auckland Plan Committee:

- a) Receives the report.
- b) Requests officers to send the report to all local boards and to the Independent Maori Statutory Board.

Discussion

6. Informal public engagement on the draft AUP was completed on 31 May 2013. 22,700 pieces of feedback were received. In order to inform the Auckland Plan Committee of the

feedback and suggested approaches, workshops are being held to discuss key issues and areas where interim directions are needed. The workshops consist of all members of the Auckland Plan Committee, Independent Maori Statutory Board representatives and local board chairs. The interim directions provided at these workshops have previously been reported to formal meetings of the Auckland Plan Committee.

7. An extensive range of topics have been discussed at the workshops and reported to the committee on a regular basis. Three more content workshops are scheduled for August, after which point an updated draft of the AUP will be finalised and reported to the Auckland Plan Committee on 28-30 August. At these meetings, it is proposed first to deal with outstanding issues that require a direction followed by discussion and decisions on each section of the AUP and the planning maps. Committee members will receive in advance a CD with the tracked change version of the AUP, plus a committee report discussing outstanding issues and key changes. Once decisions are made by the committee on the revised draft AUP, the matter will be reported to the Governing Body in September for final adoption of the AUP for public notification.
8. The remainder of this report outlines the feedback received in relation to Significant Ecological Areas, mangroves, residential provisions, historic heritage, historic character, the pre-1944 overlay, City Centre waterfront heights and the Port of Auckland. The report also provides further information relating to Genetically Modified Organisms as requested by the committee, in advance of decision-making on this issue at the decision-making meetings at the end of August (28th, 29th and 30th).

24 July 2013 workshop

Significant Ecological Areas (SEAs)

9. The following issues have been identified in the feedback to date:
 - 1258 formal pieces of feedback received
 - 200+ informal landowner responses
 - Approximately:
 - 18% against SEAs on their property (either too restrictive, criteria not met or just objecting)
 - 19% supportive and/or wanting to add more to SEAs
 - 35% map errors
 - 12% wanting more information about biodiversity and SEAs
 - 12% seeking management assistance or incentive.
 - Mana Whenua feedback:
 - support for SEAs in principle
 - Biodiversity should be protected across the region, not just in specified areas
 - Should aim to enhance degraded areas, not just protect intact areas of biodiversity
 - Undeveloped Maori land hosts significant biodiversity. We want to manage these areas in accordance with their values, which may include occupation and development.
 - Feedback from the Biodiversity Forum:
 - Biodiversity is important and SEAs are good
 - Have SEAs been correctly identified? Definition of "significant" is critical
 - More focus needed on biodiversity outside SEAs

- More recognition that land owners look after their land / biodiversity – incentives
- More focus on education, especially to owners of SEAs
- Greater focus for Hunua and Manukau and parks.

10. The following interim directions were generally agreed:

Dead vegetation

- Permit removal of all dead wood within SEAs.

Trimming and pruning

- Permit clearance of vegetation in SEAs to 3m from a dwelling with no restriction on area and permit trimming within 10m (as per notable trees i.e. 10% within a year, sound arboricultural practice, etc).
- Further discussion and decisions are required at the decision-making meetings in relation to whether this should apply to all buildings (as opposed to dwellings).

Exotic trees and vegetation

- Allow removal of all non-native plant species within 10m of a building/dwelling and all plants on the Regional Pest Management Species register.
- Further discussion and decisions are required at the decision-making meetings at the end of August in relation to whether this should apply to all buildings (as opposed to dwellings).

Mangroves

11. The following issues have been identified in the feedback to date:

- Approximately 140 formal pieces of feedback
- Approximately 30% generally supportive or asking that it goes further (an earlier removal date for mangroves)
- Approximately 35% generally of the view that approach is too enabling of removal
- Approximately 15% views unclear
- Approximately 10% seek a proactive approach by council
- The cost of consents, experts and monitoring is too high
- Allowing removal without adjacent land owner or Mana Whenua approval is inappropriate
- The approach does not give effect to the New Zealand Coastal Policy Statement
- The date is too conservative and should be pushed back
- The approach strikes a good balance
- Identifying areas where mangroves are mitigating coastal erosion will be difficult without expertise

- Identifying areas with salt marsh or sea grass will be difficult without expertise
- Disputes may arise where 1996 aerial photography is not held by the council.

- Mana Whenua feedback:
 - Disagree with permitted activity status
 - Mana Whenua need to be involved because of the risk of environmental damage or disturbing taonga
 - Support removal to enable access to marae or areas of traditional use
 - Mangroves are a result of sedimentation, and need to be addressed holistically.

- Feedback from the Biodiversity Forum:
 - Recognition that mangrove management a complex issue in a dynamic environment
 - Considerable support for 'stage 2' of the proposed approach but limited support for 'stage 1'
 - 1996 date seen to be arbitrary and depending on local conditions too enabling, or too constraining
 - Case-by-case approach generally appropriate as an interim measure
 - Community mangrove management initiatives should receive active supported by Council and Local Boards
 - Local Boards are an appropriate vehicle for progressing/coordinating community mangrove management initiatives.

12. Two key options were discussed:

Option A - Operative Regional Coastal Plan Approach

Discard date-based permitted activity (i.e. require a resource consent to be obtained except as specified below):

- Retain permitted activities for:
 - maintenance of assets (e.g. boat ramps) and infrastructure
 - seedlings removal
- Enable removal of mangroves from wading bird habitats as a controlled activity
- Promote omnibus consents coordinated at a local board level for other removal
- Clarify and strengthen policies supporting clearing with amenity, cultural, coastal access and other community benefits
- Consent applications for local board supported proposals processed free of charge.

Option B - Draft Auckland Unitary Plan Approach

Retain date-based permitted activity and:

- Enable the removal of mangroves in areas that were free of mangroves in 1996 from:
 - the General Coastal Marine zone; and

- Significant Ecological Areas that are wading bird habitats; and
- Significant Ecological Areas where the values are not from mangroves.
- Undertake a prioritised investigation through Marine Spatial Planning and mapping exercise to identify further areas where mangrove removal has a low environmental risk and can be permitted.

A consensus was not reached at the workshop. Further discussion and decisions are required at the decision-making meetings at the end of August.

31 July 2013 workshop

Residential provisions

13. This was the second workshop on the residential provisions of the AUP. There were no proposed changes to two of the five residential zones in the draft AUP (Rural and Coastal Settlement and Large Lot). With respect of the Single House zone, officers outlined two proposed changes: one to the height in relation to boundary control and one to the building on a boundary control. The changes were generally supported, subject to a minor change to the building on a boundary control (reduction in the maximum permitted height from 3.6 metres to 3 metres).
14. A key focus of the workshop was proposed provisions for the Mixed Housing (Urban) and Mixed Housing (Suburban) zones. This follows the interim direction previously given to split the Mixed Housing zone into two sub-zones. The full suite of potential development controls for the two Mixed Housing zones (Mixed Housing – Urban and Mixed Housing – Suburban) and the Terraced Housing and Apartment Buildings zone were discussed. There was general support for most of the proposed controls (including changes that would allow greater scope for limited or public notification of proposals to infringe development controls). Refinements were suggested to a number of the controls (e.g. increasing the setback requirement for garages in the Mixed Housing zones and the outdoor living space requirements in the Mixed Housing (Suburban) zone. Further discussion and decisions are required on the proposal to enable two-storey terraced housing at a higher density in the Mixed Housing (Suburban) zone.
15. A final suite of proposed controls for the residential zones will be reported to the committee on 28-30 August.

Historic heritage

16. The following issues have been identified in the feedback to date:
 - Minimal feedback on provisions, apart from major stakeholders, who were generally positive
 - Most feedback was site or area-specific
 - Support for new criteria and methodology
 - Lack of policy on earthquake prone buildings
 - Lack of an incentives policy - this policy is on a different, Auckland Plan timeframe
 - Feedback seeking removal of sites from schedule
 - Feedback seeking additional sites included on schedule.
17. The following interim directions were generally agreed:

- Officers to carry out minor changes including mapping changes, clarification of rules and definitions
- Retain sites, criteria and methodology from draft AUP
- Include 66 additional items onto heritage schedule:
 - 59 identified through heritage surveys
 - 7 identified through feedback process.

Historic character

18. The following issues have been identified in the feedback to date:
- The overlay should be extended over parts of Auckland that are not currently classified as historic character
 - Support for the retention of existing character areas
 - Change specific design and development overlays to historic character overlays
 - Devonport Heritage wants Devonport to have overlay and upgraded to a conservation area
 - Comments seeking protection of post war – 1950s/60s and inter war 1918-1945 development
 - Feedback wanting greater recognition of local features e.g. Tamaki Drive
 - High-density development should not occur right next to historic character areas.
19. The following interim directions were generally agreed:
- Add 11 new Historic Character areas to the AUP as a result of pilot surveys:
 - Balmoral (2)
 - Otahuhu (1)
 - Onehunga (6)
 - Puketapapa (2)
 - Require a resource consent for demolition, alterations and additions and new buildings within the new Historic Character areas (as with existing Historic Character areas in draft AUP)
 - Apply the Single Housing or Mixed Housing zone based on existing subdivision pattern.

Pre-1944 Demolition Control

20. The following issues have been identified in the feedback to date:
- Area of protection should be extended and applications for removal publicly notified
 - The overlay should include historic character from the 1950s/60s
 - Remove the overlay
 - The precautionary approach/overlay should only apply until the council has surveyed Auckland comprehensively
 - The layer has not involved street by street surveys to identify historic character

- The layer will place a cost on applicants to provide assessments at the time of re-development
 - The layer conflicts with planned growth.

 - Feedback from the Historic Character Reference Forum
 - Large landholders are concerned that the layer will be an impediment to commercial and housing re-development
 - Preference for conservation areas, historic character areas or listed buildings
 - Character coalition would like local plans, staged intensification so that heritage is assessed prior to up-zoning
 - Spectrum of views on notification and retention/deletion of layer
 - Not everything that is old is good, the overlay is too arbitrary

 - Potential Solutions from the reference group:
 - Investigate using design statements to manage pre-1944 building stock
 - Make it clear that the overlay will reduce through surveys
 - Free consent fees for assessment, resourcing, simplify planning rules
 - Need to assess areas comprehensively
 - Find a balance between development and protection of heritage values.
21. The following options were discussed at the workshop:
- Option 1 – Remove the overlay and associated rule.
 - Option 2 – Keep the overlay but reduce the mapped area based on work undertaken since the draft AUP was released. Commit to completing area surveys within the overlay area in the next 3 years.
 - Option 2A – As above but also remove Housing New Zealand Corporation land, Treaty settlement commercial redress areas e.g. Ngati Whatua on North Shore, areas identified by local boards as being more suitable for intensification.
 - Option 3 – Retain the overlay but reduce as in Option 2 (or 2A) and re-draft the demolition control to only require assessment for historic heritage (not historic character).
22. A clear consensus was not reached, however there was general support for aspects of options 2 and 2A and little or no support for options 1 and 3. There was also support for the AUP enabling public notification of demolition applications within the pre-1944 overlay once buildings are assessed as being of value in terms of historic heritage or historic character. Further discussion and decisions are required at the decision-making meetings at the end of August.

City Centre waterfront heights

23. The following issues have been identified in the feedback to date:
- Landowners along the waterfront seek additional height
 - Some community feedback supporting height in the city centre and others opposed to height along the waterfront.

24. The following interim directions for the City Centre were generally agreed:
- Retain north-south height transition across the City Centre and east-west transition to fringe areas
 - Retain specific precinct height strategies to maintain a distinctive built form across parts of the waterfront and provide opportunities for taller buildings where they are appropriate for local character, topography, views, sunlight and heritage.
 - Undertake a comprehensive review of the heights applying along the city centre waterfront during the Unitary Plan submission phase.

Viaduct Harbour precinct

- Retain existing heights along the Viaduct waterfront to ensure buildings achieve a human scale, maximise sunlight access and enable views through the city to the harbour.
- Enable some additional height to the south of the precinct, as provided for in the draft AUP.
- Retain existing height for 204 Quay Street given its heritage status and to ensure consistency of height for buildings directly adjoining the water's edge.

Wynyard precinct

During the preparation of the draft AUP, Waterfront Auckland commissioned a review of the building heights at Wynyard Quarter. The review recommended that allowing for an additional two storeys in height could achieve a better overall urban design outcome for the area, as it would allow for a more varied form of development (i.e. less squat buildings within the same overall development envelope/gross floor area). Based on this analysis, the March draft AUP included a provision that allows for an additional two storeys in height to be applied for as a restricted discretionary activity through a framework plan process. The framework plan process seeks to achieve an integrated development of the various blocks of land at Wynyard Quarter. Waterfront Auckland staff have also indicated they would support removing the potential for development on a site in the vicinity of Silo Park if the additional two storeys in height is enabled through the framework plan process.

At the workshop, officers suggested the control should be retained in the AUP, but it was not clear that this control was a change from the current planning rules. Therefore, officers consider that this issue should be discussed in more detail at the Auckland Plan Committee meetings at the end of August and a decision made.

Downtown West and Central Wharves

- Apply a precinct to enable the introduction of tailored provisions to guide future development that is consistent with the general approach to height along the waterfront
- Retain the Quay Street harbour edge height control plane to ensure building height transitions to the waterfront
- Continue working with landowners on a development strategy for the area – the outcome of which could be incorporated into the Unitary Plan through or in response to a submission.

Britomart precinct

- Retain the heights in the draft AUP until a decision on Plan Change 41 is released.

Quay Park precinct

- Enable an additional 5-10m in height in the eastern part of the precinct through a restricted discretionary resource consent for a framework plan to achieve the integrated development of land. This additional height must not impact on the Dilworth or Museum Viewshafts.
- The framework plan would assess 'big picture' issues such as the proposed street/block layout and the location of public open space/connections
- Work with landowners to investigate opportunities for additional height.
- Continue working with landowners on a development strategy for the area – the outcome of which could be incorporated into the AUP through or in response to a submission.

Port of Auckland

25. The draft AUP feedback which relates to reclamation within the Port precinct and/or port development generally (approximately 35 pieces of feedback) has been identified and summarised at a high level. There was a range of feedback, including support for and opposition to the ongoing role of the Port in the City Centre. The points that arose most frequently included:
- The port should not expand and/or its footprint should be reduced
 - The port should be moved out of the city centre and/or other alternatives should be explored (for example, Marsden and/or Tauranga ports should be further developed to pick up the Port of Auckland's projected growth or take on all of its current freight).
26. Feedback on their draft port development proposals was sought by Ports of Auckland Limited (POAL) during a one month period from early May-early June 2013. The proposals were available on POAL's website, with an online feedback survey (181 responses were received). A summary overview of the survey results, as supplied by POAL, includes the following results:
- 65% or more of respondents agreed; port proposals for greater efficiency and less expansion are heading in the right direction and; that the Port will need to become more efficient and expand moderately as Auckland's population and freight demands grow
 - 59% agreed with idea of a sub-zone in Port Precinct to signal the northern reclamation limit
 - 43% indicated 'Expand and release Captain Cook' as their preferred port development option.
27. POAL also provided a high level summary of the key points/themes from the qualitative feedback it received through the survey or directly via email (as at 26 June 2013). These were outlined at the workshop on 31 July 2013.
28. Direction was sought at the workshop on 31 July 2013 on a) the retention of Policy 9 in the draft AUP and b) how the AUP should classify reclamation within the Port precinct. Five potential classification options were presented (see attachment A).

29. Reclamation is currently a non-complying activity in most of the Coastal Marine Area (CMA) and is prohibited in marine reserves and other areas of high environmental significance. The draft AUP recognises the Port precinct as one of the few areas where reclamation may be appropriate due to the already modified character of the environment and the significance of the port to the region.
30. The draft AUP continues the approach of the operative regional coastal plan and enables a discretionary activity resource consent application to be made for reclamation within the entire Port precinct. Policy 9 in the draft AUP indicates that further reclamation of land within the Port precinct could occur provided:
- there is no practicable alternative
 - it is the most appropriate form of development
 - potential adverse effects will be avoided, remedied or mitigated.
31. At the 31 July 2013 workshop:
- there was general support for the retention of Policy 9 in draft AUP
 - there was general support for option 4 (and to a lesser extent support for option 2), both of which propose a reduction to the current northern boundary of the Port precinct and the application of a 'sub-zone' approach, whereby in specific areas of the Port precinct reclamation is a discretionary activity and outside those areas, it is a non-complying activity.
32. Further discussion and decisions are required at the decision-making meetings at the end of August.

1 August 2013 workshop

Education

33. Two main topics were discussed at the 1 August workshop:
- providing for new schools
 - underlying zone with an education precinct or special purpose zone approach.
34. In relation to the first topic, the following issues have been identified in the feedback to date:
- needs to be a school growth plan in co-ordination with the AUP
 - schools are full and there is no room to build new ones
 - Mt Eden currently has inadequate primary, intermediate and secondary schools facilities including playing fields
 - the current crisis with the overpopulation of Point Chevalier schools must be resolved before further intensification is allowed, the schools need more land.
35. In relation to the second topic, the following issues have been identified in the feedback to date:
- universities support a precinct approach
 - Ministry of Education considers objectives and policies for the school precinct are appropriate and supports them all being retained

- Roman Catholic Bishop of the Diocese of Auckland supports the inclusion of a school zone or precinct to provide for the efficient use and development of school sites
 - Wesley College Trust Board supports the inclusion of the school precinct provisions within the draft AUP. This will mean integrated schools will be treated for Unitary Plan purposes in a similar manner to schools under the responsibility of the Ministry of Education
 - schools should be given their own Special Purpose zoning to avoid placing undue pressure on school land in the future
 - zone all schools as school zone
 - Ministry of Education is supportive of the underlying zoning of the Minister's designations in Auckland
 - request that schools be given an underlying zoning of open space
 - the school precinct delineation on the site is supported as reflecting important social infrastructure but is better applied over a Mixed Use zone to reflect both important school uses and a diversity of appropriate land uses presently or potentially located on the site.
36. There was no clear consensus in terms of whether schools and tertiary education facilities should retain an underlying zone with an education precinct (as in the draft AUP) or receive a special purpose zoning. To some extent this reflects the different approaches of under the district plans of the former legacy councils. Further discussion and decisions are required at the decision-making meetings at the end of August.

Air quality and the heavy industry zone

37. The following issues have been identified in the feedback to date:
- approach does not prevent more sensitive activities locating close to the existing heavy industry zones, and these make the problem worse
 - should push the Air Quality Industry Transition (AQIT) out of the heavy industry zone to prevent new residential zones and new sensitive activities locating in close proximity to the heavy industry zone
 - 500m is an appropriate distance for adequate separation
 - will be difficult and costly to get air quality consents in draft AQIT overlay
 - long established heavy industry areas employ thousands of people and have huge investment in plant and infrastructure (stormwater, water supply, transport, electricity) to cope with the heavy industry activities
 - shortage of heavy industry land – can't find replacement land in Auckland
 - if forced to close due to encroachment of sensitive activities, will likely close and go out of region or centralise operations overseas.
38. The following interim directions were generally agreed:
- A hybrid approach – examine each individual area of heavy industry and apply a combination of buffers extending into and out of the Heavy Industry zone, depending on the proximity of the Heavy Industry zone to zones containing sensitive activities. The buffer could be placed within and/or surrounding the heavy industry zone according to the existing situation.

2 August 2013 Mapping Workshop

39. The second all day mapping workshop was held on 2 August 2013 and was attended by councillors and local board members. The workshop commenced with a recap on the Auckland Plan Committee interim directions that affect either zoning or the heights of development. A presentation was also made on mapping issues resulting from the first mapping workshop on 12 July, including impact on capacity, housing supply and housing choice.
40. Workshop participants then began a mapping exercise to consider the remaining feedback on the draft AUP that relates to zoning and height. Further consideration was given by local boards to the mapping of the Mixed Housing Urban and Mixed Housing Suburban zones.

Genetically modified organisms (GMOs)

41. At the previous committee meeting on 25 July, more detailed information was requested on GMOs that reflected the information and discussion at the workshop earlier in July. Attachment 2 to this report, provides this further detail to assist the committee at the decision making meetings at the end of August.
42. The key matters for consideration are summarised below:
 - Local authorities have jurisdiction under the Resource Management Act to control GMOs.
 - Under the Hazardous Substances and New Organisms Act 1996 (HSNO), the Environmental Protection Agency (EPA) has been set up to assess and regulate the management of new organisms throughout the country, including GMOs. The Minister for the Environment considers that councils should not have a role in managing GMOs under the Resource Management Act 1991 (RMA).
 - The Inter Council Working Party (ICWP) has prepared a plan change and Section 32 report to control field trials (discretionary activity) and general release (prohibited activity) of GMOs under the RMA. Auckland Council is a member of the ICWP.
 - The overwhelming feedback on the draft AUP was supportive of provisions to manage GMOs in the AUP.
 - There is legal uncertainty that AUP provisions would be upheld by the Environment Court because it would be difficult to argue that controls under the RMA would be an effective and or efficient method, since an application would have already been assessed by the EPA under HSNO.
 - Legal advice is that there is no risk that local authorities will be left liable for claim of negligence or nuisance as a result of not including provisions in their RMA plans.
 - Legal advice is that there is little risk that local authorities will be left liable for claim of negligence or nuisance as a result of including provisions in their RMA plans.
43. In addition, the following four options were presented for discussion at the Auckland Plan Committee Unitary Plan workshop:
 - the draft AUP would be silent on GMOs;
 - retain the issue and objective in the Regional Policy Statement of the draft AUP;
 - adopt a non-RMA related policy position on the management of GMO within the region; or
 - insert the ICWP suggested approach into the AUP.

44. Members of the committee will need to consider Attachment 2 to this report in order to inform their decisions at the end of August 2013.

Consideration

Local Board Views

45. Local board chairs participate in all Auckland Plan Committee Unitary Plan workshops. All local board members were invited to participate in the mapping workshop held on 12 July 2013 and 2 August 2013, providing their views on these matters as part of the preparation of the notified AUP. On 29 and 30 July, local boards presented a summary of their formal feedback on the draft AUP to the Auckland Plan Committee.
46. It is recommended that this report is circulated to all local boards to update them on the AUP development process.

Maori Impact Statement

47. Consultation requirements with Mana Whenua are being met through a comprehensive Iwi Engagement Strategy. In addition, Mana Whenua presented to the Auckland Plan Committee on 5 August. Independent Maori Statutory Board representatives also form part of the Auckland Plan Committee.
48. It is recommended that this report is circulated to the Independent Maori Statutory Board to update the IMSB on the AUP development process.

General

49. The Auckland Plan Committee is providing strategic policy direction for the development of a proposed Auckland Unitary Plan. Feedback from the extended public engagement process together with local board and Mana Whenua feedback will result in changes to the draft document released in March. The final recommendations from the Auckland Plan Committee will be presented to the Governing Body.

Implementation Issues

50. Not applicable.

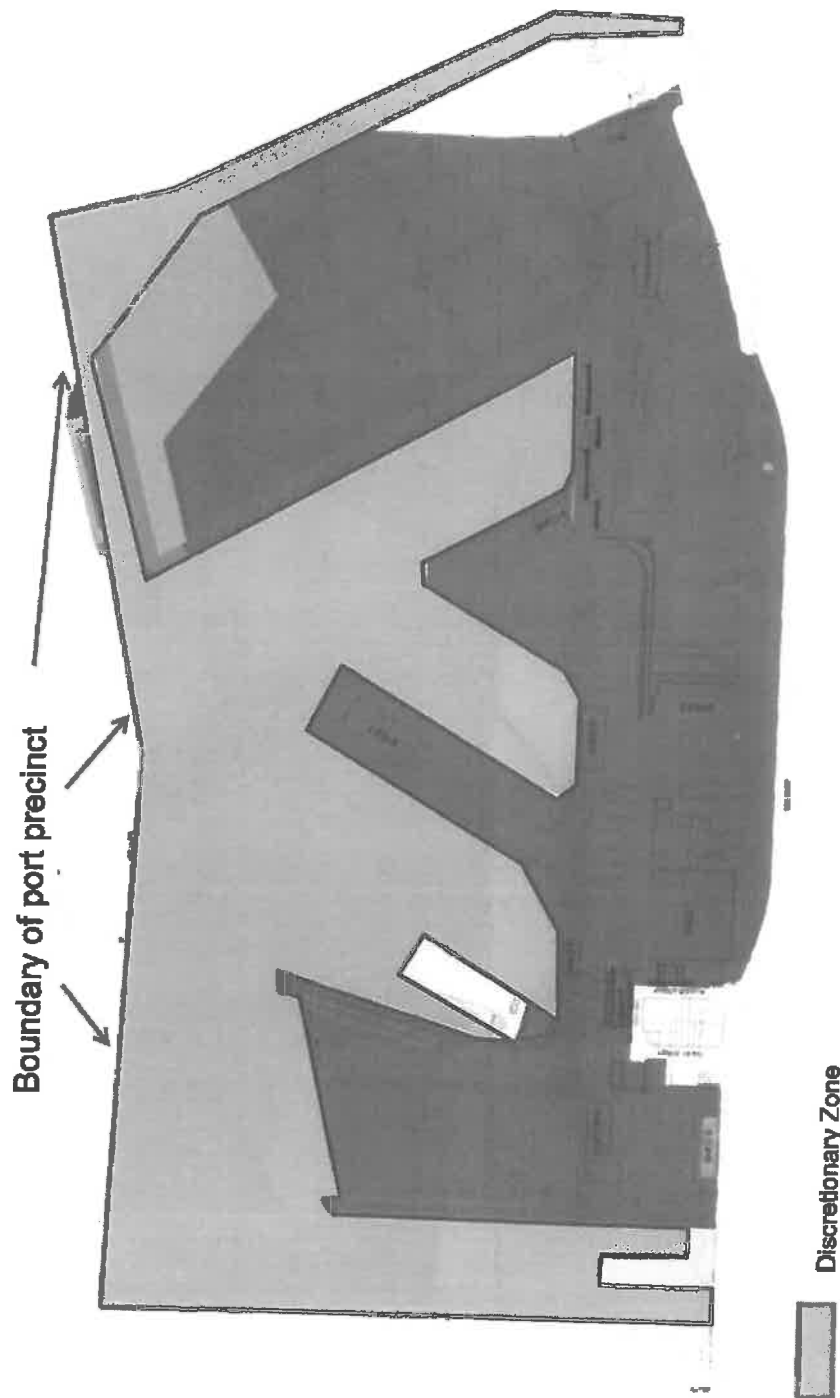
Attachments

No.	Title	Page
A	Port development options	39
B	Genetically modified organisms - further information	45

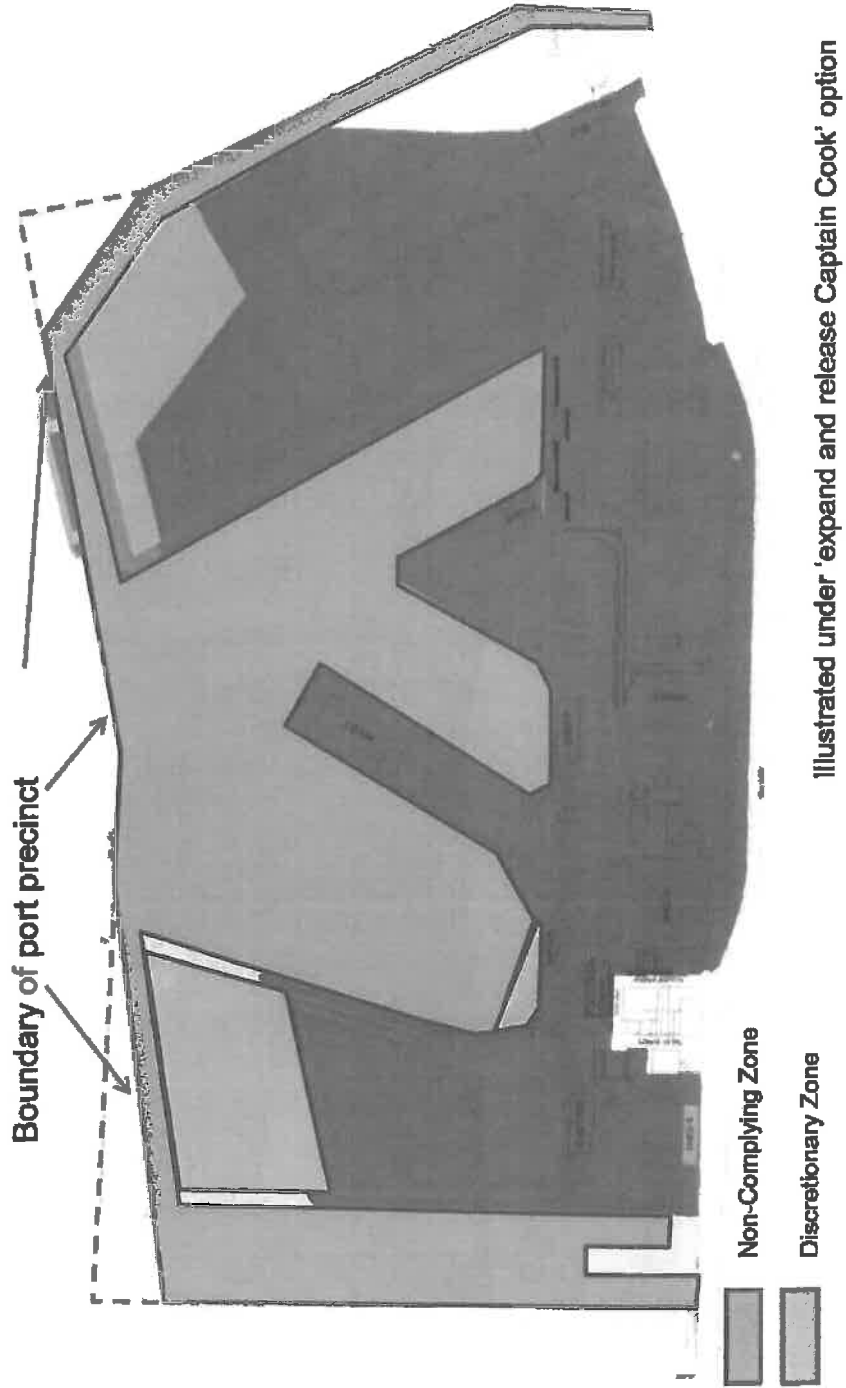
Signatories

Authors	John Duguid - Manager Unitary Plan
Authorisers	Penny Pirrit - Regional & Local Planning Manager Roger Blakeley - Chief Planning Officer

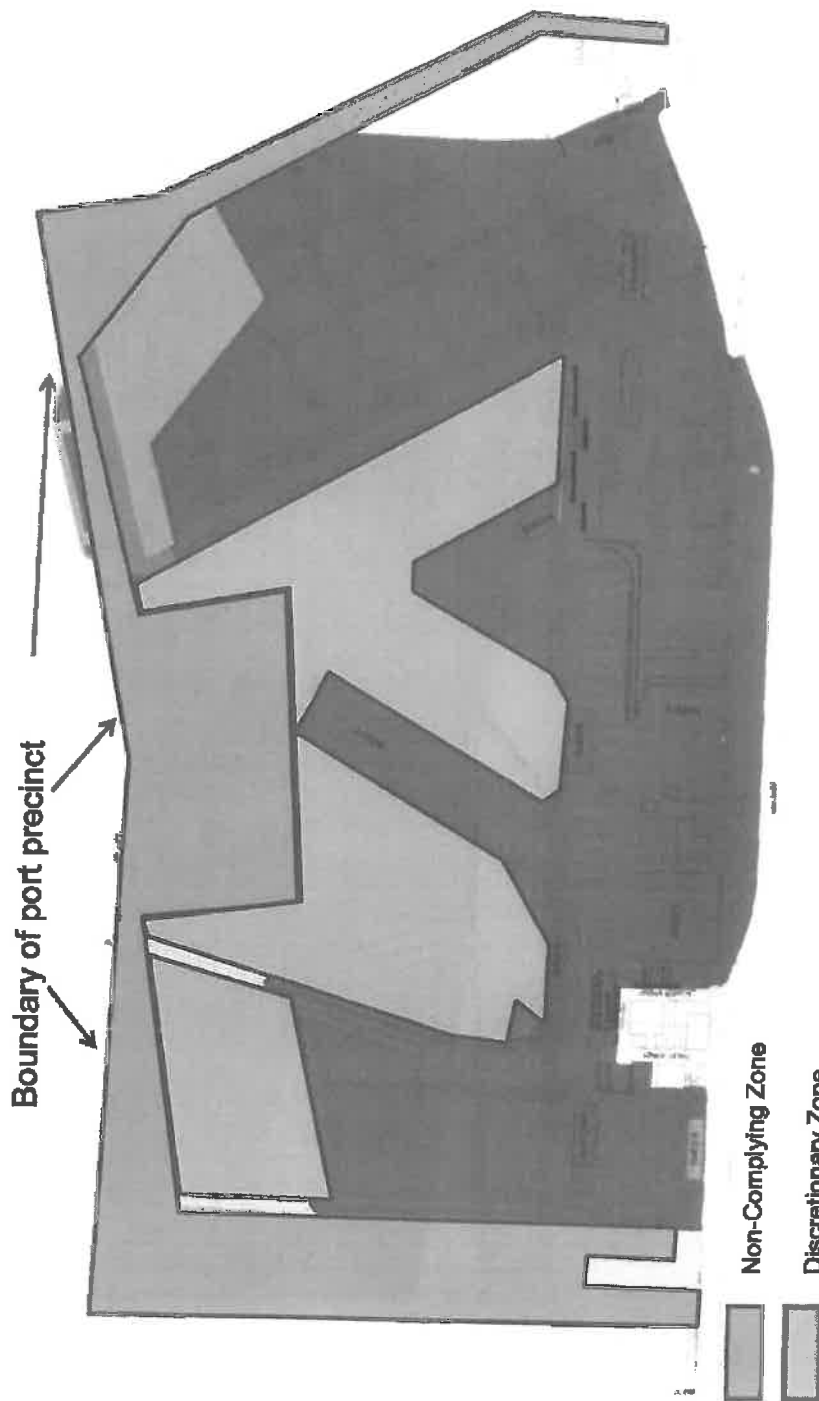
Option 1: status quo (operative coastal plan and draft Unitary Plan approach)



Option 2: Facilitative/directive option

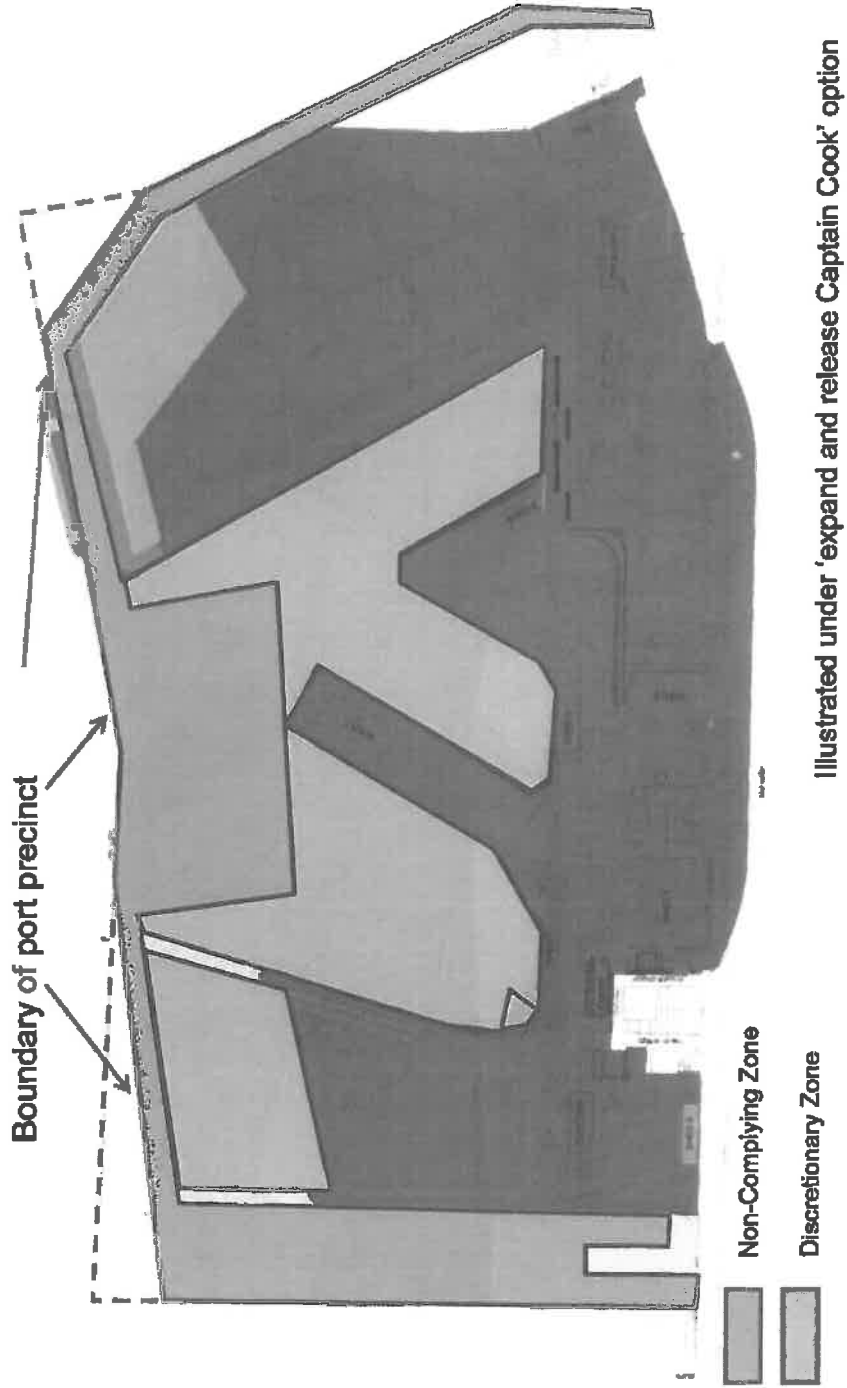


Option 3: POAL preferred option



Illustrated under 'expand and release Captain Cook' option

Option 4: Alternative approach



Option 5: Additional engagement

- Retain the draft Unitary Plan (and operative Regional Coastal Plan) approach
- Further discussion/engagement and subsequent Auckland Council decision/position
- Followed by the following process:
 - Council submission to the notified Unitary Plan (early 2014) for any changes to be made, OR
 - Notify a plan change as soon as the Unitary Plan is operative (approx. 2016).

Item 12

Attachment A

Genetically Modified Organisms (GMOs) additional information

National regime for management of GMOs

1. The Hazardous Substances and New Organisms Act 1996 (HSNO) was developed to regulate research into, and release of, all living things that are new to New Zealand. This includes GMOs.
2. HSNO set up the Environmental Protection Authority (EPA) to assess and decide on all applications to introduce new organisms, including GMOs, into New Zealand. The EPA is tasked with considering applications to import a GMO into New Zealand, its development in containment, testing in the field or release into the environment. The EPA considers the risks associated with such activity and can impose conditions.
3. If a GMO is approved for general release into the environment it is no longer controlled under HSNO, it is controlled through other legislation including the Biosecurity Act 1993, Conservation Act 1987 and the Health Act 1956.
4. While the Resource Management Act 1991 provides jurisdiction for local authorities to deal with GMOs, the principle piece of national legislation remains HSNO.

For background and historic and current GMO activity see Appendix A.

Management of GMOs under the Resource Management Act 1991

5. Legal opinion is clear that local authorities have jurisdiction to deal with GMOs under the Resource Management Act 1991. It is also clear that Central Government has set up a national regime, through HSNO, to deal with all applications to introduce and use hazardous substances and new organisms.
6. During the course of discussions on GMOs a number of legal questions have been raised by elected representatives and officers. The table below identifies those questions and the advice from Auckland Council officers:

Table 1: Auckland Council advice

Question	Answer
Can the Council manage GMOs?	The RMA does not currently prevent Council managing GMOs.
Will the GMO controls be defensible if legally challenged?	There is <u>strong doubt</u> that the Environment Court would uphold the controls because it will be difficult to show, in light of the existing provisions to control GMOs under HSNO, that the test under s32 that this is an effective or efficient method to avoid, remedy or mitigate adverse effects or to achieve the purpose of the RMA is met.

Will Council be liable for a claim in negligence or nuisance if GMO provisions are not included in the draft Unitary Plan?

There is no risk that Council will be liable. This is consistent with an earlier Crown Law opinion.

Will Council be liable for a claim in negligence or nuisance if GMO provisions are included in the draft Unitary Plan?

There is little risk that Council will be liable. This is consistent with an earlier Crown Law opinion.

Inter Council Working Party proposal

7. The Inter Council Working Party (ICWP) is made up of five northern local authorities, including Auckland Council. They have jointly co-ordinated and funded a report into the management of the outdoor use of GMOs under the Resource Management Act 1991.
8. Officers reported the findings of the ICWP to the Auckland Plan Committee in February 2013. In short, it recommends that local authorities manage the use of GMOs through RMA plans, including the Unitary Plan, to provide for a precautionary approach and the ability to bond consent holders so that they are held liable in the event of any adverse effects beyond the boundaries of the site. A plan change and Section 32 report was prepared for the local authorities' use and it recommends:
 - Permitted activity for research, medical applications and vaccines
 - Discretionary activity for field trials
 - need the relevant approvals from the EPA
 - undertaken in accordance with any EPA approval conditions
 - can require proof of financial fitness
 - resource consent can impose conditions and a bond
 - provide for community input
 - monitoring costs borne by applicant
 - Prohibited activity for general outdoor release of GMOs
 - no application can be made even if the EPA have approved the release
 - plan change required for removal of prohibited activity status at the applicant's expense

Proposed management of GMOs and the draft Auckland Unitary Plan

9. On 12 February 2013 the Auckland Plan Committee resolved (APC/2013/5) to insert an objective relating to outdoor use of GMOs into the March draft of the Unitary Plan to give the community an opportunity to provide feedback.
10. The objective at Part 2.6.4 states that "*Genetically modified organisms do not adversely affect the social, cultural, economic and environmental well-being of people in the Auckland region.*" The accompanying issue in Part 2.1.5 states that "*The outdoor use of genetically modified organisms could adversely affect our environment, economy and social and cultural resources and values.*"
11. Attachment B provides a summary of other district and regional councils' approaches to the management of GMOs.

Feedback on the draft Unitary Plan provisions

12. Views were sought from iwi through the Regional Kaitiaki Forum and two Mana Whenua hui. Concerns over the use of GMOs were raised in relation to risks to the environment, including eel migration, medicinal plants, whakapapa, taonga and the status of the Wai 262 claim.
13. 350 pieces of feedback were received to the Unitary Plan from both international and local people/organisations. A summary of the main issues follows:
 - Economic risk - 132 (73%) most strongly identified the economic risk to local producers and international markets as an issue citing loss of reputation (clean, green), branding, organic/GMO free status and market share.
 - Environmental Harm and Health issues – 122 (61%) commented on harm to the environment including the marine areas and 119 (59%) expressed health concerns.
 - Prohibited status - Combining comments on prohibiting, banning or keeping GMO Free there were 154 (77%) of the local suggestions and 295 (84%) of the total suggestions.
 - Liability risks, in particular council's / rate payer funding risks, were included in 102 (51%) suggestions.
 - Issue / Objective support - 103 (51%) approved of the Objective being placed in the Unitary Plan (although there were many comments about the way it is expressed) and 95 (47%) specifically demanded the Unitary Plan adopt a precautionary statement.
 - ICWP provisions - 90 (45%) indicated knowledge of and support for the ICWP provisions.
 - In a letter to Auckland Council on the draft Unitary Plan, the Minister for the Environment raised concern over the duplication of regulation between the RMA and HSNO and further stated that GMOs are most appropriately addressed by the EPA under the HSNO Act.

Table 2: Feedback Submission Summary

Issue	Overseas	Unknown	Local	Total
Total feedback in support	146	3	200	349
Prohibit GMOs	141	3	97	241
Environment	30	1	122	139
Economic	124	1	132	257
Health/ social	39	1	119	159
Cultural	2		86	88
Liability	2		102	104
ICWP support	2		90	92
Supports objective in Unitary Plan	1		103	104
Auckland Council GE Free			60	61
Prohibit/GE Free combined	141		154	295
Iwi Consultation			3	3
Strong precautionary statement	1		95	96
Total feedback opposed			1	1

Four options for management of GMOs

14. Auckland Council can choose whether or not to get involved in the management of GMOs and in what way. At a recent Auckland Plan Committee Unitary Plan workshop, elected representatives discussed 4 main options for the management of GMOs:
 - 1) The draft Unitary Plan would be silent on GMOs;
 - 2) Retain the objective and issue as part of the Regional Policy Statement of the draft Unitary Plan;

- 3) Adopt a non-RMA related policy position on the management of GMO within the region; or
- 4) Insert the ICWP suggested approach into the draft Unitary Plan.

Option 1: Unitary Plan silent on GMOs

15. Under this option council would not manage GMOs under the RMA. This option would reflect the following points:
- Recognises the national role of the EPA in controlling GMOs and new organisms;
 - Acknowledges that control under the RMA is untested in the courts and there is a risk of legal challenge;
 - Questions the added value of council in the process where the EPA has scientifically assessed any application for field trials or releases;
 - Does not address community concerns and feedback on the draft Unitary Plan, including user liability and costs and environmental contamination;
 - Does not support the ICWP recommendation to manage GMOs under the RMA.

Option 2: Retaining the objective and issue as part of the Regional Policy Statement of the draft Unitary Plan

16. The current objective 2.6.4 in the draft Unitary Plan states "*Genetically modified organisms do not adversely affect the social, cultural, economic and environmental well-being of people in the Auckland region.*"
17. The current issue 2.1.5 states "*The outdoor use of genetically modified organisms could adversely affect our environment, economy and social and cultural resources and values.*"
18. This option would retain the high level objective and issue at the Regional Policy Statement level, but would not include any rules which would need to be met. In practice, it is similar to option 1 in that there would be no real management of GMOs under the RMA, but it would recognise the potentially adverse effects that might arise from the use of GMOs. This option would reflect the following points:
- Recognises the national role of the EPA in controlling GMOs and new organisms. An explanatory note could be inserted to clearly explain the role of HSNO and the EPA;
 - Acknowledges that control under the RMA is untested in the Courts and there is a risk of legal challenge;
 - Questions the added value of council in the process where the EPA has scientifically assessed any application for field trials or releases;
 - Acknowledges the potential adverse social, cultural, economic and environmental effects that could result from the outdoor use of GMOs;
 - Implies a precautionary approach;
 - Does not address community concerns and feedback on the draft Unitary Plan, including user liability and costs and environmental contamination;
 - Does not support the ICWP recommendation to manage GMOs under the RMA.

Option 3: Non-RMA Policy

19. This option is a potential next step from option 2 where council does not manage GMOs through the RMA, but sets policy through the Long Term Plan and operational plans, such as the council's procurement policy. This option reflects the position of a number of legacy councils who declared themselves "GE free" and/or ensured that council did not use or create GMO products but did not manage GMOs under the RMA. This option would reflect the following points:
- Recognises the national role of the EPA in controlling GMOs and new organisms;

- Acknowledges that control under the RMA is untested in the Courts and there is a risk of legal challenge;
- Questions the added value of Council in the process where the EPA has scientifically assessed any application for field trials or releases;
- Acknowledges the potential adverse social, cultural, economic and environmental effects that could result from the outdoor use of GMOs;
- Addresses some but not all community concerns and feedback on the draft Unitary Plan;
- Does not support the ICWP recommendation to manage GMOs under the RMA

Option 4: Insert the ICWP suggested approach in the draft Unitary Plan

20. This option involves managing GMOs through the RMA with objectives, policies and rules as proposed by the ICWP. The provisions require:
- Permitted activity for research, medical applications and vaccines;
 - Discretionary activity for field trials;
 - Prohibited activity for general outdoor release of GMOs.
21. As a member of the ICWP, Auckland Council would be able to use the Section 32 report and plan provisions that have already been developed and insert them into the Unitary Plan. This option would reflect the following points:
- Recognises the national role of the EPA in controlling GMOs and new organisms but considers that council has an additional role to play beyond the HSNO provisions and processes;
 - Acknowledges that control under the RMA is untested in the courts and there is a risk of legal challenge;
 - Other ICWP members are likely to agree to a joint approach to costs in the event of any appeal to the provisions;
 - Seeks to address the potential adverse social, cultural, economic and environmental effects that could result from the outdoor use of GMOs;
 - Addresses most community concerns and feedback on the draft Unitary Plan, including user liability and costs and environmental contamination;
 - Takes a precautionary approach;
 - Would require additional and specialised scientific resource and expertise (either in-house or consultants) to assess applications and monitor implementation;
 - Applicants would effectively be required to go through two sets of similar consenting processes, one under HSNO and one under the Unitary Plan, which will result in duplication of effort and additional cost.

Local board views

22. All local boards were provided with background material and the ICWP reports. All resolutions and other records of decisions from the local boards are provided at Attachment C. In summary:
- Twelve local boards have passed resolutions supporting Auckland Council being involved in the management of GMOs.
 - These resolutions included support for a precautionary approach on GMO management to be included in the Unitary Plan, a declaration that the Auckland region become a GE free zone and/or support the ongoing work of the ICWP.
 - The other nine local boards have not formally resolved on the matter.

Impact on Maori

23. In terms of recent Auckland-specific engagement, there have been three hui – Unitary Plan Regional Kaitiaki Forum in March 2013 and two Unitary Plan Mana Whenua workshops in

April 2013. Attendees at all three hui identified concerns around the use of GMOs, particularly in relation to risks to the environment and their role as kaitiaki. While most supported control of GMOs, it was not unanimous that it was council's role to do so or whether the proposed ICWP provisions will deliver outcomes when the real regulation comes from Central Government at a national level.

24. Through the development of the ICWP reports, northern iwi have expressed their concerns and actively participated in discussions on the development of policies to manage the release of GMOs since the first GMO developments. The Wai 262 claim clearly states the economic and cultural impacts. They have been clear on the importance of local control of GMO development with several Environment Court appeals and council submissions.
25. Ngati Hine, Ngatiwai, Te Roroa, Ngati Kuta ki Te Rawhiti, Ngati Torehina, Ngati Korokoro, Ngati Wharara and Ngati Rehia all speak of opposition to the release of GMOs and advocate a precautionary approach to GMO in their iwi and hapu planning documents.
26. Similar concerns are expressed in iwi and hapu management plans including Kororareka Marae, Ngati Whatua Nga Rima o Kaipara, Te Kawerau a Maki, Ngai Tai and Hauraki Iwi.
27. These planning documents have all been reviewed by the ICWP for the Section 32 report and in accordance with Sections 66(2A)(a) and 74(2A) of the RMA which require councils to take into account any iwi planning document when preparing or changing a Regional or District Plan.

Implementation Issues

28. Each option or combination of options will result in different implementation issues. Generally, options 1 and 2 can be implemented quickly and will have no financial or resourcing implications. There are no legal risks associated with these options.
29. Option 3 would require a further report and changes to operational policies and key documents, including the Long Term Plan. These financial and resourcing requirements would be managed within existing budgets and workloads. There are no legal risks associated with this option.
30. In the short term option 4 could be quickly implemented as the ICWP provisions are completed and can be inserted into the draft Unitary Plan. In the medium to long term, this option requires additional, specialised resources to monitor any GMO use. These resources are currently not available in council. The legal risks associated with option 4 could mean that there will be additional costs in any appeal, although it is likely these costs will be shared by other members of the ICWP.

Appendix A

Historic and Current GMO Activity in New Zealand

[Sources - *Review of the Forty-Nine Recommendations of the Royal Commission on Genetic Modification*. 2008 (McGuinness et al,) and *The History of Genetic Modification in New Zealand 1973 – 2013* (McGuinness Institute)]

1. **The Royal Commission** provided the first opportunity for public engagement on the issue of GMO use. After evaluation of submissions, 49 recommendations were made by the Royal Commission, of which twelve were only partially implemented and seventeen were not implemented at all. (McGuinness et al 2008) The changes were implemented in the 2003 Amendment to HSNO. Many of these relate to issues Local Authorities have with the Hazardous Substances and New Organisms Act (HSNO).

The twelve recommendations that were only partially implemented included;

- Mechanisms to protect organic and other sustainable agriculture and to research the socio-economic and ethical impacts of the GMOs.
- specific exclusion of the patentability of human beings and early resolution of WAI 262.
- *Liability and Economic Liability* (sterility of those GMO crops most likely to cross-pollinate).

The seventeen recommendations that were not implemented included;

- Research of environmental impacts on soil and ecosystems before release of GMO crops.
- the Bt toxin in sprays and GMO plants; a labelling regime to identify GMO plant material; protection of GMO free honey; and from GMO crosspollination; an ecological assessment of the effects on the soil and ecology with development of GMO forest trees and effective buffers between GMO and unmodified crops.
- economic impact of any GMO crop release, ability to exclude use from particular areas, assessment of economic and environmental impact before first release and constructive dialogue between farmers using different production methods be encouraged with mediation'.

2. **ERMA/EPA approved GMO applications for indoor experiments 1996 – 2013.** Applications under the HSNO Act were handled by the Environmental Risk Management Agency (ERMA) now the Environmental Protection Authority (EPA). Approved applications are
 - Importation into containment - 93 applications involving 1861 organisms
 - Development in containment – 224 applications involving 600 organisms
3. **Outdoor GMO experiments approved prior to July 1998 –** the Ministry for the Environment (MfE) approved applications following assessment by the Interim Assessment Group (IAG) prior to the passing of the HSNO Act. Of 60 applications deliberated on by IAG;
 - 53 were approved
 - 7 applications were not approved - 2 applications of these did not proceedWith the introduction of the HSNO Act
 - 31 approved applications did not transfer to the HSNO Act process.
 - 21 approved applications were transferred to HSNO Act process.

4. **Applications for Outdoor Experiments 1996 – April 2013** – Of the applications for field trials of GMOs;
- 27 were approved, there is no record of any being declined.
 - 17 are completed
 - 6 did not commence
 - 2 are still operating
 - 2 show no evidence of being active.
5. **Breaches of the conditions on managing GMOs.** These come in several categories;
- 1) Before 2000 (pre HSNO)
 - 196 had not been notified to the MfE for gazettal.
 - 113 instances of unauthorized GM work with no proper approval.
 - 2) Since 2000 (post HSNO) - 48 breaches, consisting of 16 environmental, 3 import/export and 29 containment issues. (See attachment)

Examples of the breaches of GMO import/ export without approval included imported plantings of GM corn seed and GM maize (including one at Pukekohe); exported sweet-corn product (\$500,000 loss and damage to Japanese markets); imported erroneously tested grain seed; imports of maize accidentally mixed with GM soy; and GM tropical fish.

APPENDIX B

Other Local Authorities' Use of the RMA in Relation to Managing GMO's

1. Policy and planning officers in 42 North Island District Councils were contacted and asked whether there had been any consideration given to the management of GMOs and whether there had been developments within their council as a result of that consideration.
2. A summary of the District Council responses showed:
 - **Hastings** District Council (HDC) has introduced provisions in its Draft District Plan (as part of review) regulating outdoor use of GMOs in line with the recommendations from the Inter-council Working Party. That is, prohibiting the release of GMOs to the environment and making field trials discretionary activities with performance standards to address liability, financial fitness and bonds for possible damages from these activities. Consultation on the Draft District Plan closed on 31 May and hearings are scheduled for 15-17 July 2013. It is expected that the Proposed District Plan will be publically notified in September or October 2013. HDC has expressed a willingness to work collaboratively with northern councils on the Working Party during statutory processes following notification including a possible joint response to any court challenge that may arise.
 - **Whangarei** District Council (WDC) received the documentation on 13 March 2013 and resolved to adopt in principle the Draft Proposed Plan Provisions and Draft Section 32 Report as produced by the Working Party for inclusion in the Whangarei District Plan. It also acknowledged the importance of a collaborative approach with other member councils on the Working Party to support the effectiveness of the draft proposed plan provisions and the efficiencies to be gained by sharing the costs of future statutory processes (where possible), including joint response to possible legal challenge. Currently WDC is awaiting decisions from AC following consultation on whether to include the proposed provisions in its Proposed Unitary Plan.
 - **Far North** District Council (FNDC) received the documentation on 30 May 2013 and resolved to support the resolutions of the Working Party, including (in principle) proceeding with a plan change process to regulate the outdoor use of GMOs through provisions in the Far North District Plan in collaboration with other councils on the Working Party. Currently FNDC is awaiting decisions from the AC following consultation on whether to include the proposed provisions in its Proposed Unitary Plan.
 - **Kaipara** District Council (KDC), as a member of the Working Party, has yet to formally make a decision on the documentation and resolutions from the Working Party. KDC is under statutory management because of financial problems and is not in a position at this point in time to progress the issue. It is, however, keeping a watch on what other councils on the Working Party decide to do.
 - **Northland** Regional Council (NRC) is in the process of reviewing its Regional Policy Statement (RPS). The RPS was initially silent on the issue of GMOs. However, NRC received over 300 submissions on its Proposed RPS requiring a precautionary approach to GMOs and/or provisions to address the risks from outdoor use of GMOs. Hearings on these submissions closed at the end of June 2013. The Commissioners have requested that staff draft up provisions relating to GMOs for possible inclusion in the RPS. It appears likely that the Commissioners will recommend that provisions relating to the management of GMOs be included in the Northland RPS.
 - **Bay of Plenty** Regional Council (BPRC) released the Bay of Plenty Proposed Regional Policy Statement (as amended by Council decisions) in August 2012. The policy statement retains the provisions relating to GMOs that were included in the original version released for public submissions in 2010. In Part One (Promoting Sustainable Management of the Bay of Plenty Region) there is a section on adopting a precautionary approach to the release, control and use of GMOs in the region. In Part Three (Policies and Methods), there is a specific policy requiring a precautionary

- approach to managing natural and physical resources. These provisions were challenged by the Crown Research Institute Scion and currently mediation is occurring between the council, Scion and other interested parties⁹ have considered the issue but have no interest or no intention in going further.
- **Hawke's Bay** is currently being lobbied by the community to declare Hawke's Bay a GE free region and prohibit the release of GMOs into the environment. A group of local food producers committed to building the region's reputation as a region known throughout the world for safe, sustainable, high quality food production (Pure Hawke's Bay) have been making submissions on planning documents and lobbying councils in the Hawke's Bay, including Hastings District Council, Napier City Council, and Hawke's Bay Regional Council. Hawke's Bay Regional Council is considering its response.
 - **Waikato** District Council has considered the issue and will remain an interested party in view of its MOU with Auckland Council to liaise and cooperate on planning matters that have cross boundary implications, also watching other council actions.
 - Nineteen have not considered the issue.
 - Nine have not yet been contacted.
3. Policy and planning officers in the thirteen Regional Councils were also asked what consideration had been given:
- Bay of Plenty has included a precautionary policy in its Draft RPS.
 - Hawkes Bay, Wellington, Tasman, Nelson and Canterbury have considered the issue and are awaiting the outcome of actions by other councils.
 - Horizons, Taranaki, and Southland have not considered the issue.
 - Four were yet to respond - Waikato, Tasman, Marlborough and Otago.

APPENDIX C

Local board resolutions on GMO release to environment

Local Board	Resolution/comment
Whau	<p>That the Whau Local Board provides the following feedback on the development of the draft Unitary Plan to inform direction-setting by the Unitary Plan Political Working Party in December 2012 and decision-making on the draft plan by the Auckland Plan Committee in March 2013.</p> <ul style="list-style-type: none"> a) The Whau Local Board supports the Unitary Plan being the appropriate tool to manage Auckland Council's policy on the release of Genetically Modified Organisms to the environment. b) The Whau Local Board supports the ability for preserving community access to GE free food. c) The Whau Local Board supports at least a precautionary approach in the Unitary Plan with regard to the release of Genetically Modified Organisms to the environment. d) That the Whau Local Board recommends that the Auckland Council advocates to government that the liability for any environmental damage caused by the release of Genetically Modified Organisms rests with the authority that approved the release and the parties responsible <p>Resolution number WH/2013/32 That the Whau Local Board:</p> <ul style="list-style-type: none"> a) Supports, in principle, GE and GMO free in field and food. <p>Whau Local Board Meeting of 14/03/2013</p>
Henderson – Massey	<p>The Henderson Massey Local Board provided the following feedback on GMO policy in relation to the Unitary Plan: A precautionary approach to Genetically Modified Organisms to be included in the Unitary Plan</p> <p>Resolution number HM/2012/1</p>
Waitakere Ranges	<p>Resolution number WTK/2012/195</p> <p><u>Genetically modified organisms</u></p> <ul style="list-style-type: none"> vii) The Unitary Plan should include provisions to address genetically modified organisms and take a precautionary approach to the issue, and by doing so Auckland Council establishes itself a formal position on GMO. <p>Resolution number WTK/2013/148 That the Waitakere Ranges Local Board provides the following specific feedback:</p> <p><u>Genetically modified organisms</u></p> <ul style="list-style-type: none"> a) The Unitary Plan needs to provide stronger safeguards against the risks posed by the release of Genetically Modified Organisms than is currently provided in the draft. b) The Waitakere Ranges Local Board urges Auckland Council to adopt the recommendations of the Inter-Council Working Party for inclusion in the Unitary Plan to manage the risks associated with the outdoor release of GMOs.
Albert Eden	<ul style="list-style-type: none"> a) That the Albert-Eden Local Board: <ul style="list-style-type: none"> i) supports the precautionary principle in dealing with research into and utilisation of Genetic Engineering technology; ii) notes that most of the area it represents was formerly represented by Community Boards who had declared their

	<ul style="list-style-type: none"> iii) Wards Genetic Engineering Free Zones; reaffirms that GE-Free status by formally declaring the Board Area a Genetic Engineering Free Zone; iv) recommends that the Governing Body of Auckland Council should declare the Auckland Region a Genetic Engineering Free Zone; v) advocates to the Governing Body that as an interim measure it should roll over the existing legacy policy on Genetic Engineering inherited from the former Auckland Regional Council, rather than leave a Genetic Engineering policy "gap" for some years until new rules become operative as part of the Unitary Plan process; vi) encourages other Boards to take the same stance on behalf of their communities.
Puketapapa	<p>That the Puketapapa Local Board:</p> <ul style="list-style-type: none"> a) Receive the Report on Legacy Council Policies on Genetically Modified Organisms. b) Support the ongoing work of the Inter Council Working Party on Genetically Modified Organisms Risk Evaluation and Management Options. c) Support the inclusion of a GMO policy statement in the next iteration of the Unitary Plan to be released in March 2013, using the former Auckland Regional Council policy statement as a starting point. Res CP2013/00306
Waiheke	G E Free in the Local Board Plan
Waitemata	<p>Resolution number WTM/2013/9</p> <p>That the Waitemata Local Board:</p> <ul style="list-style-type: none"> a) Resolves to declare the Waitemata Local Board area GE and GMO free; b) Forward these resolutions to the Regional Development and Operations Committee (RDOC), the Environmental and Sustainability Forum and the Unitary Plan Political working party for inclusion in the Unitary Plan. c) Supports the precautionary principle for the whole of Auckland Council, in dealing with research into and utilisation of Genetic Engineering technology; d) Notes that most of the area it represents was formerly represented by community Boards who had declared their Wards GE Free Zones; e) Reaffirms that GE-Free status by formally declaring the Board Area a Genetic Engineering Free Zone; f) Recommends that the Governing Body of Auckland Council should declare the Auckland Region a GE Free Zone; g) Advocates to the Governing Body that as an interim measure it should roll over the existing legacy policy on Genetic Engineering inherited from the former Auckland Regional Council, rather than leave a GE policy "gap" for some years until new rules become operative as part of the Unitary Plan process; h) Encourages other boards to take the same stance on behalf of their communities. i) Recommends that council come to a detailed understanding of the possible financial, consequential or other liabilities that would be faced by council in the event of a GMO release, accidental or otherwise.

Upper Harbour	No formal resolutions.
Devonport – Takapuna	No formal resolutions support the precautionary approach.
Franklin	No formal resolutions.
Orakei	No formal resolutions.
Hibiscus and Bays	No formal resolutions.
Kaipatiki	No formal resolutions.
Manurewa	No formal resolutions
Papakura	Resolution number PPK/2013/48 That the Papakura Local Board: b) recommends that the Governing Body of Auckland Council should declare the Auckland Region a Genetic Engineering Free Zone; c) advocates to the Governing Body that as an interim measure it should roll over the existing legacy policy on Genetic Engineering inherited from the former Auckland Regional Council, rather than leave a Genetic Engineering policy “gap” for some years until new rules become operative as part of the Unitary Plan process.
Rodney	No formal resolutions.
Maungakiekie-Tamaki	No formal resolutions.
Howick	No formal resolutions.
Otara Papatoetoe	No formal resolutions.
Mangere - Otahuhu	No formal resolutions.
Great Barrier Is	No formal resolutions.
Manukau Harbour Forum	Members - Waitakere Ranges, Mangere – Otahuhu, Otara Papatoetoe, Manurewa Resolution MHFJC/2013/47 recommends that the Unitary Plan be used as a vehicle to promote a strong precautionary approach to the use and release of genetically modified organisms.

12 Unitary Plan update

*Cr Anae returned to the meeting at 11:33 am.
Cr Walker returned to the meeting at 12:03 pm.
Cr Anae exited the meeting at 12:10 pm.
Cr Anae returned to the meeting at 12:19 pm.*

MOVED by Deputy Mayor PA Hulse, seconded Cr P Webster:

That the meeting adjourned at 12.19 pm for lunch.

CARRIED

The meeting reconvened at 12.55pm.

*Cr Penrose joined to the meeting at 12.55 pm.
Cr Wood joined to the meeting at 12:55 pm.
Cr Coney exited the meeting at 12:58 pm.*

Resolution number APC/2013/37

MOVED by Cr GS Wood, seconded Cr MA Hartley:

That the Auckland Plan Committee:

- a) **receives the report.**
- b) **requests officers to send the report to all local boards and to the Independent Maori Statutory Board.**

CARRIED

Resolution number APC/2013/38

MOVED by Cr RJ Northey, seconded Cr DM Morrison:

an amendment to the original recommendation by way of addition:

- c) **request that the following actions be taken regarding legal review of processes for the unitary plan:**
 - i) **a summary of the legal processes undertaken for the unitary plan be circulated to councillors on Friday, 23 August 2013 (prior to the Auckland Plan Committee meeting on the unitary plan on 28,29 and 30 August 2013)**

CARRIED

Resolution number APC/2013/39

MOVED by Cr RJ Northey, seconded Cr DM Morrison:

- ii) **the summary is to include the legal review process, who was involved including external experts, key issues, responses, and advice given an whether the proposed unitary plan gives effect to the RMA.**

CARRIED

Resolution number APC/2013/40

MOVED by Cr RJ Northey, seconded Cr DM Morrison:

- iii) **all councillors who have questions or concerns about the legal or planning process will forward those questions to the Chief Planning Officer and General Counsel, by Friday, 16 August 2013 so that reports can be included in the report to be circulated on Friday 23 August 2013 where appropriate, and the experts required to answer those questions can be present at the Auckland Plan Workshop 26 August 2013**

CARRIED

Resolution number APC/2013/41

MOVED by Cr RJ Northey, seconded Cr DM Morrison:

- iv) **officers will immediately circulate any legal opinions on specific issues eg GMOs**

CARRIED

Cr CE Fletcher moved an amendment to the original recommendation, seconded by Cr C Brewer by way of addition:

- d) request a peer review of the Unitary Plan process to be undertaken immediately by a well respected independent practitioner in the RMA field to give assurance to the councillors that the planning process has met all legal objectives and requirements prior to the unitary plan's notification and recognise that on notification Council loses control of the process.

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

For:

Councillors: Anae Arthur Anae
Cameron Brewer
Dr Cathy Casey
Hon Chris Fletcher
Sharon Stewart
Wayne Walker

Against:

Councillors: Alf Filipaina
Michael Goudie
Ann Hartley
Penny Hulse
Anahera Morehu
Des Morrison
Richard Northey
Calum Penrose
Sir John Walker
Penny Webster
George Wood

Mayor Len Brown, Cr Sandra Coney, Cr Mike Lee, Cr Dick Quax, Cr Noelene Raffills, Member Glen Tupuhi were not present.

The division was declared LOST by 6 votes to 11.

For clarification the following is the complete resolution:

That the Auckland Plan Committee:

- a) **receives the report.**
- b) **requests officers to send the report to all local boards and to the Independent Maori Statutory Board.**
- c) **request that the following actions be taken regarding legal review of processes for the unitary plan:**
- i) **a summary of the legal processes undertaken for the unitary plan be circulated to councillors on Friday, 23 August 2013 (prior to the Auckland Plan Committee meeting on the unitary plan on 28,29 and 30 August 2013)**
- ii) **the summary is to include the legal review process, who was involved including external experts, key issues, responses, and advice given and whether the proposed unitary plan gives effect to the RMA.**

- iii) all councillors who have questions or concerns about the legal or planning process will forward those questions to the Chief Planning Officer and General Counsel, by Friday, 16 August 2013 so that reports can be included in the report to be circulated on Friday 23 August 2013 where appropriate, and the experts required to answer those questions can be present at the Auckland Plan Workshop 26 August 2013
- iv) officers will immediately circulate any legal opinions on specific issues eg GMOs

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*Cr Wood exited the meeting at 02:00 pm.
Cr Penrose exited the meeting at 02:00 pm.
Cr Lee joined to the meeting at 02:04 pm.
Cr W Walker exited the meeting at 02:12 pm.
Cr Fletcher exited the meeting at 02:14 pm.*

Resolution number APC/2013/42

MOVED by Member Morehu, seconded Cr MA Hartley:

That the Auckland Plan Committee:

- a) approve the first release of the Auckland Design Manual (ADM) website in September 2013.
- b) delegate authority to the Manager Built Environment to approve updates to the ADM website.
- c) note that there will be ongoing engagement with mana whenua over the development of Māori Design Principles.
- d) note that there will be on-going political overview and stakeholder engagement as additional modules are developed.

CARRIED

Resolution number APC/2013/43

MOVED by Deputy Mayor PA Hulse, seconded Cr AJ Anae:

That the Auckland Plan Committee:

- e) acknowledge and thank the Built Environment Unit (BEU) for all their work.

CARRIED

