



I hereby give notice that an ordinary meeting of the Unitary Plan Committee will be held on:

Date: Tuesday, 12 August 2014
Time: 1.30pm
Meeting Room: Reception Lounge
Venue: Level 2
Auckland Town Hall
301-305 Queen Street
Auckland

Unitary Plan Committee

OPEN AGENDA

MEMBERSHIP

Chairperson	Alf Filipaina
Deputy Chairperson	Penny Hulse
Members	Cr Anae Arthur Anae Cr Dr Cathy Casey Cr Chris Darby Cr Denise Krum Member Liane Ngamane Member Josie Smith Cr Wayne Walker Cr Penny Webster

Ex-officio Mayor Len Brown, JP

(Quorum 6 members)

Suad Allie
Democracy Advisor

7 August 2014

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TERMS OF REFERENCE

Responsibilities

A committee that will give direction to officers on matters associated with the Unitary Plan including:

- Council's submission to the UP (final sign off with parent committee)
- Response to matters raised by the submission process
- Pre-hearing mediation

Substantive issues of policy require approval by the parent committee.

Powers

All powers necessary to perform the Committee's responsibilities.

Except:

- (a) powers that the Governing Body cannot delegate or has retained to itself (see Governing Body responsibilities)
- (b) where the Committee's responsibility is limited to making a recommendation only

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1 Apologies

At the close of the agenda no apologies had been received.

2 Declaration of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

3 Confirmation of Minutes

That the Unitary Plan Committee:

- a) confirm the ordinary minutes of its meeting, held on Tuesday, 8 July 2014, as a true and correct record.

4 Petitions

At the close of the agenda no requests to present petitions had been received.

5 Public Input

Standing Order 3.21 provides for Public Input. Applications to speak must be made to the Committee Secretary, in writing, no later than **two (2)** working days prior to the meeting and must include the subject matter. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders. A maximum of **thirty (30) minutes** is allocated to the period for public input with **five (5)** minutes speaking time for each speaker.

At the close of the agenda no requests for public input had been received.

6 Local Board Input

Standing Order 3.22 provides for Local Board Input. The Chairperson (or nominee of that Chairperson) is entitled to speak for up to **five (5)** minutes during this time. The Chairperson of the Local Board (or nominee of that Chairperson) shall wherever practical, give **two (2)** days notice of their wish to speak. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders.

This right is in addition to the right under Standing Order 3.9.14 to speak to matters on the agenda.

At the close of the agenda no requests for local board input had been received.

7 Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the public,-
 - (i) The reason why the item is not on the agenda; and
 - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
 - (i) That item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

8 Notices of Motion

At the close of the agenda no requests for notices of motion had been received.

Unitary Plan - Submissions Update

File No.: CP2014/17256

Purpose

1. The purpose of this report is to update the committee on the proposed order of hearing topics recently announced by the Auckland Unitary Plan Independent Hearings Panel (IHP). The report also seeks an early decision from the committee in relation to a submission by PLDL Limited concerning the Peninsula Golf Course (PGC) at 65 Hibiscus Coast Highway, Silverdale.
2. The committee meeting will be followed by a workshop on the key issues raised in submissions on the Regional Policy Statement topics that form part of the work programme agreed to by the committee on 8 July 2014.

Executive summary

3. The further submission period on the Proposed Auckland Unitary Plan (PAUP) closed at 5pm on 22 July 2014. As the committee will recall, further submission can only support or oppose one or more of the approximately 9,500 original submissions, they cannot raise new issues. Council staff are in the process of registering the further submissions against the relevant original submissions. This work is due to be completed by the end of August, at which point the information will be handed over to the IHP. This will enable the IHP to complete the 'parties and issues reports' discussed in the 8 July 2014 Unitary Plan Committee report, and commence the hearings processes.
4. The IHP has signalled that pre-hearing meetings will begin in mid-September, with the hearings commencing in September on general matters (such as submissions seeking that the PAUP is withdrawn) and moving on to submissions on the Regional Policy Statement chapter of the PAUP in early October.
5. A site-specific matter is also discussed in the report. A company known as PLDL Limited applied for and had approved Plan Change 159 to the Auckland Council District Plan – Operative Rodney Section 2011. Plan Change 159 rezoned the Peninsula Golf Course site at 65 Hibiscus Coast Highway, Silverdale from 'Future Urban' to 'Residential Medium Intensity' for the purposes of residential development. Plan Change 159 was approved by the Auckland Development Committee on 28 November 2013 (resolution number AUC/2013/19) and became operative on 19 December 2013.
6. During the preparation of the council submission on the PAUP, it was agreed that plan changes that had become operative since the notification of the PAUP on 30 September 2013 would be included in the council submission. Due to an administrative error, Plan Change 159 was not included in the council submission. PLDL is aware that the council submission includes a number of plan changes that became operative after 30 September 2013 and is concerned that Plan Change 159 has been treated differently to other plan changes. It is therefore recommended that the submission by PLDL is supported by the council at the relevant IHP hearing to the extent that it is consistent with Plan Change 159.

Recommendation/s

That the Unitary Plan Committee:

- a) note the proposed order of hearing topics released by the Auckland Unitary Plan Independent Hearings Panel.
- b) support the submission by PLDL Limited in respect of the Peninsula Golf Course site at 65 Hibiscus Coast Highway, Silverdale to the extent that it is consistent with Plan Change 159 to the Auckland Council District Plan – Operative Rodney Section 2011.

Comments

Hearings Programme

7. Since the notification of the further submission period for the PAUP on 11 June 2014, the IHP has been reviewing the matters raised in the submissions in order to determine a logical sequence for the pre-hearing meetings and hearings. An overview of the hearing topics and the likely order in which topics will be heard was published on the IHP website (www.aupihp.govt.nz) on 1 August (refer Attachment A). The IHP has also indicated that it will shortly provide on its website a schedule for the first few months of pre-hearing meetings. The IHP website will be regularly updated with information regarding the hearing process.
8. The overview of hearing topics published by the IHP is based on the coding framework used by the council to summarise submissions. The coding framework was described in the report presented to the committee on 20 May 2014.
9. The hearings will begin with matters that are considered by the IHP as being potentially outside its jurisdiction. This will provide certainty for submitters about the process right at the start.
10. The order for hearing the topics that are within the IHP's jurisdiction is based on moving from the general to the specific. This means that the Regional Policy Statement (RPS) chapter of the PAUP (excluding the RPS schedules such as Outstanding Natural Landscapes and Significant Ecological Areas) will be heard first, followed by the regional and district objectives, policies and rules, site specific issues, schedules and designations.
11. The full Panel will hear the out of scope matters and the RPS. After the RPS the IHP will split into two and begin hearing topics concurrently. This is shown on the provisional programme as Panel A and Panel B. Membership of Panels A and B will not be fixed.
12. The IHP has indicated that it may decide to hear some other topics as a full panel, for example subdivision issues and definitions.

Hearing Timeframes

13. The IHP is required to complete the hearings and report back to the council in July 2016. This is a short period of time to deal with the range of hearing topics in the PAUP, and as discussed with the committee in July, will require the IHP, the council and submitters to work at pace.
14. A more detailed programme that sets out the expected timeframe for the pre-hearing meetings and hearings by topic will be available on the IHP website in September. The important information at this stage about timing is:
 - Hearings for potentially out of scope matters will be held in September 2014;
 - The RPS process will start with pre-hearing meetings in September 2014 and RPS hearings (other than RPS schedules) are expected to begin in October 2014 and be completed around the end of January 2015.
 - The IHP will not be holding pre-hearing meetings or hearings between 22 December 2014 and 9 January 2015.
 - The IHP is unlikely to begin hearings on specific sites before the end of 2015.

Peninsula Golf Course

15. As the committee will recall, the council lodged its own submission on the PAUP. The submission was intended to correct errors identified during the submission period, make refinements to policy matters in order to improve the workability of the PAUP, and to include the outcomes of plan changes to the various operative sections of the council's district plan that had become operative since the notification of the PAUP.
16. One such plan change was Plan Change 159 to the Auckland Council District Plan – Operative Rodney Section 2011. Plan Change 159 rezoned the Peninsula Golf Course site at 65 Hibiscus Coast Highway from 'Future Urban' to 'Residential Medium Intensity' to enable residential development. Plan Change 159 was approved by the Auckland Development Committee on 28 November 2013 (resolution number AUC/2013/19) and became operative on 19 December 2013.
17. Due to an administrative error, Plan Change 159 was not included in the council submission. PLDL, the owner of the Peninsula Golf Course, has lodged a submission on the PAUP that seeks to implement the outcomes of Plan Change 159. PLDL is aware that the council submission includes a number of submission points relating to plan changes that became operative after 30 September 2013 and is concerned that the council has treated Plan Change 159 differently.
18. It is therefore recommended that the submission by PLDL is supported by the council to the extent that it is consistent with Plan Change 159.

Workshop on Regional Policy Statement submissions

19. As noted above, hearings on the RPS chapter of the PAUP are scheduled to commence as early as October. To bring the committee up to speed with the issues raised in submissions on the RPS, the committee meeting will be followed by a workshop on the key issues raised in submissions on the RPS topics that form part of the committee's work programme. An overview of the submissions relating to the following broad themes will be presented:

Theme
Business
Historic Heritage
Infrastructure
Mana Whenua
Natural Hazards and Flooding
Natural Heritage Landscapes
Public Open Space Zones
Managing Growth
Social infrastructure
Special Character
Rural subdivision
Stormwater
Sustainable development
Transport
Vegetation Management and Significant Ecological Areas
Volcanic Viewshafts and Height Sensitive Areas
Waitakere Ranges
Water

Consideration

Local board views and implications

20. The views of local boards are able to be represented by the invitation extended to all local board chairs to attend the Unitary Plan Committee.

Maori impact statement

21. The matters discussed in this report are largely process-related and are not considered to involve any specific impacts on Maori.

Implementation

22. The recommendations made in this report can be implemented within the existing Unitary Plan budget and staff resources.

Attachments

No.	Title	Page
A	Proposed order of hearing topics	11

Signatories

Authors	John Duguid - Manager Plan Development
Authorisers	Penny Pirrit - Regional & Local Planning Manager

AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS PANEL

Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau

PROPOSED ORDER OF HEARING TOPICS	Whole/split panel sitting
001 - Plan matters	Whole panel
002 - Eplan and miscellaneous	Whole panel
004 - Chapter G General Provisions	Whole panel
005 - RPS issues	Whole panel
006 - RPS natural resources	Whole panel
007 - RPS climate change	Whole panel
008 - RPS coastal	Whole panel
009 - RPS Mana Whenua	Whole panel
010 - RPS heritage and special character	Whole panel
011 - RPS rural	Whole panel
012 - RPS economic matters	Whole panel
013 - RPS Urban Growth	Whole panel
016 - RPS Changes to RUB 1 - North, Waiheke, West	Whole panel
017 - RPS Changes to RUB 2 - South	Whole panel
018 - RPS General	Whole panel
003 - Chapter A Introduction	Split panel A
019 - Natural Features, Landscape and Character	Split panel A
020 - Volcanic Cones	Split panel A
021 - Built Environment	Split panel A
022 - Natural Hazards and flooding	Split panel A
023 - SEA and vegetation management	Split panel A
025 - Trees	Split panel A
026 - General - others	Split panel A
027 - Artworks, signs and temporary activities	Split panel A
075 - Waitakere Ranges	Split panel A
028 - Future urban	Split panel B
050 - City centre	Split panel B
031 - Historic heritage	Split panel B
032 - Historic heritage Schedules	Split panel B
029 - Special character	Split panel B
030 - Pre-1944	Split panel B
033 - General Coastal Marine zone and activities	Split panel B
034 - Other Coastal zones	Split panel B
035 - Air quality	Split panel B
036 - Maori Land and Treaty	Split panel B
037 - Mana Whenua sites	Split panel B
038 - Contaminated land	Split panel A
039 - Hazardous substances and ITA	Split panel A
040 - Lighting, noise and vibration	Split panel A
041 - Earthworks and mineral	Split panel A
042 - Infrastructure	Split panel A
043 - Transport - Objectives and Policies	Split panel A
044 - Transport - Rules and other	Split panel A
045 - Airport	Split panel A

For further information

Visit www.auckland.govt.nz or contact us at info@auckland.govt.nz

046 - Water Quality and Quantity	Split panel A
047 - Lakes, rivers and streams	Split panel A
048 - Aquifers and groundwater	Split panel A
049 - Discharges, stormwater and wastewater	Split panel A
024 - GMOs	Split panel A
055 - Social infrastructure	Split panel B
051 - Centres zones	Split panel B
052 - Business park and industries zones	Split panel B
053 - Business activities	Split panel B
054 - Business controls	Split panel B
056 - Rural objectives and policies	Split panel A
057 - Rural activities and controls	Split panel A
058 - Public open space	Split panel A
076 - Major Recreation zone and precincts	Split panel A
059 - Residential objectives and policies	Split panel B
060 - Residential activities	Split panel B
061 - Retirement and affordability	Split panel B
062 - Residential development controls	Split panel B
077 - Sustainable design	Split panel B
063 - Residential controls and assessment	Split panel B
064 - Subdivision	Whole panel
065 - Definitions	Whole panel
069 - Precincts - central	Split panel A
070 - Precincts - Auckland-wide	Split panel A
071 - Precincts - north	Split panel B
072 - Precincts - south	Split panel B
073 - Precincts - west	Split panel B
066 - Rezoning - central	Split panel A
067 - Rezoning - Auckland-wide and city centre	Split panel A
068 - Rezoning - north, west and south	Split panel B
074 - Designations	Split panel A