
Unitary Plan Committee

OPEN MINUTES

Minutes of a meeting of the Unitary Plan Committee held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Wednesday, 15 April 2015 at 8.42am.

PRESENT

**Chairperson
Members**

Cr Alf Filipaina
Cr Dr Cathy Casey
Cr Chris Darby
Cr Denise Krum
Ms Liane Ngamane
Cr Penny Webster

Until item C3, 11:15am

ABSENT

Cr Anae Arthur Anae
Mayor Len Brown, JP
Deputy Mayor Penny Hulse
Member Josie Smith
Cr Wayne Walker

ALSO PRESENT

Cr Bill Cashmore
Cr Ross Clow
Cr Chris Fletcher
Cr Calum Penrose
Cr George Wood
Andrew Baker, Franklin Local Board Chair
Mike Cohen, Devonport-Takapuna Local Board Chair
Simon Randall, Maungakiekie-Tāmaki Local Board Chair

1 Apologies

Resolution number UNI/2015/36

MOVED by Chairperson AM Filipaina, seconded by Cr DA Krum:

That the Unitary Plan Committee:

- a) **accept the apologies from Cr AJ Anae and Mayor LCM Brown for absence and Deputy Chairperson PA Hulse and Cr WD Walker for absence on council business.**

CARRIED

2 Declaration of Interest

Secretarial note Cr C Darby declared an interest at Item C1, recommendations g) to l), Outstanding Natural Landscapes, Outstanding and High Natural Character.
Cr CM Casey declared an interest in item C3, Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Healthcare Facility Zone.

3 Confirmation of Minutes

Resolution number UNI/2015/37

MOVED by Chairperson AM Filipaina, seconded by Cr CM Casey:

That the Unitary Plan Committee:

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 24 March 2015, including the confidential section, as a true and correct record.**

CARRIED

Secretarial note: Pursuant to Standing Order 3.15.5, Cr C Darby requested his dissenting vote be recorded.

4 Petitions

There were no petitions.

5 Public Input

There was no public input.

6 Local Board Input

There was no local board input.

7 Extraordinary Business

7.1 Extraordinary business - Delegation of minor technical matters to additional staff

Resolution number UNI/2015/38

MOVED by Chairperson AM Filipaina, seconded by Cr MP Webster:

That the Unitary Plan Committee:

- i) **consider an extraordinary item, regarding 'Delegation of minor technical matters to additional staff' at item 9.1 of this agenda. The matter must be considered urgently because this delegation is required by Friday 17 April 2015.**

CARRIED

8 Notices of Motion

There were no notices of motion.

9 Consideration of Extraordinary Items

9.1 Delegation of minor technical matters to additional staff

Resolution number UNI/2015/39

MOVED by Chairperson AM Filipaina, seconded by Cr DA Krum:

That the Unitary Plan Committee:

- a) **delegate authority to agree to minor technical matters to the following additional staff:**
 - i) **Unitary Plan Team Leaders (x4)**
 - ii) **Team Leader – Heritage**
 - iii) **Team Leader – Biodiversity and Coastal Strategy.**

CARRIED

10 Procedural motion to exclude the public

Resolution number UNI/2015/40

MOVED by Chairperson AM Filipaina, seconded by Cr MP Webster:

That the Unitary Plan Committee:

- a) **exclude the public from the following part(s) of the proceedings of this meeting.**
- b) **agree that Peter Raeburn, CatoBolam, and Stephen Brown, Brown New Zealand Limited, be permitted to remain for Confidential Item C1: Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Outstanding Natural Features, Outstanding Natural Landscapes and Outstanding and High Natural Character Areas, Volcanic Viewshafts and Height Sensitive Areas, after the public has been excluded, because of his knowledge of land development and environmental planning, which will help the Unitary Plan Committee in its decision-making.**
- c) **agree that Christina Robertson, Don Munro, Scott Ebbett, Joe Schady, Ian Blundell and Alastair Cribben, from Auckland Transport, Kevin Wong, Interplan, Karl Hancock and Mairi Joyce, Flow Transportation Specialists and Gerald Lanning, Simpson Grierson and Jon Styles, Styles Group Acoustic and Vibration Consultants, be permitted to remain for Confidential Item C2: Proposed Auckland Unitary Plan submissions - council position for mediation and hearings – Transport, after the public has been excluded, because of their knowledge of transport, which will help the Unitary Plan Committee in its decision-making.**
- d) **agree that Jon Styles, Styles Group Acoustic and Vibration Consultants, be permitted to remain for Confidential Item C3: Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Healthcare Facility Zone, after the public has been excluded, because of his knowledge of healthcare facility zones, which will help the Unitary Plan Committee in its decision-making.**

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

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

C1 Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Outstanding Natural Features, Outstanding Natural Landscapes and Outstanding and High Natural Character Areas, Volcanic Viewshafts and Height Sensitive Areas.

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege. In particular, the report contains legal advice.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

C2 Proposed Auckland Unitary Plan submissions - council position for mediation and hearings – Transport.

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege. In particular, the report contains legal advice.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

C3 Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Healthcare Facility Zone.

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege. In particular, the report contains legal advice.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

The text of these resolutions is made available to the public who are present at the meeting and form part of the minutes of the meeting.

CARRIED

8.58am The public was excluded.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.

11.33am The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Outstanding Natural Features, Outstanding Natural Landscapes and Outstanding and High Natural Character Areas, Volcanic Viewshafts and Height Sensitive Areas

That The Unitary Plan Committee support:

Outstanding Natural Features

- a) the addition of sites identified in submissions, where they are on public land, have landowner support, satisfy the Outstanding Natural Features identification criteria and do not affect any adjacent private land.
- b) retaining permitted activities for the repair and maintenance of infrastructure.
- c) amending the activity status of minor upgrading of infrastructure and road networks from Discretionary to Restricted Discretionary.
- d) retaining the current provisions in respect of their application to Māori land and Treaty settlement land.
- e) buildings and structures on Class V1 volcanic maunga being amended from a Discretionary to Non-Complying activity, forestry on V1 maunga being made a Prohibited activity, and forestry on Class V2 maunga being a Non-complying activity.
- f) amending the activity status of earthworks and vegetation clearance on Outstanding Natural Features from Discretionary to Restricted Discretionary.

Outstanding Natural Landscapes, Outstanding and High Natural Character

- g) amending the rules for buildings and structures within Outstanding Natural Landscapes, Outstanding and High Natural Character areas to permit only those that are ancillary to pastoral farming, cropping and other non-intensive forms of land production (all other buildings and structures would require a resource consent).
- h) clarifying that if there is a practicable alternative location for a building platform on the site outside the overlay area then that is where it must be, in order to protect the characteristics and qualities that contribute to its values.
- i) amending the activity status for Forestry – over 2 hectares in High Natural Character areas and Outstanding Natural Landscapes from Discretionary to Restricted Discretionary.
- j) adding a new activity in the table referencing “Buildings and structures associated with all other infrastructure works” as Restricted discretionary for High Natural Character areas and Outstanding Natural Landscapes and Non-complying for Outstanding Natural Character areas.
- k) deleting Outstanding Natural Character areas where they cross over Quarry zones.
- l) retaining the current provisions in respect of their application to Māori land and Treaty settlement land.

Volcanic Viewshafts and Height Sensitive Areas

- m) deleting the following viewshafts
 - i) E5: Mt Albert Rd / Akarana Ave
 - ii) E15: Mount St John
 - iii) W7: Ireland Road / Bill McKinlay Park
 - iv) A5: May Rd / Mt Roskill War Memorial Park
 - v) A6: Sandringham Road / Edendale Reserve
 - vi) R1: Sandringham Road – Mt Roskill War Memorial Park
 - vii) K1: Mt Eden Road
 - viii) K2: Mt Eden Road
 - ix) T7: Southern Motorway (Newmarket Viaduct).
- n) adding a new Permitted activity for buildings and structures that will not further intrude into a defined view of the volcanic maunga.
- o) retaining Permitted activities for the repair and maintenance of infrastructure.
- p) amending the infrastructure provisions to include a Restricted Discretionary activity for limited upgrading of existing infrastructure.
- q) retaining the current provisions in respect of their application to Māori land and Treaty settlement land.
- r) not introducing any additional viewshafts at this time and that these be investigated for a possible future plan change once the proposed Auckland Unitary Plan becomes operative.

Restatements

- s) note that the report and attachments regarding – Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Outstanding Natural Features, Outstanding Natural Landscapes and Outstanding and High Natural Character Areas, Volcanic Viewshafts and Height Sensitive Areas – will remain confidential until the conclusion of the Auckland Unitary Plan Hearings.
- t) note that decisions a) – r) above will be restated in the open section of the minutes and reflected in the draft provisions on the Proposed Auckland Unitary Plan Independent Hearings Panel (PAUPIHP) website as soon as practicable after the meeting.

C2 Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Transport

That The Unitary Plan Committee:

- t) note that the report and attachments regarding – Proposed Auckland Unitary Plan - council position for mediation and hearings for transport will remain confidential until the conclusion of the Proposed Auckland Unitary Plan Hearings.
- u) note that decisions a) – s) above will be made publically available and reflected in the draft provisions on the Proposed Auckland Unitary Plan Independent Hearings Panel website as soon as practicable after the meeting.

C3 Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Healthcare Facility Zone

The Unitary Plan Committee support:

- a) retaining the existing 16 metre height control for smaller sites within the Healthcare Facility zone and 25 metre height control for larger sites (greater than four hectares), with the exception of those sites listed in (b) below.
- b) providing flexibility in terms of building heights by incorporating the precinct plans for the following sites listed in Appendix 1 of Attachment A to the agenda report within the Proposed Auckland Unitary Plan:
 - i) 2 Park Road, Grafton (Auckland City Hospital)
 - ii) 210-216 Greenlane Road (Greenlane Clinical Centre)
 - iii) 188 St Heliers Bay Road (Eastern Medical Centre)
 - iv) 100 Hospital Road, Papatoetoe (Middlemore Hospital)
 - v) 55-57 Lincoln Road, Henderson (Waitakere Hospital).
- c) amending the Healthcare Facility zone to require a restricted discretionary activity resource consent for external building alterations and additions that are greater than 500m² in floor area.
- d) amending the Healthcare Facility zone to provide for the following activities:
 - i) dwellings – discretionary activity
 - ii) conversion of a building or part of a building to dwellings – discretionary activity
 - iii) retirement villages – discretionary activity
 - iv) tertiary education facilities – discretionary activity.
- e) amending the definition of hospitals to include “conference facilities” and “hospices”.
- f) note that the report and attachments regarding – Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Healthcare Facility Zone will remain confidential until the conclusion of the Proposed Auckland Unitary Plan Hearings.
- g) note that decisions a) – e) above will be restated in the open section of the minutes and reflected in the draft provisions on the Proposed Auckland Unitary Plan Independent Hearings Panel website as soon as practicable after the meeting.

11.33 am

The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF THE UNITARY PLAN
COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....