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## Unitary Plan Committee

### OPEN MINUTES

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Minutes of a meeting of the Unitary Plan Committee held in the Level 26, 135 Albert Street, Auckland on Tuesday, 26 May 2015 at 1.32pm.

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#### PRESENT

<b>Chairperson</b>	Cr Alf Filipaina	
<b>Deputy Chair</b>	Deputy Mayor Penny Hulse	From 2.21pm, item C1
<b>Members</b>	Cr Dr Cathy Casey	
	Cr Chris Darby	From 1.33pm, item 6
	Cr Denise Krum	
	Member Liane Ngamane	
	Member Josie Smith	Until 2.29pm, C1
	Cr Wayne Walker	From 1.37pm, item C1
	Cr Penny Webster	

#### ABSENT

<b>Members</b>	Cr Anae Arthur Anae
<b>Ex-officio</b>	Mayor Len Brown

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**1 Apologies**

Resolution number UNI/2015/77

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

**That the Unitary Plan Committee:**

- a) **accept the apologies from Cr AJ Anae and Mayor LCM Brown for absence and Deputy Chairperson PA Hulse for lateness.**

**CARRIED**

**2 Declaration of Interest**

There were no declarations of interest.

**3 Confirmation of Minutes**

Resolution number UNI/2015/78

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 Monday, 11 May 2015, including the confidential section, as a true and correct record.**

**CARRIED**

**4 Petitions**

There were no petitions.

**5 Public Input**

There was no public input.

**6 Local Board Input**

There was no local board input.

*Cr C Darby entered the meeting at 1.33pm.*

**7 Extraordinary Business**

There was no extraordinary business.

**8 Notices of Motion**

There were no notices of motion.

## 9 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

## 10 Procedural motion to exclude the public

Resolution number UNI/2015/79

MOVED by Chairperson AM Filipaina, seconded by Member Ngamane:

**That the Unitary Plan Committee:**

### a) exclude the public from the following part(s) of the proceedings of this meeting.

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

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

### C1 Proposed Auckland Unitary Plan submissions - council position for mediation and hearings - Business Zones

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**

1.35pm 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.

5.01pm 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 - Business Zones**

Resolution number UNI/2015/80

MOVED by Chairperson AM Filipaina, seconded by Deputy Chairperson PA Hulse:

**That the Unitary Plan Committee supports:**

**Commercial Activities – Retail**

- a) amending the activity status of Large Format Retail in the General Business zone from restricted discretionary to permitted
- b) adding 'department stores' to the activity table, with the same activity status as retail greater than 450m<sup>2</sup>, except in the General Business zone where 'department stores' should be a restricted discretionary activity
- c) adding supermarkets up to 2000m<sup>2</sup> to the activity table with the same activity status as supermarkets up to 4000m<sup>2</sup>, except in the Local Centre zone where supermarkets up to 2000m<sup>2</sup> should be a permitted activity
- d) adding a land use control so that it is a restricted discretionary activity for retail in the Mixed Use zone that proposes to locate further than a 400m walking distance from the City Centre or metropolitan, town or local centres
- e) rejecting submissions that seek to relax the design provisions for 'integrated retail developments' and rejecting submissions that seek to include integrated retail developments in the policies that incentivise supermarkets and department stores in Metropolitan and Town Centres
- f) amending the industry zone provisions to provide more clarity on the role of small scale food and beverage and accessory retail, and the restricted discretionary assessment criteria for trade suppliers.

**CARRIED**

Resolution number UNI/2015/81

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

**That the Unitary Plan Committee supports:**

**Commercial Activities - Office**

- g) retaining the current office threshold limits and activity statuses in both the commercial and industrial zones, except to amend the activity status for offices greater than 500m<sup>2</sup> in the Local Centre zone from non-complying to discretionary
- h) allowing small offices in the Light Industry zone up to 100m<sup>2</sup> per tenancy as a restricted discretionary activity, with assessment criteria including the scarcity of the industrial land resource, reverse sensitivity and any cumulative effects of these offices on the vitality of centres.

**Notification**

- i) deleting the requirement to publicly notify retail and office applications in the Light Industry zone and adding a requirement to publicly notify standalone offices in the Heavy Industry zone.

**CARRIED**

Secretarial note: Pursuant to Standing Order 3.15.5 Cr CM Casey requested that her dissenting vote be recorded.

Resolution number UNI/2015/82

MOVED by Chairperson AM Filipaina, seconded by Cr C Darby:

**That the Unitary Plan Committee:**

**Development Controls for Commercial Zones**

- j) deleting the rule that requires three or more development control infringements to be assessed as a discretionary activity and add new assessment criteria so that the cumulative effects of more than one development control infringement must be considered, and in particular whether or not the scale and design of the development is appropriate to the site**
- k) retaining the height controls except to:**
  - i. delete the storey control**
  - ii. increase the building height control where height limits are set at 12.5m in the neighbourhood centres, local centres, town centres and Mixed Use zones so that the height limit is 11m plus 2m for roof form (13m overall)**
  - iii. increase the building height control where height limits are set at 16.5m in the local centres, town centres and Mixed Use zones, so that the height limit is 16m plus 2m for roof form (18m overall)**
  - iv. increase the building height control where height limits are set at 20.5m in the town centres, metropolitan centres and Mixed Use zones, so that the height limit is 19m plus 2m for roof form (21m overall)**
  - v. increase the building height control where height limits are set at 24.5m in the town centres, metropolitan centres and Mixed Use zones so that the height limit is 25m plus 2m for roof form (27m overall)**
- l) amending the building setback at upper floors control to increase it from 24.5m to 30m in the Metropolitan Centre zone**
- m) increasing the horizontal maximum building dimension control and tower separation control from 50m to 55m**
- n) amending the buildings fronting the street control so that:**
  - i. the rule does not apply in the General Business zone**
  - ii. the 100 per cent build to requirement in the Local Centre and Neighbourhood Centre zone is reduced to 80 per cent**
- o) amending the minimum floor to floor/ceiling height control to:**
  - i. reduce the minimum depth for which the rule applies from 10m to 6m at the ground floor of buildings subject to the Key Retail frontage or General Commercial frontage**
  - ii. delete the rule which requires a minimum floor to floor height above ground floor, and add to assessment criteria**
- p) amending the glazing control to:**
  - i. allow the glazing height to be measured from the underside of a verandah**
  - ii. reduce the ground floor glazing requirement where a building fronts public open space or on the rear and side boundary, from 75 per cent of ground floor height to 50 per cent of ground floor height**
  - iii. delete the rule which requires glazing for a publicly accessible through site link and replace with appropriate assessment criteria to address the safety and amenity of through site links**

- iv. exclude buildings in the Mixed Use zone from glazing requirements if they have residential activities at the ground floor.
- q) deleting the rule which requires a maximum building setback of 7.5m in the Business Park zone.

**CARRIED**

Resolution number UNI/2015/83

MOVED by Cr C Darby, seconded by Cr CM Casey:

**That the Unitary Plan Committee:**

- t) agree that recommendations r) and s) currently under debate be referred to the next meeting of the Unitary Plan Committee for further discussion with Auckland Council water planners.

**CARRIED**

Resolution number UNI/2015/84

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

**That the Unitary Plan Committee supports:**

**Assessment Criteria**

- u) amending the size threshold from 450m<sup>2</sup> to 1,000m<sup>2</sup> for large format retail that is assessed using the assessment criteria in section I3.8 of the Proposed Auckland Unitary Plan

**CARRIED**

Resolution number UNI/2015/85

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

**That the Unitary Plan Committee supports:**

**General Activity Status**

- v) amending the activity statuses of a range of activities in business zones as set out below:

**Centres zones, Mixed Use, General Business and Business Park zones**

Activity	MC	TC	LC	NC	MU	GB	BP
Retirement villages	<u>D P</u>	<u>D P</u>	D	D	<u>D P</u>	NC	NC
Garden centres	P	P	D	NC	D	<u>RD P</u>	D
Motor vehicle sales	P	P	D	NC	D	<u>RD P</u>	D
Trade suppliers	P	P	D	NC	D	<u>RD P</u>	D
Marine retail	P	P	D	NC	D	<u>RD P</u>	D
Education facilities	P	P	P	D	P	<u>P D</u>	D
Tertiary education facilities	<u>P</u>	<u>P</u>	<u>RD</u>	<u>D</u>	<u>P</u>	<u>D</u>	<u>RD</u>
Demolition of buildings	<u>RD C</u>	P	P	P	P	P	P
Justice facilities	<u>P</u>	<u>P</u>	<u>D</u>	<u>NC</u>	<u>D</u>	<u>D</u>	<u>D</u>
Conference facilities	<u>P</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>
Recreation facility	<u>P</u>	<u>P</u>	<u>P</u>	<u>D</u>	<u>P</u>	<u>P</u>	<u>D</u>
Alterations to building facades that are <u>at the rear of the building or are less than:</u> - 40 <u>25</u> per cent of its total surface area, or - 45m <sup>2</sup> <u>25m</u> <sup>2</sup>	P	P	P	P	P	P	P

whichever is the lesser							
Additions to buildings that are less than: - 40 <u>25</u> per cent of the existing GFA of the building, or - 250m <sup>2</sup> whichever is the lesser	P	P	P	P	P	P	P

**Heavy Industry and Light Industry zones**

Activity	HI	LI
Drive through facilities	NC	<u>RD P</u>
<u>Marine retail</u>	<u>NC</u>	<u>RD</u>
Education facilities that are accessory to an industrial activity on site	P	P
Education facilities not otherwise provided for	<u>D NC</u>	D
<u>Tertiary education facilities that are accessory to an industrial activity on site</u>	<u>P</u>	<u>P</u>
<u>Tertiary education facilities not otherwise provided for</u>	<u>NC</u>	<u>D</u>
<u>Recreation facility</u>	<u>D</u>	<u>D</u>

P=Permitted  
C= Controlled  
RD=Restricted Discretionary  
D=Discretionary  
NC=Non-complying

- w) **amending the commercial activity table in several locations where it measures the size of retail and office activities ‘per site’, so that it measures the size of retail and office activities ‘per tenancy’.**

**CARRIED**

Resolution number UNI/2015/86

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

**That the Unitary Plan Committee supports:**

**Identified Growth Corridor objectives, policies and mapping**

- x) **working with submitters to assess the merits of a policy only or policy and rule approach to Identified Growth Corridors during mediation, and reporting back to the Unitary Plan Committee or delegated committee members on this matter**
- y) **subject to further investigation on the matters identified in Table 1 on page 39 of Attachment A to the report, retaining Lincoln Rd as an Identified Growth Corridor and adding the following Identified Growth Corridors to the Proposed Auckland Unitary Plan:**
- i. **Wairau Rd**
  - ii. **New North Rd - Kingsland**
  - iii. **Ti Rakau Drive**

**CARRIED**

Secretarial note: Pursuant to Standing Order 3.15.5 Cr CM Casey requested that her dissenting vote be recorded.

Resolution number UNI/2015/87

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



**That the Unitary Plan Committee:**

- aa) refers recommendation z) currently under debate to the delegated authority committee of the Unitary Plan Committee to make a decision.

**CARRIED**

Resolution number UNI/2015/88

MOVED by Cr MP Webster, seconded by Member Ngamane:

**That the Unitary Plan Committee:**

**Site-specific Building Frontage Mapping**

- bb) amending all areas of Key Retail frontage in the Mixed Use zone to the General Commercial frontage, with a note in the consequential section of Council's evidence stating that if the zoning of the affected properties is changed to metropolitan or town centre as part of Topics 066-068 Rezoning, the areas of Key Retail building frontage should remain

**CARRIED**

Resolution number UNI/2015/89

MOVED by Chairperson AM Filipaina, seconded by Cr AJ Anae:

**That the Unitary Plan Committee:**

**Site-specific rezoning and height requests**

- cc) amending the business zone height limits for those sites that are presented to the Unitary Plan Committee on 26 May 2015
- dd) amending the zoning of those sites in the industry zones that are presented to the Unitary Plan Committee on 26 May 2015.

**Restatement**

- ee) the report and attachments regarding – Proposed Auckland Unitary Plan submissions – council position for mediation and hearings – Business Zones will remain confidential until the conclusion of the Proposed Auckland Unitary Plan Hearings.
- ff) the decisions a) to q), t) to y) and aa) – dd) 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.

**CARRIED**

Secretarial note: Pursuant to Standing Order 3.15.5 Cr CM Casey requested that her dissenting vote be recorded.

5.01 pm

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

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

**DATE:**.....

**CHAIRPERSON:**.....