



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

Date: Tuesday, 24 November 2015
Time: 1.30pm
Meeting Room: Level 26, Room 1
Venue: 135 Albert Street
Auckland

Unitary Plan Committee

OPEN AGENDA

MEMBERSHIP

Chairperson	Cr Alf Filipaina
Deputy Chairperson	Deputy Mayor Penny Hulse
Members	Cr Anae Arthur Anae
	Cr Dr Cathy Casey
	Cr Chris Darby
	Cr Denise Krum
	Member Liane Ngamane
	Cr Calum Penrose
	Member Josie Smith
	Cr Wayne Walker
	Cr Penny Webster
Ex-officio	Mayor Len Brown, JP

(Quorum 6 members)

Quorum must include at least 2
named voting members

Katherine Wilson
Democracy Advisor

18 November 2015

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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

Exclusion of the public – who needs to leave the meeting

Members of the public

All members of the public must leave the meeting when the public are excluded unless a resolution is passed permitting a person to remain because their knowledge will assist the meeting.

Those who are not members of the public

General principles

- Access to confidential information is managed on a “need to know” basis where access to the information is required in order for a person to perform their role.
- Those who are not members of the meeting (see list below) must leave unless it is necessary for them to remain and hear the debate in order to perform their role.
- Those who need to be present for one confidential item can remain only for that item and must leave the room for any other confidential items.
- In any case of doubt, the ruling of the chairperson is final.

Members of the meeting

- The members of the meeting remain (all Governing Body members if the meeting is a Governing Body meeting; all members of the committee if the meeting is a committee meeting).
- However, standing orders require that a councillor who has a pecuniary conflict of interest leave the room.
- All councillors have the right to attend any meeting of a committee and councillors who are not members of a committee may remain, subject to any limitations in standing orders.

Independent Māori Statutory Board

- Members of the Independent Māori Statutory Board who are appointed members of the committee remain.
- Independent Māori Statutory Board members and staff remain if this is necessary in order for them to perform their role.

Staff

- All staff supporting the meeting (administrative, senior management) remain.
- Other staff who need to because of their role may remain.

Local Board members

- Local Board members who need to hear the matter being discussed in order to perform their role may remain. This will usually be if the matter affects, or is relevant to, a particular Local Board area.

Council Controlled Organisations

- Representatives of a Council Controlled Organisation can remain only if required to for discussion of a matter relevant to the Council Controlled Organisation.

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The report was not available when the agenda was compiled. An addendum agenda will be sent out prior to the meeting.

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, 10 November 2015, including the confidential section, 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 7.7 provides for Public Input. Applications to speak must be made to the Democracy Advisor, in writing, no later than **one (1) clear working day** 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 6.2 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 **one (1) day's** 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 6.1 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 Committee forward work programme to October 2016

File No.: CP2015/24591

Purpose

1. To present the forward work programme to the Unitary Plan Committee for approval.

Executive Summary

2. On 3 December, the Regional Strategy and Policy Committee will be presented with a work programme for all reporting committees. Staff have prepared a work programme for the Unitary Plan Committee. The work programme is aligned with the Proposed Auckland Unitary Plan (PAUP) hearings process.
3. The work programme is light. This simply reflects the current stage we are at in the overall hearings process and the significant work undertaken by the committee over the past two years.

Recommendation/s

That the Unitary Plan Committee Unitary Plan Committee:

- a) adopts the work programme set out in Attachment A to the agenda report.

Comments

4. The Unitary Plan Committee has met on a regular basis since the last quarter of 2013. The committee's initial focus was on the council's submission on the PAUP. Since that time the committee has met on a fortnightly basis to consider reports on a wide range of PAUP hearing topics.
5. The decisions made by the committee and its four delegated members have allowed council staff, consultants and the council's legal team to actively participate in mediation and present the council's case at multiple hearings before the Auckland Unitary Plan Independent Hearings Panel (the Panel). This has been a major undertaking on the part of the committee.
6. Some 52 topics have now been heard by the Panel, with only six topics remaining. The significant role the committee has played in the PAUP hearings process is therefore coming to an end. After the meeting on 24 November, there are only seven topics scheduled for reporting to the committee. Reports will only be prepared for the committee during the final stages of the hearings in March and April 2016 if significant issues arise. After that point, the next step in the process will be for the council to consider the recommendations of the Panel in August or September 2016.
7. On 3 December, the Regional Strategy and Policy Committee will be presented with a work programme for all reporting committees. The proposed work programme for the Unitary Plan Committee is light, which simply reflects the current stage we are at in the overall hearings process and the significant work undertaken over the past two years.

Consideration

Local Board views and implications

8. The proposed work programme for the committee does not have any specific implications for local boards. However, it is noted that all local board chairs are invited to attend the Unitary Plan Committee to convey the views and preferences of their local communities.

Māori impact statement

9. The proposed work programme for the committee does not have any specific impacts on Māori.

Implementation

10. The recommendations made in this report can be implemented within the existing Unitary Plan budget.

Attachments

No.	Title	Page
A	Forward work programme to April 2016*	11

Signatories

Author	John Duguid - General manager – Plans and Places
Authoriser	Penny Pirrit - Director Regulatory Services

Unitary Plan Committee

Forward work programme to April 2016*

*NB: Information updates will generally be provided by memo or briefing between committee meetings. All non-confidential information provided to the committee, prior to a meeting or in response to a request from a meeting, will be noted in the following agenda.

Area of work	Who	Reason for work	Decisions required	UPC Delegations	Budget/Funding
Strategy and Policy development					
1.1	Proposed Auckland Unitary Plan	Plans and Places department	Auckland Unitary Plan hearings	24 November 2015 Proposed Auckland Unitary Plan – Response to Submissions for North and South Auckland Zoning	
1.2	Proposed Auckland Unitary Plan	Plans and Places department	Auckland Unitary Plan hearings	24 November 2015 Proposed Auckland Unitary Plan – Response to Submissions for precincts in Central, West and North Shore Auckland including: <ul style="list-style-type: none"> - Saint Heliers - Saint Lukes - Three Kings - Westgate - New Lynn - Bayswater 	
1.3	Proposed Auckland Unitary Plan	Plans and Places department	Auckland Unitary Plan hearings	24 November 2015 Proposed Auckland Unitary Plan – Council position for Hearings : Quarry Zone	
1.5	Proposed Auckland Unitary Plan	Plans and Places department	Auckland Unitary Plan hearings	24 November 2015 Proposed Auckland Unitary Plan, Bayswater – Council Position for Mediation and Hearings	
1.6	Proposed Auckland Unitary Plan	Plans and Places department	Auckland Unitary Plan hearings	09 December 2015 Proposed Auckland Unitary Plan – Response to Submissions for precincts in North Shore, Rodney, Central and South Auckland areas including: <ul style="list-style-type: none"> - Devonport Peninsula - Muriwai - Riverhead - Tamaki - Te Arai North - Te Arai South 	

17 November 2015

	Area of work	Who	Reason for work	Decisions required	UPC Delegations	Budget/Funding
				<ul style="list-style-type: none"> - Woodhill - Puhinui 		
1.7	Proposed Auckland Unitary Plan	Plans and Places department	Auckland Unitary Plan hearings	03 February 2016 Update on decisions made under delegated authority		
1.8	Proposed Auckland Unitary Plan	Plans and Places department	Auckland Unitary Plan hearings	March and April 2016 Reports will only be required if major policy issues arise during the final hearings in March and April 2016		

Exclusion of the Public: Local Government Official Information and Meetings Act 1987

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 - Response to Submissions for North and South Auckland Zoning

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 Hearings - Precincts in St Heliers, St Lukes, Three Kings and for New Lynn and Westgate

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, Bayswater Marina - Council position for mediation and hearings

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.

C4 Proposed Auckland Unitary Plan - Council Position for Mediation and Hearing: Quarry 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.