



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

**Date:** Wednesday, 3 February 2016  
**Time:** 1.30pm  
**Meeting Room:** Level 26, Room 1  
**Venue:** 135 Albert Street  
Auckland

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## **Unitary Plan Committee**

### **OPEN AGENDA**

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#### **MEMBERSHIP**

<b>Chairperson</b>	Cr Alf Filipaina
<b>Deputy Chairperson</b>	Deputy Mayor Penny Hulse
<b>Members</b>	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
<b>Ex-officio</b>	Mayor Len Brown, JP

(Quorum 6 members)

Quorum must include at least 2  
named voting members

**Katherine Wilson**  
**Democracy Advisor**

**27 January 2016**

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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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## 1 Apologies

Apologies from Mayor LCM Brown and Cr C Darby have 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 Wednesday, 9 December 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.

## Proposed Auckland Unitary Plan - Withdrawal of Auckland Council submission #5716-2763 in relation to Vector designation 8842

File No.: CP2015/27869

### Purpose

1. To gain Council approval to withdraw Auckland Council (Council) submission point number 5716-2763 on Vector Limited's Designation 8842: 110kV Electricity Line. The Council's submission point 5716-2763 sought to delete Condition 4 within the designation that states:

*"4. Subject to Section 184 of the Resource Management Act 1991, the designation shall lapse on the expiry of 15 years after the date on which it is included in the District Plan."*

### Executive Summary

2. As worded in the notified version of the Proposed Auckland Unitary Plan, Vector Limited's (Vector) Designation 8842: 110kV Electricity Line (410 Albany Highway to State Highway 1 (Constellation Drive), Rosedale and Currys Lane, Wairau Valley).
3. The Council lodged submission 5716-2763 to correct this inconsistency. The submission sought to delete Condition 4 to clarify that the designation "has been given effect to". The Council made this submission on the understanding that the designation had already been given effect to. Of the seven further submissions points made in respect of the Council submission, only one specifically relates to designation 8842. The remaining submission points are general submission points concerning the wider Council submission.
4. Council staff met with representatives of Vector on 29 September 2015. At the meeting, Vector clarified that the designation had not yet been given effect to, and for this reason the 15 year lapse date needed to be retained. Council staff have accepted that submission point 5716-2763 was made on the mistaken assumption that the designated works had already been completed, and acknowledge that Condition 4 should be retained. The Vector designation shares the same transmission corridor as a Transpower corridor designation, and Vector intends the 15-year lapse period to keep its option to install or upgrade its lines along the corridor in the event that population growth in the Albany area justifies it. As it shares the transmission corridor with Transpower, no third parties would be any more affected than they already are by the designation.
5. An appropriate and convenient way of resolving this matter is for the Council to withdraw submission point 5716-2763.

### Recommendation/s

That the Unitary Plan Committee:

- a) approve and authorise the withdrawal of Auckland Council submission number 5716-2763 in relation to Vector designation 8842.

### Comments

6. As worded in the notified version of the Proposed Auckland Unitary Plan, Vector Limited's (Vector) Designation 8842: 110kV Electricity Line (410 Albany Highway to State Highway 1 (Constellation Drive), Rosedale and Currys Lane, Wairau Valley) states in the introductory summary table that the lapse date for the designation has been "given effect to (i.e. no lapse date)".
7. However, Condition 4 of the designation states that "the designation shall lapse on the expiry of 15 years after the date on which it is included in the District Plan". The two statements are clearly inconsistent.

8. The Council lodged submission 5716-2763 to correct this inconsistency. The submission sought to delete Condition 4 to clarify that the designation “has been given effect to”. The Council made this submission on the understanding that the designation had already been given effect to.
9. Vector lodged submission 2745-659 also seeking to correct this inconsistency. Vector's submission sought to amend the introductory summary table statement that the designation had been given effect to in order to “reflect the 15 year lapse date noted in condition 4”. The relief sought by Vector in submission point 2745-659 directly conflicts with the relief sought by the Council in submission 5716-2763. No other submission points were made in respect of designation 8842.
10. Council staff met with representatives of Vector on 29 September 2015. At the meeting, Vector clarified that the designation had not yet been given effect to, and for this reason the 15 year lapse date needed to be retained. Council staff have accepted that submission point 5716-2763 was made on the mistaken assumption that the designated works had already been completed, and acknowledge that Condition 4 should be retained. On this basis, Council staff agreed that the relief sought in Vector's submission point 2745-659 is to be preferred, and is necessary to resolve the inconsistent lapse dates in the notified version of the designation, and reflect the correct position.
11. An appropriate and convenient way of resolving these two conflicting submissions is for the Council to withdraw submission point 5716-2763. Withdrawing the submission would remove the need for the Panel to make a recommendation on both of these submission points, and in general facilitate the roll-over of this designation subject to the changes sought by Vector in submission point 2745-659. Overall, there is no benefit to be gained by the Council or any other party in retaining the Council's submission point 5716-2763.

## Consideration

### Local Board views and implications

12. This report deals with an administrative matter that is not considered to have any implications for the relevant Local Boards.

### Māori impact statement

13. This report deals with an administrative matter and is not considered to have any impact on Māori.

## Implementation

14. The recommendation made in this report can be implemented with the Plans and Places department budget.

## Attachments

There are no attachments for this report.

## Signatories

Author	Bain Cross – Principal Planner, Unitary Plan
Authorisers	John Duguid - General Manager - Plans and Places Penny Pirrit - Director Regulatory Services