
Governing Body

OPEN MINUTES

Minutes of a meeting of the Governing Body held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Wednesday, 10 August 2016 at 12.32pm.

PRESENT

Mayor
Deputy Mayor
Councillors

Len Brown, JP
Penny Hulse
Cr Anae Arthur Anae
Cr Cameron Brewer
Cr Dr Cathy Casey
Cr Bill Cashmore
Cr Ross Clow
Cr Linda Cooper, JP
Cr Chris Darby
Cr Hon Christine Fletcher, QSO
Cr Denise Krum
Cr Mike Lee
Cr Calum Penrose
Cr Dick Quax
Cr Sharon Stewart, QSM
Cr Sir John Walker, KNZM, CBE
Cr Wayne Walker
Cr John Watson
Cr Penny Webster
Cr George Wood, CNZM

From 12.37pm, Item 5

ABSENT

Cr Alf Filipaina

ALSO PRESENT

Andrew Baker	Franklin Local Board
Joseph Bergin	Devonport-Takapuna Local Board Chair
Shale Chambers	Waitematā Local Board Chair
Pippa Coom	Waitematā Local Board Deputy Chair
Angela Dalton	Manurewa Local Board Chair
Harry Doig	Puketāpapa Local Board Deputy Chair
Graeme Easte	Albert-Eden Local Board Member
Julie Fairey	Puketāpapa Local Board Chair
Peter Haynes	Albert-Eden Local Board Chair
Simon Randall	Maungakiekie-Tāmaki Local Board Chair
Lydia Sosene	Mangere-Ōtāhuhu Local Board Chair
Mark Thomas	Ōrākei Local Board Member

Paul Walden
Lisa Whyte
Glenn Wilcox

Waiheke Local Board Chair
Upper Harbour Local Board Chair
Independent Māori Statutory Board Member

At its 10 August 2016 meeting, the Auckland Development Committee resolved as follows:

Resolution number AUC/2016/110

MOVED by Chairperson PA Hulse, seconded by Mayor LCM Brown:

That the Auckland Development Committee:

- a) *note the recommendations in the staff reports for Items 10, 11 and 12.*
- b) *commend the staff recommendations in those reports, subject to discussion at the Governing Body.*
- c) *refer, under Standing Order 1.6.1 (f), the item under discussion (Item 9 - Extension of meeting time for Unitary Plan deliberations; Item 10 – Proposed Auckland Unitary Plan Report 1 – information on process, statutory framework and decision-making; Item 11 – Proposed Auckland Unitary Plan – Report 2 Response to the recommendations of the Auckland Unitary Plan Independent Hearings Panel on the provisions of the Plan; Proposed Auckland Unitary Plan – Report 3 – response to recommendations from the Auckland Unitary Plan independent hearings panel relating to designations) to the Governing Body for decision.*

CARRIED UNANIMOUSLY

1 Affirmation

There was no affirmation.

2 Apologies

Resolution number GB/2016/58

MOVED by Mayor LCM Brown, seconded by Cr MP Webster:

That the Governing Body:

- a) **accept the apology from Cr AM Filipaina for absence and Cr CM Penrose for early departure.**

CARRIED

3 Declaration of Interest

3.1 Tabled Declarations of Interest

Members declarations of interest were tabled at the meeting, A copy has been placed on the official minutes and will be available on the Auckland Council website as a minutes attachment.

4 Confirmation of Minutes

There was no confirmation of minutes

Cr R Clow entered the meeting at 12.37 pm.

5 Acknowledgements and Achievements

This item was taken after Item 10 – Notices of Motion.

6 Petitions

Due to section 148(2) of the Local Government (Auckland Transitional Provisions) Act 2010, there was no petition section.

7 Public Input

Due to section 148(2) of the Local Government (Auckland Transitional Provisions) Act 2010, there was no public input section (refer also Standing Order 7.7.3 and 7.7.4).

8 Local Board Input

Due to section 148(2) of the Local Government (Auckland Transitional Provisions) Act 2010, there was no local board input section (refer also Standing Order 6.2.2 and 6.2.3).

9 Extraordinary Business

There was no extraordinary business.

10 Notices of Motion

There were no notices of motion.

5 Acknowledgements and Achievements

5.1 Acknowledgement of the work of the Auckland Unitary Plan Independent Hearings Panel

The Mayor acknowledged the members of the Auckland Unitary Plan Independent Hearings Panel:

- Judge David Kirkpatrick
- Jan Crawford
- Peter Fuller
- David Hill
- Greg Hill
- Paula Hunter
- John Kirikiri
- Des Morrison
- Stuart Shepherd
- Les Simmons
- Alan Watson

and the significant contribution that they and the Independent Hearings Panel support staff have made to the planning of Auckland and its future.

The Mayor also acknowledged Auckland Council staff, the Independent Māori Statutory Board, local boards and their communities, and the Auckland Development Committee, under the leadership of Deputy Mayor PA Hulse and Cr C Darby.

Consideration of the report (Item 9) referred from the Auckland Development Committee - Extension of meeting time for Unitary Plan deliberations

Resolution number GB/2016/59

MOVED by Mayor LCM Brown, seconded by Cr C Darby:

That the Governing Body:

- a) **resolve to continue its meeting beyond six hours on any one day but still maintain refreshment breaks in accordance with Standing Order 1.1.3.**

CARRIED

Consideration of the report (Item 10) referred from the Auckland Development Committee - Proposed Auckland Unitary Plan Report 1 - Information on process, statutory framework and decision making

Resolution number GB/2016/60

MOVED by Cr C Darby, seconded by Deputy Mayor PA Hulse:

That the Governing Body:

- a) **receive the Proposed Auckland Unitary Plan Report 1 - Information on process, statutory framework and decision making.**

CARRIED

Motion

MOVED by Cr D Quax, seconded by Cr DA Krum:

That the Governing Body:

- a) thank the Independent Hearings Panel for its hard work, dedication and diligence in delivering the Auckland Unitary Plan and that all recommendations from the Panel are accepted by the Governing Body in full.
- b) agree that any minor editorial changes to the Plan that may be required is delegated to the Mayor and Deputy Mayor
- c) agree that councillors be invited to record dissenting votes against the topics. Should dissenting votes on any topic number 8 or more, that item will be taken out for full debate and decision making.

A division was called for, voting on which was as follows:

For

Cr C Brewer
Cr CE Fletcher
Cr DA Krum
Cr D Quax
Cr SL Stewart
Cr JG Walker
Cr GS Wood

Against

Cr AJ Anae
Mayor LCM Brown
Cr C Casey
Cr W Cashmore
Cr R Clow
Cr LA Cooper
Cr C Darby
Deputy Mayor PA Hulse
Cr ME Lee
Cr CM Penrose
Cr WD Walker
Cr J Watson
Cr MP Webster

Abstained

The motion was declared **LOST** by 7 votes to 13.

11 **Proposed Auckland Unitary Plan - Report 2 Response to the recommendations of the Auckland Unitary Plan Independent Hearings Panel on the provisions of the Plan**

Note: Topic 020 Viewshafts was removed from the recommendation prior to the meeting.

Resolution number GB/2016/61

MOVED by Mayor LCM Brown, seconded by Deputy Mayor PA Hulse:

PART A:

That the Governing Body:

a) **accept all the recommendations of the Independent Hearings Panel as contained in the Panel reports below as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps:**

1. **Report to Auckland Council Hearing Topic 001 Auckland – wide, July 2016**
2. **Report to Auckland Council Hearing Topic 002 Eplan and miscellaneous, July 2016**
3. **Report to Auckland Council Hearing Topic 003 Chapter A Introduction, July 2016**

Regional Policy Statement

4. **Report to Auckland Council Hearing Topic 005 – Issues of Regional Significance, July 2016**
5. **Report to Auckland Council Hearing Topics 006 – Natural resources and 010 Biodiversity, July 2016**
6. **Report to Auckland Council Hearing Topic 007 – RPS climate change, July 2016**
7. **Report to Auckland Council Hearing Topic 008 – Coastal Environment, July 2016**
8. **Report to Auckland Council Hearing Topic 018 Monitoring and environmental results anticipated, July 2016**

Auckland-wide Rules and overlays

9. **Report to Auckland Council Hearing Topic 019 – Natural features, landscapes and character, July 2016**
10. **Report to Auckland Council Hearing Topic 024 – Genetically Modified organisms, July 2016**
11. **Report to Auckland Council Hearing Topic 027 – Artworks, signs and temporary activities, July 2016**
12. **Report to Auckland Council Hearing Topic 031 – Historic heritage, July 2016**
13. **Report to Auckland Council Hearing Topic 040 – Lighting, noise and vibration, July 2016**

Zones

14. **Report to Auckland Council Hearing Topic 055 – Social facilities, July 2016**
15. **Report to Auckland Council Hearing Topic 056,057 – Rural zones, July 2016**
16. **Report to Auckland Council Hearing Topic 064 – Subdivision – urban, July 2016.**

CARRIED

PART B

5.1.1 Recommendations on report to Auckland Council Hearing Topic 004 – General Rules, July 2016

Cr SL Stewart and Cr J Watson declared an interest in Item 5.1.1 part C. - cultural impact assessments, and left the table at 1.35pm.

MOVED by Deputy Mayor PA Hulse, seconded by Mayor LCM Brown:

That the Governing Body:

- a) accept all the recommendations of the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 004 - General Rules, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps.

The motion was put in parts.

Resolution number GB/2016/62

MOVED by Mayor LCM Brown, seconded by Cr W Cashmore:

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
 - A. **the deletion of Framework Plans.**

CARRIED

Resolution number GB/2016/63

MOVED by Mayor LCM Brown, seconded by Cr W Cashmore:

That the Governing Body:

- b) **accept the recommendation of the Independent Hearings Panel in relation to:**
 - C. **the deletion of cultural impact assessments.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr C Casey requested that her dissenting vote be recorded.

The meeting agreed that the following motion be revisited later in the meeting.

That the Governing Body:

- a) accept the recommendation of the Independent Hearings Panel in relation to:
 - B. the deletion of information requirements for design statements.

Cr SL Stewart and Cr J Watson returned to the table at 1.52pm.

5.2.1 Recommendations on report to Auckland Council Hearing Topic 010 – Historic Heritage July 2016

MOVED by Mayor LCM Brown, seconded by Deputy Mayor PA Hulse:

That the Governing Body:

- a) accept all the recommendations of the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 010 – Historic Heritage, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps.

The meeting agreed that recommendation 5.2.1 be revisited later in the meeting.

5.3.1 Recommendations on report to Auckland Council Hearing topic 020 – Viewshafts July 2016

Cr W Cashmore, Cr C Darby and Cr CE Fletcher declared an interest in Item 5.3.1 and left the table at 1.52pm.

Cr AJ Anae declared an interest in Item 5.3.1 a) A. – E. and left the table at 1.52pm.

That the Governing Body:

- a) accept all the recommendations of the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 020 - Viewshafts, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps.

The motion was put in parts.

Resolution number GB/2016/64

MOVED by Mayor LCM Brown, seconded by Cr MP Webster:

That the Governing Body:

- a) **accept the recommendations of the Independent Hearings Panel in relation to:**
 - A. **amending the Regionally Significant Viewshaft schedule (L9) which lists a total of 74 regionally significant viewshafts. The schedule is amended as follows:**
 - a. **Reintroduction of three volcanic viewshafts (K01, K02 and R01) as regionally significant**
 - b. **Five volcanic viewshafts confirmed as locally significant rather than regionally significant (010, 005, T09, W13 T08)**
 - c. **Two regionally significant viewshafts deleted (A11, E04).**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr C Casey requested that her dissenting vote be recorded.

Resolution number GB/2016/65

MOVED by Mayor LCM Brown, seconded by Cr CM Penrose:

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- B. the creation of a locally significant category of volcanic viewshaft which provides for buildings to penetrate the floor of the viewshaft as a restricted discretionary activity.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr C Casey requested that her dissenting vote be recorded.

Resolution number GB/2016/66

MOVED by Mayor LCM Brown, seconded by Cr CM Penrose:

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- C. amending the permitted height up to 9m within the Height Sensitive Areas.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr C Casey and Cr ME Lee requested that their dissenting votes be recorded.

Resolution number GB/2016/67

MOVED by Mayor LCM Brown, seconded by Cr R Clow:

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- D. amending the permitted height within Devonport Centre Height Sensitive Area changed to 13m for specified sites.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr ME Lee, Cr WD Walker, Cr J Watson and Cr GS Wood requested that their dissenting votes be recorded.

Resolution number GB/2016/68

MOVED by Cr R Clow, seconded by Cr WD Walker:

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- E. amending the removal of the rule relating to buildings that breach a volcanic viewshaft.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr ME Lee requested that his dissenting vote be recorded.

Cr AJ Anae returned to the table at 2.13pm.

Resolution number GB/2016/69

MOVED by Cr LA Cooper, seconded by Cr D Quax:

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- F. increasing the height of buildings that intrude into a regionally significant volcanic viewshaft from 8m to 9m.**

CARRIED

Resolution number GB/2016/70

MOVED by Mayor LCM Brown, seconded by Deputy Mayor PA Hulse:

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- G. buildings that penetrate the floor of a local public viewshaft require a Restricted Discretionary activity consent.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr C Casey, Cr ME Lee, Cr D Quax, Cr SL Stewart, Cr WD Walker and Cr J Watson requested that their dissenting votes be recorded.

Cr C Darby and Cr CE Fletcher returned to the table at 2.17pm.

5.4.1 Recommendations on report to Auckland Council Hearing Topic 023 – Significant Ecological Areas and Vegetation Management July 2016

Cr W Cashmore had declared an interest in Item 5.4.1 and was not at the table for this item.

Resolution number GB/2016/71

MOVED by Cr MP Webster, seconded by Cr CM Penrose:

That the Governing Body:

- a) **accept all the recommendations of the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 023 – Significant ecological areas and vegetation management, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps.**

CARRIED UNANIMOUSLY

5.5.1 Recommendations on report to Auckland Council Hearing Topic 032 – Schedule of Historic Heritage July 2016

Cr W Cashmore returned to the table at 2.22pm.

That the Governing Body:

- a) accept all the recommendations of the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 032 Schedule of historic heritage, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps.

The motion was put in parts.

Resolution number GB/2016/72

MOVED by Cr AJ Anae, seconded by Cr CE Fletcher:

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- A. the addition of Karangahape Road to the schedule as a Historic Heritage Area, an extent of place added to planning maps and a statement of significance.**

CARRIED

Resolution number GB/2016/73

MOVED by Cr R Clow, seconded by Cr CE Fletcher:

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- B. amendment to the Schedule as follows:**
- a. **Approximately 120 new places added to the Schedule, 60 in the North Shore from Plan Change 38 and 60 proposed by other submitters, mainly Heritage New Zealand.**

Note: the addition of the Civic Administration Building, Greys Avenue, Auckland Central to the schedule was put separately below.

- b. **14 places deleted from schedule (as per list in the agenda report).**

Note: the deletion of the Rainbow Warrior bombing site, Marsden Wharf and Symonds Street flats, 44 Symonds Street, City Centre from the schedule were put separately below.

CARRIED

Resolution number GB/2016/74

MOVED by Cr R Clow, seconded by Cr C Casey:

That the Governing Body:

- b) **reject the recommendation of the Independent Hearings Panel in relation to:**
- **the deletion of the Symonds Street flats, 44 Symonds Street, City Centre from the schedule.**

CARRIED

MOVED by Cr CM Penrose, seconded by Cr LA Cooper:

That the Governing Body:

- c) **reject the recommendation of the Independent Hearings Panel in relation to:**
- **the addition of the Civic Administration Building, Greys Avenue, City Centre to the schedule**

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr AJ Anae	Mayor LCM Brown	
Cr C Brewer	Cr C Casey	
Cr W Cashmore	Cr R Clow	
Cr LA Cooper	Cr C Darby	
Cr DA Krum	Cr CE Fletcher	
Cr CM Penrose	Deputy Mayor PA Hulse	

Cr SL Stewart
Cr MP Webster
Cr GS Wood

Cr ME Lee
Cr D Quax
Cr JG Walker
Cr WD Walker
Cr J Watson

The motion was declared LOST by 9 votes to 11.

That the Governing Body:

- d) reject the recommendation of the Independent Hearings Panel in relation to:
- the deletion of the Rainbow Warrior Bombing Site, Marsden Wharf from the schedule.

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr C Casey	Cr AJ Anae	
Cr C Darby	Cr C Brewer	
Cr ME Lee	Mayor LCM Brown	
Cr WD Walker	Cr W Cashmore	
Cr J Watson	Cr R Clow	
	Cr LA Cooper	
	Cr CE Fletcher	
	Deputy Mayor PA Hulse	
	Cr DA Krum	
	Cr CM Penrose	
	Cr D Quax	
	Cr SL Stewart	
	Cr JG Walker	
	Cr MP Webster	
	Cr GS Wood	

The motion was declared LOST by 5 votes to 15.

The meeting was adjourned at 2.49pm and reconvened at 3.03pm.

5.6.1 Recommendations on report to Auckland Council Hearing Topic 045 – Airports July 2016

Resolution number GB/2016/75

MOVED by Cr MP Webster, seconded by Cr CE Fletcher:

That the Governing Body:

- a) **accept all the recommendations of the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 045 - Airports, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps.**

CARRIED

5.7.1 Recommendations on report to Auckland Council Hearing Topic 076 – Major Recreation Facility Zone and Precincts July 2016

Resolution number GB/2016/76

MOVED by Cr LA Cooper, seconded by Cr C Darby:

That the Governing Body:

- a) **accept all the recommendations of the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 076 – Major Recreation Facility Zone and precincts, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps.**

CARRIED

5.8.1 Recommendations on report to Auckland Council Hearing Topic 077 – Sustainable Design July 2016

MOVED by Cr D Quax, seconded by Cr GS Wood:

That the Governing Body:

- a) accept all the recommendations of the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 077- Sustainable Design, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps.

5.8.2 Recommendation – changes to the Building Act

MOVED by Deputy Mayor PA Hulse, seconded by Cr W Cashmore:

The Governing Body:

- a) request that the Chief Executive Officer advocates for changes to the Building Act and associated regulations to achieve improved sustainable design outcomes.

Note: Recommendations 5.8.1 and 5.8.2 lay on the table, whilst recommendations 5.1.1 and 5.2.1 were revisited.

5.1.1 Recommendations on report to Auckland Council Hearing Topic 004 - General Rules, July 2016 (revisited)

Cr SL Stewart and Cr J Watson declared an interest in Item 5.1.1 and left the table at 3.22pm.

Resolution number GB/2016/77

MOVED by Deputy Mayor PA Hulse, seconded by Mayor LCM Brown:

That the Governing Body:

- a) **agree that in relation to:**
 - B. **the deletion of information requirements for design statements, will consider rejecting following further advice, before the end of the meeting, from staff on the reasons for rejection and a possible alternative**

CARRIED

Cr SL Stewart and Cr J Watson returned to the table at 3.39pm.

5.2.1 Recommendations on report to Auckland Council Hearing Topic 010 – Historic Heritage July 2016 (revisited)

Resolution number GB/2016/78

MOVED by Cr R Clow, seconded by Cr C Casey:

That the Governing Body:

a) **agree that in relation to:**

recommendation 5.2.1 on “Report to Auckland Council Hearing topic 010 Historic Heritage, July 2016 the deletion of policies which seek to protect and manage unscheduled significant historic heritage,

will consider rejecting following further advice, before the end of the meeting, from staff on the reasons for rejection and a possible alternative.

CARRIED

The meeting was adjourned at 3.44pm and reconvened at 3.47pm.

5.8.1 Recommendations on report to Auckland Council Hearing Topic 077 – Sustainable Design July 2016 (revisited)

MOVED by Cr D Quax, seconded by Cr GS Wood:

That the Governing Body:

a) accept all the recommendations of the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing topic 077- Sustainable Design, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps.

Resolution number GB/2016/79

MOVED by Cr R Clow, seconded by Cr AJ Anae an amendment by way of addition of the following words to clause a):

“with the exception of the recommendations relating to the deletion of Auckland-wide objectives, policies and rules for sustainable design which the Governing Body will consider rejecting following further advice, before the end of the meeting, from staff on the reasons for rejection and a possible alternative”.

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr AJ Anae	Cr C Brewer	
Mayor LCM Brown	Cr LA Cooper	
Cr C Casey	Cr DA Krum	
Cr W Cashmore	Cr CM Penrose	
Cr R Clow	Cr D Quax	
Cr C Darby	Cr SL Stewart	
Cr CE Fletcher	Cr MP Webster	
Deputy Mayor PA Hulse	Cr GS Wood	
Cr ME Lee		
Cr JG Walker		
Cr WD Walker		
Cr J Watson		

The motion was declared **CARRIED** by 12 votes to 8.

CARRIED

The substantive motion was put.

Resolution number GB/2016/80

MOVED by Cr D Quax, seconded by Cr GS Wood:

That the Governing Body:

- a) **accept all the recommendations of the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 077- Sustainable Design, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps with the exception of the recommendations relating to the deletion of Auckland-wide objectives, policies and rules for sustainable design which the Governing Body will consider rejecting following further advice, before the end of the meeting, from staff on the reasons for rejection and a possible alternative.**

CARRIED

5.8.2 Recommendation – changes to the Building Act (revisited)

Resolution number GB/2016/81

MOVED by Deputy Mayor PA Hulse, seconded by Cr W Cashmore:

The Governing Body:

- a) **request that the Chief Executive Officer advocates for changes to the Building Act and associated regulations to achieve improved sustainable design outcomes.**

CARRIED

Explanatory Note:

For the avoidance of doubt, the matters separately voted on today (10 August 2016), in relation to Report to Auckland Council Hearing Topic 004 - (General Rules) include:

- *Recommendations relating to the deletion of information requirements for design statements (which the Governing Body will consider rejecting following further advice).*

Cr SL Stewart and Cr J Watson declared an interest in 004 (General Rules) and left the table at 3.50pm.

Resolution number GB/2016/82

MOVED by Mayor LCM Brown, seconded by Cr CE Fletcher:

That the Governing Body:

- b) **accept all the recommendations of the Hearing Panel as contained in the Panel reports for Hearing Topics:**
- **004 (General Rules)**
as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps, except for matters relating to the same topics separately voted on.

CARRIED

Explanatory note:

For the avoidance of doubt, the matters separately voted on today (10 August 2016) include:

- *In relation to Report to Auckland Council Hearing Topic 010 (Historic Heritage): recommendations relating to deletion of policies which seek to protect and manage unscheduled significant historic heritage (which the Governing Body will consider rejecting following further advice staff).*
- *In relation to Report to Auckland Council Hearing Topic 077 (Sustainable Design): recommendations relating to the deletion of Auckland-wide objectives, policies and rules for sustainable design (which the Governing Body will consider rejecting following further advice).*
- *In relation to Report to Auckland Council Hearing Topic 032 (Scheduled Heritage): recommendations relating to the deletion of the Symonds Street flats, 44 Symonds Street, City Centre from the schedule of historic heritage places (which was rejected).*

Resolution number GB/2016/83

MOVED by Mayor LCM Brown, seconded by Cr GS Wood:

That the Governing Body:

c) accept all the recommendations of the Hearing Panel as contained in the Panel reports for Hearing Topics:

- **010 (Historic Heritage)**
- **032 (Schedule of Historic Heritage)**
- **045 (Airports)**
- **077 (Sustainable Design)**

as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps, except for matters relating to the same topics separately voted on.

CARRIED

Cr W Cashmore, Cr C Darby and Cr CE Fletcher declared an interest in 020 (Viewshafts) and left the table at 3.56pm.

Resolution number GB/2016/84

MOVED by Cr C Brewer, seconded by Cr AJ Anae:

That the Governing Body:

d) accept all the recommendations of the Hearing Panel as contained in the Panel reports for Hearing Topics:

- **020 (Viewshafts)**

as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps, except for matters relating to the same topics separately voted on.

CARRIED

Cr W Cashmore had declared an interest in 023 (significant Ecological Areas and Vegetation Management) and was not at the table for this item.

Resolution number GB/2016/85

MOVED by Mayor LCM Brown, seconded by Cr DA Krum:

That the Governing Body:

- e) **accept all the recommendations of the Hearing Panel as contained in the Panel reports for Hearing Topics:**
- **023 (significant Ecological Areas and Vegetation Management)**
- as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps, except for matters relating to the same topics separately voted on.**

CARRIED

PART C

6.1.1 Recommendation on Report to Auckland Council Hearing Topics 006 and 035 - Air quality July 2016

Resolution number GB/2016/86

MOVED by Mayor LCM Brown, seconded by Cr R Clow:

That the Governing Body:

- a) **reject the recommendations of the Independent Hearings Panel in relation to:**
- A. deleting the Auckland Ambient Air Quality Standards**

TECHNICAL MATTER

Reasons for rejecting the recommendations are:

- **The limits and criteria for a number of pollutants which may adversely affect air quality will not exist.**
 - **Outcomes outlined in the Regional Policy Statement Objectives B7.5.1(1) and B7.5.1(3) and the Auckland wide objectives E14.2(1) and E14.2(3) will not be achieved.**
 - **There will be uncertainty and inefficiency in the processing of resource consent applications; and**
- b) **adopt the alternative solution associated with recommendation a) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**
- c) **accept all the other recommendations of the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topics 006 and 035 Air quality” as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps, except for the decision above.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr WD Walker and Cr J Watson requested that their dissenting votes be recorded.

Cr CE Fletcher returned to the table at 4.06pm.

6.2.1 Recommendation on Report to Auckland Council Hearing Topic 009 – Mana Whenua, July 2016” and “Report to Auckland Council Hearing topic 036/037 – Maori land and Treaty and Mana Whenua sites, July 2016”

Cr SL Stewart and Cr J Watson declared an interest in Item 6.2.1 and left the table at 4.07pm.

Cr CM Penrose left the meeting at 4.13 pm.

Cr C Darby returned to the meeting at 4.16 pm.

Cr CM Penrose returned to the meeting at 4.19 pm.

The motion was put in parts.

MOVED by Deputy Mayor PA Hulse, seconded by Cr C Casey:

That the Governing Body:

POLICY MATTER

a) reject the recommendations of the Independent Hearings Panel in relation to:

A. the deletion of Sites and Places of Value to the Mana Whenua overlay and associated provisions.

Reasons for rejecting the recommendation are:

- Reinstatement of the provisions in the Regional Policy Statement will enable the council to better meet its statutory obligations under section 6(e) of the RMA.
- Reinstatement of the Sites and Places of Value to Mana Whenua overlay will enable the council to better meet its statutory obligations under section 6(e) of the RMA.
- The Panel's recommendation to withdraw all sites and places of value was based on an inaccurate understanding of the Council's Auckland Development Committee resolution of 12 November 2015 and subsequent withdrawal of 593 sites.
- There is evidential basis for the inclusion of 2213 sites and places of value in the overlay, as established in the evidence, legal submissions, closing statement and post-hearing report provided by the Council to the Panel in both hearing Topics 009 and 037.
- There is a risk of ongoing loss and degradation of sites and places of value to Mana Whenua in the absence of Proposed Auckland Unitary Plan protection.
- The Panel incorrectly indicates that “while those sites of value were identified in the notified Proposed Auckland Unitary Plan, no criteria had been applied to be able to evaluate them or verify that the sites actually existed and what their values were.” This work was undertaken as part of the evidence base for Topic 037.

b) adopt the alternative solution associated with the above decision and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Mayor LCM Brown	Cr AJ Anae	
Cr C Casey	Cr C Brewer	
Cr R Clow	Cr W Cashmore	
Cr C Darby	Cr LA Cooper	
Deputy Mayor PA Hulse	Cr CE Fletcher	
Cr ME Lee	Cr DA Krum	
	Cr CM Penrose	
	Cr D Quax	
	Cr JG Walker	
	Cr WD Walker	
	Cr MP Webster	
	Cr GS Wood	

The motion was declared LOST by 6 votes to 12.

Resolution number GB/2016/87

MOVED by Deputy Mayor PA Hulse, seconded by Cr C Casey:

That the Governing Body:

- c) **accept all the recommendations of the Independent Hearings Panel as contained in the Panel reports entitled “Report to Auckland Council Hearing Topic 009 – Mana Whenua, July 2016” and “Report to Auckland Council Hearing Topic 036/037 – Maori land and Treaty and Mana Whenua sites, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps.**

CARRIED

The meeting adjourned at 4.34pm and reconvened at 4.39pm. Cr R Clow, Cr LA Cooper and Cr CM Penrose were not present.

Cr SL Stewart and Cr J Watson returned to the table at 4.39pm.

6.3.1 Recommendation on Report to Auckland Council Hearing Topic 010/029/030/079 – Special character and pre 1944, July 2016

Cr CM Penrose returned to the meeting at 4.40pm.

Cr LA Cooper returned to the meeting at 4.44pm.

Cr R Clow returned to the meeting at 4.48pm.

The motion was put in parts.

Resolution number GB/2016/88

MOVED by Mayor LCM Brown, seconded by Cr GS Wood:

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- A. the deletion of the pre-1944 Building Demolition overlay and related controls.**

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr AJ Anae	Cr C Brewer	
Mayor LCM Brown	Cr CE Fletcher	
Cr C Casey	Cr ME Lee	
Cr W Cashmore	Cr WD Walker	
Cr R Clow	Cr J Watson	
Cr LA Cooper		
Cr C Darby		
Deputy Mayor PA Hulse		
Cr DA Krum		
Cr CM Penrose		
Cr D Quax		
Cr SL Stewart		
Cr JG Walker		
Cr MP Webster		
Cr GS Wood		

The motion was declared CARRIED by 15 votes to 5.

CARRIED

Resolution number GB/2016/89

MOVED by Mayor LCM Brown, seconded by Cr GS Wood:

That the Governing Body:

- a) **accept the recommendations of the Independent Hearings Panel in relation to:**
- B. the retention of the Special Character Overlay over the Howick business area.**
- C. the removal of the precinct from Puhoi and including it in the Special Character overlay.**
- D. the addition of Hill Park, Manurewa as a Special Character area – general (both Residential and Business) and Pukehana Avenue, Epsom as a Special Character area-residential.**
- E. the removal of reference to the 1940 date applied to demolition or removal of buildings in the activity tables for all building in the Isthmus A, B and C Special Character area and to Special Character Residential North Shore areas.**

TECHNICAL MATTER

- b) reject the recommendation of the Independent Hearings Panel in relation to:
F. the deletion of the objective that provides for management of heritage values in the Regional Policy Statement.

Reason for rejecting the recommendations is:

- The Special Character Areas overlay – Residential and Business District Plan provisions and character statements recommended by the Panel identify the amenity and heritage values of the areas are to be addressed in the District Plan provisions. However the cascade down from the Regional Policy Statement to District Plan is not evident with no corresponding Regional Policy Statement objective resulting in a disconnect between the Regional Policy Statement and District Plan.
- c) adopt the alternative solution associated with resolution b) above and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Resolution number GB/2016/90

MOVED by Mayor LCM Brown, seconded by Cr R Clow:

That the Governing Body:

- d) accept all the other recommendations of the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 010/029/030/079 – Special character and pre 1944, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.

CARRIED

Adjournment of Meeting

Resolution number GB/2016/91

MOVED by Mayor LCM Brown, seconded by Cr CE Fletcher:

That the Governing Body:

- a) agree to adjourn the meeting until Thursday, 11 August 2016 at 9.30am, in the Reception Lounge, Level 2, Auckland Town Hall.

The meeting was adjourned at 5.21pm.

CARRIED

Minutes of a meeting of the Governing Body reconvened in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Thursday, 11 August 2016 at 9.45 am.

PRESENT

Mayor	Len Brown, JP	
Deputy Mayor	Cr Penny Hulse	From 9.46am, Recommendation 6.5.1
Councillors	Cr Anae Arthur Anae	
	Cr Cameron Brewer	
	Cr Dr Cathy Casey	
	Cr Bill Cashmore	
	Cr Ross Clow	From 9.49am, Recommendation 6.5.1
	Cr Linda Cooper, JP	
	Cr Chris Darby	
	Cr Hon. Christine Fletcher, QSO	From 12.10pm, Recommendation 6.8.1
	Cr Denise Krum	
	Cr Mike Lee	
	Cr Calum Penrose	
	Cr Dick Quax	
	Cr Sharon Stewart, QSM	
	Cr Sir John Walker, KNZM, CBE	From 10.11am, Recommendation 6.6.1
	Cr Wayne Walker	
	Cr John Watson	
	Cr Penny Webster	
	Cr George Wood, CNZM	

ABSENT

Cr Alf Filipaina

ALSO PRESENT

Andrew Baker	Franklin Local Board Chair
Shale Chambers	Waitematā Local Board Chair
Pippa Coom	Waitematā Local Board Deputy Chair
Angela Dalton	Manurewa Local Board Chair
Christopher Dempsey	Waitematā Local Board Member
Graeme Easte	Albert-Eden Local Board Member
Janet Fitzgerald	Hibiscus and Bays Local Board Member
Peter Haynes	Albert-Eden Local Board Chair
Bill McEntee	Papakura Local Board Chair
Simon Randall	Maungakiekie-Tāmaki Local Board Chair
Lydia Sosene	Mangere Ōtāhuhu Local Board Chair
Mark Thomas	Ōrākei Local Board Member
Lisa Whyte	Upper Harbour Local Board Chair

Apologies

Resolution number GB/2016/92

MOVED by Mayor LCM Brown, seconded by Cr J Watson:

That the Governing Body:

- a) accept the apology from Cr CE Fletcher for lateness.

CARRIED

6.4.1 Recommendations on Report to Auckland Council Hearings Topic 011 - Rural Environment July 2016.

Note: Item 6.4.1 - Recommendations on Report to Auckland Council Hearings Topic 011- Rural Environment July 2016 will be dealt with at the same time as Item 6.12.1 - Recommendations on Report to Auckland Council Hearing Topic 064 – Subdivision - rural, July 2016.

Deputy Mayor Hulse entered the meeting at 9.46 am.

Cr R Clow entered the meeting at 9.49 am.

Deputy Mayor PA Hulse left the meeting at 9.52 am.

6.5.1 Recommendations on report to Auckland Council Hearing Topic 012 – Infrastructure, Energy and Transport, July 2016

Resolution number GB/2016/93

MOVED by Cr R Clow, seconded by Cr C Casey:

That the Governing Body:

- a) reject the recommendation of the Independent Hearings Panel in relation to:
- A. the deletion of policies which encourage land use and transport integration and in particular, the location of higher intensity activities where those activities are served by key public transport services and routes.
- Reason for rejecting the panel's recommendation is:
- The panel's recommended policy framework does not adequately address land use and transport integration which is a key consideration in the management of growth and the efficient use of the transport network.
- b) adopt the alternative solution associated with recommendation a) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.
- c) accept all the other recommendations of the Independent Hearings Panel as contained in the Panel report entitled "Report to Auckland Council Hearing Topic 012 – Infrastructure, energy and transport, July 2016" as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.

CARRIED

6.6.1 Recommendations on report to Auckland Council Hearing Topic 013 – Urban growth, July 2016

Deputy Mayor PA Hulse returned to the meeting at 9.57 am.

Cr JG Walker entered the meeting at 10.11 am.

Cr R Clow left the meeting at 10.36 am.

Cr WD Walker left the meeting at 10.39 am.

Cr WD Walker returned to the meeting at 10.45 am.

Cr R Clow returned to the meeting at 10.50 am.

Cr WD Walker left the meeting at 11.05 am.

The meeting was adjourned at 11.05am and reconvened at 11.16am.

Cr WD Walker returned to the meeting at 11.23 am.

Resolution number GB/2016/94

MOVED by Cr D Quax, seconded by Cr GS Wood:

That the Governing Body:

- a) **accept the recommendations of the Independent Hearings Panel in relation to:**
 - A. **the Rural Urban Boundary line being located at the district plan level.**
 - B. **the Rural and Urban Boundary be deleted from rural and coastal towns and villages; and growth in new and expansion of existing rural and coastal towns and villages is enabled.**
- b) **note there are appropriate objectives, policies, and methods within the Panel's recommended Proposed Auckland Unitary Plan to enable a thorough assessment of proposals to expand existing, or establish new, rural and coastal towns and villages.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr LA Cooper and Cr ME Lee requested that their dissenting votes be recorded.

Resolution number GB/2016/95

MOVED by Deputy Mayor PA Hulse, seconded by Cr LA Cooper:

POLICY MATTERS:

That the Governing Body:

- c) **reject the recommendation of the Independent Hearings Panel in relation to:**
 - C. **The Panel recommends the deletion of objectives and policies that seek to focus growth within the existing metropolitan area.**

Reasons for rejecting the recommendation are:

- **The lack of a specific objective and policy that indicates the primary location for growth is within the existing metropolitan area means there is little or no guidance for where future growth should be enabled and encouraged.**
- **The Panel's recommendation does not have sufficient regard to the Auckland Plan's Development Strategy resulting in a misalignment with the Council's strategic directions**
- **Focusing intensification within the existing urban area delivers the benefits of a quality compact urban form, which include better public transport, proximity to amenity and services, efficient infrastructure servicing, environmental protection and a reduced carbon footprint.**

- d) **adopt the alternative solution associated with recommendation c) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr D Quax requested that his dissenting vote be recorded.

Resolution number GB/2016/96

MOVED by Deputy Mayor PA Hulse, seconded by Cr LA Cooper:

POLICY MATTERS:

That the Governing Body:

- e) **reject the recommendation of the Independent Hearings Panel in relation to:**

D. The Panel recommends amendments to the policy that guides the location of the Rural Urban Boundary.

Reasons for rejecting the recommendations are:

- **To support the Rural Urban Boundary at the District Plan level the policy framework needs to be sufficiently clear and certain of the outcomes to enable inappropriate proposals to be turned down**
- **The recommended policy does not include either providing a quality compact urban form or the importance of land use and transport integration**
- **Reliance on the structure plan guidelines in Appendix 1 to achieve these outcomes is inadequate because the guideline is not a policy**
- **The Panel's recommended policy does not reflect the Panel's position in its report that the policy applies to requests to amend the Rural Urban Boundary and must follow the structure plan guidelines in Appendix 1.**

- f) **adopt the alternative solution associated with recommendation e) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr D Quax requested that his dissenting vote be recorded.

Explanatory Note:

For the avoidance of doubt, the alternative solution associated with resolution 6.6.1(c) for Hearing Topic 013 – Urban Growth refers to an appendix (Appendix 1A) that was not included as part of Attachment B to the Auckland Development Committee agenda report. Appendix 1A has been included with the alternative solutions attached to these minutes.

Resolution number GB/2016/97

MOVED by Cr C Darby, seconded by Mayor LCM Brown:

POLICY MATTERS:

That the Governing Body:

g) reject the recommendation of the Independent Hearings Panel in relation to:

E. The Panel recommends that commercial activities are enabled within centres and corridors.

Reasons for rejecting the recommendations are:

- **The ‘centres-plus’ commercial growth strategy has been removed. The strategy is considered to be an appropriate method to achieve land use, transport and infrastructure integration in centres, and provides a release valve that enables commercial activities in out-of-centre areas where this is appropriate.**
- **The District Plan provisions have some objectives and policies that recognise the importance of centres but there is no vertical alignment to any objective or policies in the regional policy statement provisions.**
- **The absence of a Regional Policy Statement objective and related policies greatly weakens the ability to assess the effects of dispersed commercial activity (for example, land use and transport integration, effects on centres and community social and economic wellbeing).**
- **The Panel has not provided reasons why the centres-plus strategy has been deleted.**
- **The centres-plus commercial strategy reflects the Proposed Auckland Unitary Plan mediation, where the commercial and industrial growth provisions were agreed to by all parties present, except for one. The parties agreeing to the mediated position included the ‘Key Retail Group’ which has been heavily involved in the centres-plus strategy formation since the notification of Change 6 to the legacy Regional Policy Statement in 2005.**

h) adopt the alternative solution associated with recommendation g) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr D Quax requested that his dissenting vote be recorded.

Resolution number GB/2016/98

MOVED by Mayor LCM Brown, seconded by Cr AJ Anae:

That the Governing Body:

i) accept all the other recommendations of the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 013 – Urban growth, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.

CARRIED

A motion foreshadowed by Cr ME Lee and seconded by Cr C Casey, as follows:

That the Governing Body:

- a) support the Independent Hearing Panel's decision on retaining the existing Rural Urban Boundary on Waiheke Island until the Hauraki Gulf Islands District Plan is reviewed.

was ruled out of order as a direct negative.

6.7.1 Recommendations on report to Auckland Council Topic 028 – Future Urban zone, July 2016

Resolution number GB/2016/99

MOVED by Deputy Mayor PA Hulse, seconded by Cr R Clow:

POLICY MATTERS

That the Governing Body:

- a) **reject the recommendation of the Independent Hearings Panel in relation to:**
 - A. **Changing the activity status of subdivision in the Future Urban zone from a Prohibited activity to a Discretionary activity.**

Reasons for rejecting the recommendation are:

- **It is an important that the Proposed Auckland Unitary Plan does not facilitate the fragmentation of land within the Future Urban zone, which might prevent or hinder efficient and well planned urbanisation with good urban form and efficient and orderly provision of infrastructure.**
- **By allowing discretion, the recommended wording of the subdivision provisions in the Future Urban zone is unclear about the types of subdivision that could be promoted.**

- b) **adopt the alternative solution associated with recommendation a) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr D Quax requested that his dissenting vote be recorded.

Resolution number GB/2016/100

MOVED by Deputy Mayor PA Hulse, seconded by Cr MP Webster:

That the Governing Body:

- c) **reject the recommendation of the Independent Hearings Panel in relation to:**
 - B. **Changing the activity status of landfills in the Future Urban zone from a Non-complying activity to a Discretionary activity.**

Reasons for rejecting the recommendation are:

- **Landfills create significant long term adverse effects over a wide area, potentially irreversible changes and require detailed and careful management and should be assessed as a Non-complying activity**
- **Changing the recommended discretionary activity status to Non-complying activity status is consistent with the relevant objectives and the consistent management of this activity across the Proposed Auckland Unitary Plan.**

- d) adopt the alternative solution associated with recommendation c) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Resolution number GB/2016/101

MOVED by Mayor LCM Brown, seconded by Deputy Mayor PA Hulse:

That the Governing Body:

- e) accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled "Report to Auckland Council Topic 028 – Future Urban zone, July 2016" as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.

CARRIED

6.8.1 Recommendations on report to Auckland Council Hearing Topic 033/034 – General coastal marine zone and other coastal zones, July 2016

The motion was taken in parts.

Deputy Mayor PA Hulse left the meeting at 11.46 am.

Cr R Clow left the meeting at 11.50 am.

Deputy Mayor PA Hulse returned to the meeting at 11.52 am.

Cr R Clow returned to the meeting at 11.56 am.

Cr CE Fletcher entered the meeting at 12.10 pm.

Resolution number GB/2016/102

MOVED by Cr C Darby, seconded by Cr R Clow:

That the Governing Body:

- a) accept the recommendation of the Independent Hearings Panel in relation to:
A. a more restrictive approach for Mangrove removal.

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr AJ Anae	Cr C Brewer	
Mayor LCM Brown	Cr DA Krum	
Cr C Casey	Cr CM Penrose	
Cr W Cashmore	Cr MP Webster	
Cr R Clow	Cr GS Wood	
Cr LA Cooper		
Cr C Darby		
Cr CE Fletcher		
Deputy Mayor PA Hulse		
Cr ME Lee		
Cr D Quax		
Cr SL Stewart		
Cr JG Walker		
Cr WD Walker		
Cr J Watson		

The motion was declared **CARRIED** by 15 votes to 5.

CARRIED

Note: Clause b), below, was incorporated with the agreement of the meeting.

Resolution number GB/2016/103

MOVED by Cr C Darby, seconded by Cr R Clow:

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
 - B. **deletion of the specific provisions for houseboats.**
- b) **request the Chief Executive to report back to the incoming council on an operational response to enable communities in the removal of mangroves.**

CARRIED

Resolution number GB/2016/104

MOVED by Mayor LCM Brown, seconded by Cr AJ Anae:

TECHNICAL MATTERS

That the Governing Body:

- c) **reject the recommendation of the Independent Hearings Panel in relation to:**
 - C. **no indication in the activity table for discharges of hull bio-fouling organisms of which standard applies to each activity.**

Reasons for rejecting the recommendations are:

- **All of the listed bio-fouling Permitted activities must now meet every standard. This does not recognise that different combinations of controls should be applied to different risk-based scenarios.**
 - **This creates an unworkable situation that fails to meet the purposes the Proposed Auckland Unitary Plan is trying to achieve (i.e. “encouraging” low-risk in-water cleaning, but imposing increasingly onerous standards as the level of cleaning risk increases).**
 - **Overly onerous requirements (i.e. capture all material to 50 microns) are now applied to low risk hull cleaning.**
 - **The controls are unworkable for higher risk bio-fouling as they are required to use gentle, non-abrasive methods.**
- d) **adopt the alternative solution associated with recommendation c) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**

CARRIED

Resolution number GB/2016/105

MOVED by Mayor LCM Brown, seconded by Cr AJ Anae:

That the Governing Body:

- e) **reject the recommendation of the Independent Hearings Panel in relation to:**
 - D. **including in the definition of marine and port facilities reference to ‘sea walls’.**

Reasons for rejecting the recommendations are:

- **It creates confusion and uncertainty to include seawalls in two terms which are used in different rows of activities tables.**

- In the Minor Port zone, Port precinct and Gabador Place precinct these have a different activity status (Permitted and Restricted Discretionary).
 - The Panel accepted other proposals to explicitly include hard protection structures in these areas but also included seawalls in the definition of marine and port facilities. They should be only within the definition of hard protection structures.
- f) adopt the alternative solution associated with recommendation e) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Resolution number GB/2016/106

MOVED by Mayor LCM Brown, seconded by Cr C Darby:

That the Governing Body:

- g) accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 033/034 – General coastal marine zone and other coastal zones, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.

CARRIED

The meeting was adjourned at 12.20pm and reconvened at 1.10pm.

Cr C Casey, Cr C Darby, Deputy Mayor PA Hulse, Cr WD Walker, Cr J Watson and Cr MP Webster were not present.

6.9.1 Recommendations on report to Auckland Council Hearing Topic 050-054 – City Centre and business zones, July 2016

The motion was taken in parts.

Cr C Casey, Deputy Mayor PA Hulse, Cr J Watson and Cr MP Webster returned to the meeting at 1.11 pm.

Cr WD Walker returned to the meeting at 1.12 pm.

Resolution number GB/2016/107

MOVED by Mayor LCM Brown, seconded by Cr AJ Anae:

That the Governing Body:

- a) accept the recommendations of the Independent Hearings Panel in relation to:
- A. Port Precinct – that all reclamation, other than minor reclamation for the purpose of repairs and maintenance (including remedial or rehabilitation work) is a Discretionary activity rather than a tiered approach with Restricted Discretionary, Discretionary and Non-complying activities for reclamation in Areas A, B and C on precinct plan 4.
 - B. Port Precinct - that new wharves (and alterations to existing wharves) are a Restricted Discretionary activity rather than a tiered approach with Discretionary and Non-complying activities in Areas A, B and C on precinct plan 4.

CARRIED

Resolution number GB/2016/108

MOVED by Mayor LCM Brown, seconded by Cr AJ Anae:

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- C. Queens Wharf viewshaft – that the Proposed Auckland Unitary Plan does not include a viewshaft.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr C Casey, Cr ME Lee, Cr WD Walker and Cr J Watson requested that their dissenting votes be recorded.

Resolution number GB/2016/109

MOVED by Deputy Mayor PA Hulse, seconded by Cr LA Cooper:

That the Governing Body:

- a) **note that:**
- D. the Panel recommendation to delete the pre-1940 building demolition control from Karangahape Road Precinct was considered under Topic 032 – Historic Heritage.**

CARRIED

Cr C Darby returned to the meeting at 1.22 pm.

Resolution number GB/2016/110

MOVED by Cr MP Webster, seconded by Cr GS Wood:

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- E. i) deleting standards relating to building work and internal design matters addressed in the Building Code: universal access to residential buildings.**

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr AJ Anae	Cr C Casey	
Cr C Brewer	Cr R Clow	
Mayor LCM Brown	Cr C Darby	
Cr W Cashmore	Cr CE Fletcher	
Cr LA Cooper	Deputy Mayor PA Hulse	
Cr DA Krum	Cr ME Lee	
Cr CM Penrose	Cr WD Walker	
Cr D Quax	Cr J Watson	
Cr SL Stewart		
Cr JG Walker		
Cr MP Webster		
Cr GS Wood		

The motion was declared **CARRIED** by 12 votes to 8.

CARRIED

Resolution number GB/2016/111

MOVED by Cr MP Webster, seconded by Cr GS Wood:

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- E. ii) **deleting standards relating to building work and internal design matters addressed in the Building Code: admission of daylight to dwellings.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr ME Lee requested that his dissenting vote be recorded.

Note: The words '*subject to removing crosshatching from all coloured height areas shown on Precinct Plan 5 – maximum height (page 419 of the Auckland Development Committee agenda)*' were incorporated into clause c), below, with the agreement of the meeting.

Resolution number GB/2016/112

MOVED by Deputy Mayor PA Hulse, seconded by Cr MP Webster:

That the Governing Body:

- a) **accept the recommendations of the Independent Hearings Panel in relation to:**
- F. **deleting prescriptive design based standards and addressing design matters through the resource consent process for: ground floor entrances at street frontage level, glazing and ground floor activities.**
- G. **Quay Park Precincts – deleting framework plans has resulted in a consequential amendment in the Quay Park Precinct.**
- b) **reject the recommendation of the Independent Hearings Panel in relation to:**
- H. **Wynyard Precinct – to deleting framework plans has resulted in a consequential amendment to the height and gross floor area controls in the Wynyard Precinct.**

Reasons for rejecting the recommendations are:

- **The recommended deletion of the post-framework plan height and site intensity provisions significantly reduces the development potential of Wynyard Precinct expressly enabled in the notified Proposed Auckland Unitary Plan and may potentially result in the inefficient use of this City Centre land and public infrastructure**
 - **The recommended deletion of all assessment criteria previously relating to framework plans results in a disconnect between the objectives and policies, and the rules of the precinct**
 - **The recommendation will prevent the development of sites fronting Jellicoe Street for non-marine uses (i.e. apartments and retail) contrary to the Wynyard Quarter Urban Design Strategy and the objectives and policies for Wynyard Precinct**
 - **The recommended changes to provisions were not sought by any submitter to the Wynyard Precinct.**
- c) **adopt the alternative solution associated with recommendation b) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D, subject to removing crosshatching from all coloured height areas shown on Precinct Plan 5 – maximum height (page 419 of the Auckland Development Committee agenda).**

- d) reject the recommendation of the Independent Hearings Panel in relation to:
- I. Queen Street Valley Precinct –to delete the pre – 1940 building demolition control from the Queen Street Valley Precinct.
- Reasons for rejecting the recommendations are:
- The maintenance and enhancement of the pre-1940 buildings in the Queen Street Valley Precinct is integral to maintaining its special character
 - The retention and protection of special character buildings constructed prior to 1940 maintains the integrity and coherence of the built form and architecture, and the streetscape within this area
 - the pre-1940 trigger and its application was determined as a result of survey work.
- e) adopt the alternative solution associated with recommendation d) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

*Cr JG Walker left the meeting at 2.10 pm.
Cr JG Walker returned to the meeting at 2.21 pm.*

Resolution number GB/2016/113

MOVED by Deputy Mayor PA Hulse, seconded by Cr LA Cooper:

That the Governing Body:

- f) reject the recommendations of the Independent Hearings Panel in relation to:
- J. the deletion of the minimum dwelling size standard in the City Centre and business zones.
- Reasons for rejecting the recommendations are:
- The Building Act does not address social or design quality effects associated with small dwellings. It is therefore necessary to manage these through the district plan
 - Intensive living environments require internal living spaces which are functional and which provide for amenity to meet the day- to-day needs of residents
 - This will assist to maintain the social wellbeing of the community, support social cohesion and thereby support further intensification within urban environments as these areas become desirable places to live.
- g) adopt the alternative solution associated with recommendation f) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr AJ Anae	Cr D Quax	
Cr C Brewer	Cr MP Webster	
Mayor LCM Brown	Cr GS Wood	
Cr C Casey		
Cr W Cashmore		
Cr R Clow		

Cr LA Cooper
Cr C Darby
Cr CE Fletcher
Deputy Mayor PA Hulse
Cr DA Krum
Cr ME Lee
Cr CM Penrose
Cr SL Stewart
Cr JG Walker
Cr WD Walker
Cr J Watson

The motion was declared CARRIED by 17 votes to 3.

CARRIED

Note: Recommendations a) K. and L. below, were deferred until prior to item 6.11.1.

TECHNICAL MATTERS

That the Governing Body:

- a) accept the recommendations of the Independent Hearings Panel in relation to:
- K. the deletion of urban design standards in business zones
 - L. the deletion of internal design standards for dwellings in the

Resolution number GB/2016/114

MOVED by Cr LA Cooper, seconded by Cr R Clow:

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- M. the height in Newmarket Metropolitan Centre be increased to the standard zone height of 72.5m.**

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr AJ Anae	Cr ME Lee	
Cr C Brewer	Cr WD Walker	
Mayor LCM Brown	Cr J Watson	
Cr C Casey		
Cr W Cashmore		
Cr R Clow		
Cr LA Cooper		
Cr C Darby		
Cr CE Fletcher		
Deputy Mayor PA Hulse		
Cr DA Krum		
Cr CM Penrose		
Cr D Quax		
Cr SL Stewart		
Cr JG Walker		
Cr MP Webster		
Cr GS Wood		

The motion was declared CARRIED by 17 votes to 3.

CARRIED

Resolution number GB/2016/115

MOVED by Mayor LCM Brown, seconded by Cr W Cashmore:

That the Governing Body:

i) **reject the recommendation of the Independent Hearings Panel in relation to:**

N. Height in Relation to Boundary control within the Mixed Use Zone and between the Mixed Use Zone and the General Business Zone.

Reasons for rejecting the recommendation are:

- **an internal Height in Relation to Boundary control in the Mixed Use zone is not considered appropriate as:**
 - **it could unduly constrain development on Mixed Use zone sites;**
 - **other controls protect the amenity of adjoining Mixed Use zoned sites; and**
 - **no other business zones have an internal height in relation to boundary control.**
- **in addition, it is considered unnecessary to provide a Height in Relation to Boundary control on sites in the Mixed Use zone in favour of adjacent General Business zone sites. The anticipated amenity in the Mixed Use zone is higher than that anticipated in the General Business zone so it is unnecessary to 'protect' General Business zoned sites from the potential effects of sites zoned Mixed Use.**

j) **adopt the alternative solution associated with recommendation i) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**

CARRIED

Resolution number GB/2016/116

MOVED by Mayor LCM Brown, seconded by Cr R Clow:

That the Governing Body:

k) **reject the recommendation of the Independent Hearings Panel in relation to:**

O. a recession plane indicator diagram which is inconsistent with the Height in Relation to Boundary controls in all business zones

Reasons for rejecting the recommendation are:

- **This appears to be a technical error. While the diagrams are similar, the Panel's recommended diagram shows a 55 degree and 35 degree notation shown for the north and south boundaries respectively. These recession planes are not reflected in the Panel's recommended provisions, as shown in Table H.6.2.1 in each business zone. Consequently, the diagram and tables are inconsistent, which will lead to confusion and potential error.**
- **In addition, the diagram has been included in the General Business zone, which does not contain an orientation-based rule. It should therefore be deleted from the General Business zone.**

l) **adopt the alternative solution associated with recommendation k) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**

CARRIED

Resolution number GB/2016/117

MOVED by Mayor LCM Brown, seconded by Cr W Cashmore:

That the Governing Body:

m) reject the recommendation of the Independent Hearings Panel in relation to:

P. the deletion of specific standards to manage development within natural hazards areas within the Port Precinct.

Reason for rejecting the recommendation is:

- **The lack of bespoke port provisions result in them being unworkable in relation to enabling the port activities to take place within natural hazard areas in the Port precinct.**

n) adopt the alternative solution associated with recommendation m) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Note: Recommendation o) below, was deferred until prior to item 6.11.1.

That the Governing Body:

o) accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled "Report to Auckland Council Hearing Topic 050-054 – City Centre and business zones, July 2016" as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.

6.10.1 Recommendations on report to Auckland Council Hearing Topic 058 – Open space, July 2016

The motion was put in parts.

Resolution number GB/2016/118

MOVED by Cr CE Fletcher, seconded by Cr GS Wood:

POLICY MATTER

That the Governing Body:

a) reject the recommendation of the Independent Hearings Panel in relation to:

A. amending the activity status for new buildings and additions, and the height and gross floor area standards for the Open Space zones .

Reasons for rejecting the recommendations are:

- **The recommendation does not appropriately balance the need to use public open space effectively (and manage pressure to use open spaces as population increases), with the need to manage impacts on neighbours.**
- **The recommendation imposes a single approach across all Open Space zones and does not appropriately recognise the values and purpose of each zone.**

b) adopt the alternative solution associated with recommendation a) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr ME Lee requested that his dissenting vote be recorded.

The meeting was adjourned at 2.50pm and reconvened at 3.09pm.

Resolution number GB/2016/119

MOVED by Mayor LCM Brown, seconded by Cr W Cashmore:

That the Governing Body:

- c) **accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 058 – Open space, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.**

CARRIED

5.1.1 Recommendations on report to Auckland Council Hearing Topic 004 General Rules July 2016 – (revisited)

A PowerPoint presentation provided relating to recommendations 5.1.1 a) B. and 6.9.1 a) K. and L. A copy has been attached to the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number GB/2016/120

MOVED by Mayor LCM Brown, seconded by Cr R Clow:

That the Governing Body:

- a) **accept the recommendation to:**
 - B. delete the information requirements for design statements.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr ME Lee requested his that dissenting vote be recorded.

6.9.1 Recommendations on report to Auckland Council Hearing Topic 050-054 – City Centre and Business Zones - Revisited

Note: The additional wording “*and note that the urban design standards have been replaced with appropriate policies and matters of discretion for restricted discretionary activities*” was incorporated into clause a) L. below, with the agreement of the meeting.

Resolution number GB/2016/121

MOVED by Mayor LCM Brown, seconded by Cr R Clow:

TECHNICAL MATTERS

That the Governing Body:

- a) **accept the recommendations of the Independent Hearings Panel in relation to:**
 - K. the deletion of urban design standards in business zones**
 - L. the deletion of internal design standards for dwellings in the business zones; and**

note that the urban design standards have been replaced with appropriate policies and matters of discretion for restricted discretionary activities.

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr ME Lee requested his that his dissenting vote be recorded.

Resolution number GB/2016/122

MOVED by Mayor LCM Brown, seconded by Cr R Clow:

That the Governing Body:

- o) accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 050-054 – City Centre and business zones, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.**

CARRIED

6.11.1 Recommendations on report to Auckland Council Hearing Topic 059 to 063 – Residential zones, July 2016

The motion was put in parts.

Resolution number GB/2016/123

MOVED by Mayor LCM Brown, seconded by Cr D Quax:

That the Governing Body:

- a) accept the recommendation of the Independent Hearings Panel in relation to:
A. amendments to the purpose of the Single House Zone.**

CARRIED

Resolution number GB/2016/124

MOVED by Cr CE Fletcher, seconded by Cr W Cashmore:

That the Governing Body:

- a) accept the recommendation of the Independent Hearings Panel in relation to:
B. that minor dwellings are provided for in the Single House Zone.**

CARRIED

Resolution number GB/2016/125

MOVED by Mayor LCM Brown, seconded by Cr MP Webster:

That the Governing Body:

- a) accept the recommendation of the Independent Hearings Panel in relation to:
C. the deletion of the density control in the Mixed Housing Suburban Zone.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr C Brewer, Cr ME Lee and Cr J Watson requested that their dissenting votes be recorded.

Resolution number GB/2016/126

MOVED by Cr MP Webster, seconded by Cr GS Wood:

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- D. the deletion of development standards relating to garages (percentage of front façade and set back) and dwellings fronting the street.**

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr AJ Anae	Cr C Casey	
Cr C Brewer	Cr R Clow	
Mayor LCM Brown	Cr C Darby	
Cr W Cashmore	Deputy Mayor PA Hulse	
Cr LA Cooper	Cr ME Lee	
Cr CE Fletcher	Cr WD Walker	
Cr DA Krum	Cr J Watson	
Cr CM Penrose		
Cr D Quax		
Cr SL Stewart		
Cr JG Walker		
Cr MP Webster		
Cr GS Wood		

The motion was declared CARRIED by 13 votes to 7.

CARRIED

Resolution number GB/2016/127

MOVED by Cr GS Wood, seconded by Cr J Watson:

POLICY MATTER

That the Governing Body:

- b) **reject the recommendation of the Independent Hearings Panel in relation to:**
- E. that Integrated Residential Developments are provided for as a Restricted Discretionary activity within the Single House Zone.**

Reasons for rejecting the recommendations are:

- **The assessment of this intensity of development in the Single House zone as a Restricted Discretionary activity is contrary to the stated purpose and associated objectives and policies of the zone**
 - **A full assessment as a Discretionary Activity is a more appropriate approach for the assessment of Integrated Residential Developments in the Single House zone.**
- c) **adopt the alternative solution associated with recommendation b) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr CE Fletcher requested that her dissenting vote be recorded.

Resolution number GB/2016/128

MOVED by Cr D Quax, seconded by Cr C Brewer:

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
F. the deletion of Retained Affordable Housing provisions.

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr AJ Anae	Mayor LCM Brown	
Cr C Brewer	Cr C Casey	
Cr W Cashmore	Cr R Clow	
Cr LA Cooper	Cr C Darby	
Cr CE Fletcher	Cr ME Lee	
Deputy Mayor PA Hulse	Cr WD Walker	
Cr DA Krum	Cr J Watson	
Cr CM Penrose		
Cr D Quax		
Cr SL Stewart		
Cr JG Walker		
Cr MP Webster		
Cr GS Wood		

The motion was declared CARRIED by 13 votes to 7.

Adjournment of meeting

Resolution number GB/2016/129

MOVED by Cr C Darby, seconded by Deputy Mayor PA Hulse:

That the Auckland Development Committee:

- a) **agree to adjourn the meeting until Friday, 12 August 2016 at 9.30am, in the Reception Lounge, Level 2, Auckland Town Hall.**

The meeting was adjourned at 5.17pm.

Minutes of a meeting of the Governing Body reconvened in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Friday, 12 August 2016 at 9.31 am.

PRESENT

Mayor	Len Brown, JP	
Deputy Mayor	Cr Penny Hulse	
Councillors	Cr Anae Arthur Anae	
	Cr Cameron Brewer	From 9.34am, Recommendation 6.11.1
	Cr Dr Cathy Casey	
	Cr Bill Cashmore	
	Cr Ross Clow	
	Cr Linda Cooper, JP	
	Cr Chris Darby	
	Cr Hon. Christine Fletcher, QSO	
	Cr Denise Krum	
	Cr Mike Lee	From 9.49am, Recommendation 6.11.1
	Cr Calum Penrose	Until 12.46pm, Recommendation 6.14.1 North
	Cr Dick Quax	
	Cr Sharon Stewart, QSM	
	Cr Sir John Walker, KNZM, CBE	
	Cr Wayne Walker	From 10.34am, Recommendation 6.13.1
	Cr John Watson	
	Cr Penny Webster	
	Cr George Wood, CNZM	

ABSENT

Cr Alf Filipaina

ALSO PRESENT

Andrew Baker	Franklin Local Board Chair
Shale Chambers	Waitematā Local Board Chair
Angela Dalton	Manurewa Local Board Chair
Graeme Easte	Albert-Eden Local Board Member
Peter Haynes	Albert-Eden Local Board Chair
Simon Randall	Maungakiekie-Tāmaki Local Board Chair
Lydia Sosene	Mangere Ōtāhuhu Local Board Chair
Mark Thomas	Ōrākei Local Board Member
Lisa Whyte	Upper Harbour Local Board Chair
Janet Fitzgerald	Hibiscus and Bays Local Board Member
Bill McEntee	Papakura Local Board Chair

Apologies

Resolution number GB/2016/130

MOVED by Mayor LCM Brown, seconded by Cr CM Penrose:

That the Governing Body:

- a) **accept the apology from Cr WD Walker for lateness.**

CARRIED

6.11.1 Recommendations on report to Auckland Council Hearing Topic 059 to 063 – Residential zones, July 2016 (continued)

Cr C Brewer entered the meeting at 9.34 am.

Cr ME Lee entered the meeting at 9.49 am.

Cr LA Cooper left the meeting at 9.50 am.

Resolution number GB/2016/131

MOVED by Deputy Mayor PA Hulse, seconded by Cr J Watson:

POLICY MATTER

That the Governing Body:

- d) **reject the recommendation of the Independent Hearings Panel in relation to:**
- G. The Panel has recommended amending the threshold for requiring resource consent from three or more dwellings to five or more dwellings in the Mixed Housing Suburban and Mixed Housing Urban zones (MHU).**

Reasons for rejecting the recommendation are:

- **The Panel's recommended controls manage the bulk and location of buildings to provide for privacy, daylight access, and ratio of buildings to open space. However, the recommended development controls do not manage quality residential outcomes such as:**
 - **amenity and safety of the street or public open spaces**
 - **the quality of building appearance, including modulation and articulation (e.g. the avoidance of large blank walls facing the street, parks or neighbouring properties)**
 - **the interrelationship between a number of amenity attributes including safety, daylight, sunlight, privacy, functionality, and visual amenity associated with multi-unit development**
- **Submitters who presented evidence at the hearing supported the two dwelling permitted threshold (i.e. resource consent required for three or more dwellings). These submitters included a broad cross-section of community groups and developers (Auckland 2040, Housing NZ, Property Council, Fletcher Residential, Herne Bay Residents Association, Todd Property and Ockham developments)**
- **No evidence was provided at the hearing stating that requiring a resource consent for three or four dwellings would be a disincentive to development**
- **There is a high risk that permitting four dwellings without resource consent will result in poor design outcomes, particularly at the street interface.**

- e) adopt the alternative solution associated with recommendation d) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Resolution number GB/2016/132

MOVED by Cr C Darby, seconded by Cr W Cashmore:

POLICY MATTER

That the Governing Body:

- f) reject the recommendation of the Independent Hearings Panel in relation to:
H. the deletion of the minimum dwelling size standard.

Reasons for rejecting the recommendation are:

- In the Residential zones it is considered that the minimum dwelling size standard should still be applied to developments of three or more dwelling units
 - The Building Act does not address social or design quality effects associated with small dwellings. It is therefore necessary to manage these through the district plan
 - Living environments associated with three or more dwelling units require internal living spaces which are functional and which provide for amenity to meet the day- to-day needs of residents
 - This will assist to maintain the social wellbeing of the community, support social cohesion and thereby support further intensification within urban environments as these areas become desirable places to live.
- g) adopt the alternative solution associated with recommendation f) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr C Brewer and Cr D Quax requested that their dissenting votes be recorded.

Cr LA Cooper returned to the meeting at 10.02 am.

MOVED by Cr JG Walker, seconded by Cr W Cashmore:

TECHNICAL MATTERS

That the Governing Body:

- h) reject the recommendation of the Independent Hearings Panel in relation to:
I. the deletion of front fence rule and deleting policies relating to streetscape from the Single House, Mixed Housing Suburban, Mixed Housing Urban and Terrace House and Apartment Building zones.

Reasons for rejecting the recommendations are:

- Permitting front fences up to 2.5m will result in poor streetscape outcomes.
 - This matter is not addressed in the Panel report and may be a drafting error given that the amenity of the street is still included in the residential zone objectives.
- i) adopt the alternative solution associated with recommendation h) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr C Brewer	Cr AJ Anae Mayor LCM Brown Cr C Casey Cr W Cashmore Cr R Clow Cr LA Cooper Cr C Darby Cr CE Fletcher Deputy Mayor PA Hulse Cr DA Krum Cr ME Lee Cr CM Penrose Cr D Quax Cr SL Stewart Cr JG Walker Cr J Watson Cr MP Webster Cr GS Wood	

The motion was declared LOST by 1 vote to 18.

Resolution number GB/2016/133

MOVED by Cr JG Walker, seconded by Cr W Cashmore:

That the Governing Body:

- j) **reject the recommendation of the Independent Hearings Panel in relation to:**
- J. **amending the Height in Relation to Boundary Controls in the Mixed Housing Suburban, Mixed Housing Urban and Terrace Housing and Apartment Building zones.**
- Reason for rejecting the recommendations is:**
- **The Alternative Height in Relation to Boundary Rule is more enabling than the Height in Relation to Boundary control and should be assessed as a Restricted Discretionary Activity.**
- k) **adopt the alternative solution associated with recommendation j) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**
- l) **reject the recommendation of the Independent Hearings Panel in relation to:**
- K. **amendments to apply the Height in Relation to Boundary Control and the Alternative Height in Relation to Boundary Control to the front boundary within the Terrace Housing and Apartment Building zone. The Height in Relation to Boundary adjoining lower intensity zones is recommended to apply to the front boundary within the Mixed Housing Urban zone and Terrace Housing and Apartment Building zone.**
- Reason for rejecting the recommendations is:**
- **Applying the Height in Relation to Boundary Control and the Alternative Height and Relation to Boundary Control to the road boundary will result in the upper floors of buildings being set back from the street, which is the part of the site most able to absorb the effects of additional building bulk and where outlook is available.**

- m) adopt the alternative solution associated with recommendation l) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.
- n) reject the recommendation of the Independent Hearings Panel in relation to:
- L. the deletion of a standard relating to reticulated water supply and wastewater network capacity and moving the matter to assessment criteria.
- Reasons for rejecting the recommendations are:
- The recommended assessment criteria relating to on site wastewater systems appears to be a drafting error, as this is applied to zones that do not rely on on-site wastewater systems.
 - The criteria as drafted could create issues for Watercare as some applicants may think they can build septic tank systems within serviced urban areas, contrary to legislation.
 - It is important to allow for an assessment of wastewater network capacity for multi-unit developments.
- o) adopt the alternative solution associated with recommendation n) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.
- p) reject the recommendation of the Independent Hearings Panel in relation to:
- M. the deletion of the definition of building coverage.
- Reason for rejecting the recommendation is:
- The definition of building coverage in the Proposed Auckland Unitary Plan clarified that eaves of buildings are not included in the calculation of building coverage. The deletion of the definition would result in the inclusion of eaves in the coverage calculation which may discourage the provision of eaves.
- q) adopt the alternative solution associated with recommendation p) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Resolution number GB/2016/134

MOVED by Cr C Darby, seconded by Deputy Mayor PA Hulse

That the Governing Body:

- s) will consider rejecting, if further advice from staff, before the end of the meeting, provides appropriate reasons for rejection and a possible alternative (being council's closing position at the Independent Hearings Panel's hearings) the recommendations relating to the deletion of front fence rule and deleting policies relating to streetscape from the Single House, Mixed Housing Suburban, Mixed Housing Urban and Terrace House and Apartment Building zones, which the Governing Body.

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr C Brewer requested that his dissenting vote be recorded.

Note: Recommendation r) below was deferred to be revisited with Topic I - the deletion of front fence rule and deleting policies relating to streetscape from the Single House, Mixed Housing Suburban, Mixed Housing Urban and Terrace House and Apartment Building zones.

That the Governing Body:

- r) accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled "Report to Auckland Council Hearing Topic 059 to 063 – Residential zones, July 2016" as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.

Note: Item 6.4.1 - Recommendations on Report to Auckland Council Hearings Topic 011 Rural Environment July 2016 was dealt with at the same time as Item 6.12.1 - Recommendations on Report to Auckland Council Hearing Topic 064 – Subdivision - rural, July 2016.

6.4.1 Recommendations on Report to Auckland Council Hearings Topic 011 - Rural Environment July 2016.

Cr W Cashmore declared an interest in Item 6.4.1 and left the table at 10.12am.

Cr CE Fletcher declared an interest in Item 6.4.1 and left the table at 10.20am.

Resolution number GB/2016/135

MOVED by Cr MP Webster, seconded by Cr D Quax:

That the Governing Body:

- a) **accept the recommendations of the Independent Hearings Panel in relation to:**
- A. the deletion of the objective on security of food supply.**
 - B. including Landscape and Biodiversity values in the Regional Policy Statement Rural Objectives.**
 - C. a different management approach for prime soils to the management approach for elite soils.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr M Lee requested that his dissenting vote against A and C be recorded.

Resolution number GB/2016/136

MOVED by Cr C Darby, seconded by Cr LA Cooper:

POLICY MATTER

That the Governing Body:

- b) **reject the recommendation of the Independent Hearings Panel in relation to:**
- D. deleting objectives and policies for rural subdivision that:**
 - Prevent inappropriate subdivision**
 - Promote the significant enhancement of indigenous biodiversity**
 - Facilitate transfer of titles only into the Countryside living zone.**

Reasons for rejecting the recommendation are:

The Panel's recommended approach would:

- Enable inappropriate subdivision of the rural area through a proliferation of rural-residential lots across the production focussed rural zones (resulting in loss of rural production, reverse sensitivity, rural character and amenity and potential additional demands on infrastructure in remote locations)
 - Undermine the Auckland Plan's strategic direction for rural areas
 - Does not support the concept of the compact city that inherently has as a benefit the retention and protection of rural areas (rather than their subdivision for rural-residential uses)
 - Undermine focus of rural lifestyle living in the Countryside Living zone.
- c) adopt the alternative solution associated with recommendation b) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr AJ Anae	Cr C Brewer	
Mayor LCM Brown	Cr DA Krum	
Cr C Casey	Cr D Quax	
Cr R Clow	Cr SL Stewart	
Cr LA Cooper	Cr MP Webster	
Cr C Darby	Cr GS Wood	
Deputy Mayor PA Hulse		
Cr ME Lee		
Cr CM Penrose		
Cr JG Walker		
Cr J Watson		

The motion was declared CARRIED by 11 votes to 6.

CARRIED

Resolution number GB/2016/137

MOVED by Mayor LCM Brown, seconded by Cr C Darby:

That the Governing Body:

- d) accept all the other recommendations of the Independent Hearings Panel as contained in the Panel report entitled "Report to Auckland Council Hearing Topic 011 – Rural Environment, July 2016" as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.

CARRIED

**6.12.1 Recommendation on Report to Auckland Council Hearing Topic 064 –
Subdivision - rural, July 2016**

Cr W Cashmore and Cr CE Fletcher had declared an interest in Item 6.12.1 and were not at the table for this item.

Resolution number GB/2016/138

MOVED by Cr C Darby, seconded by Cr ME Lee:

POLICY MATTER

That the Governing Body:

a) reject the recommendation of the Independent Hearings Panel in relation to

A. the inclusion of objectives, policies and rules that enable sporadic and scattered rural subdivision

Reasons for rejecting the recommendation are:

- **The Panel's recommended provisions will enable inappropriate subdivision of the rural area through a proliferation of rural-residential lots across the production focussed rural zones (resulting in loss of rural production, reverse sensitivity, rural character and amenity and potential additional demands on infrastructure in remote locations).**
- **The provisions undermine the Auckland Plan's strategic direction for the rural areas.**
- **The provisions do not support the concept of the compact city that inherently has as a benefit the retention and protection of rural areas (rather than their subdivision for rural-residential uses).**
- **The provisions do not make it clear that the focus of rural lifestyle living is the Countryside Living zone.**

b) adopt the alternative solution associated with recommendation a) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

c) reject the recommendation of the Independent Hearings Panel in relation to:

B. the inclusion of provisions that allow for minimal environmental benefits to be accepted in exchange for rural-residential subdivision.

Reasons for rejecting the recommendation are:

- **The provisions would enable potentially inappropriate subdivision of the rural area with the minimal environmental gains.**
- **The provisions enable subdivision of sites with Significant Ecological Area (SEA) factors as opposed to identified SEAs. The SEA factors are not suitable to be used for rural subdivision assessment as they:**
 - i. Were made for a different purpose (assessing significance for vegetation protection – not for assessing whether the ecological value of an area would mitigate rural subdivision).**
 - ii. Were designed to be applied in a single, comprehensive manner across the region, not in isolation on a case by case basis. Site by site assessment in isolation will result in over-estimation of the significance of sites.**

- The provisions will enable a potentially significant increase in the number of rural-residential lots that can be generated (particularly in relation to wetland and revegetation planting subdivision).
- d) adopt the alternative solution associated with recommendation c) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr AJ Anae	Cr C Brewer	
Mayor LCM Brown	Cr CM Penrose	
Cr C Casey	Cr D Quax	
Cr R Clow	Cr SL Stewart	
Cr LA Cooper	Cr MP Webster	
Cr C Darby	Cr GS Wood	
Deputy Mayor PA Hulse		
Cr DA Krum		
Cr ME Lee		
Cr JG Walker		
Cr J Watson		

The motion was declared CARRIED by 11 votes to 6.

CARRIED

Resolution number GB/2016/139

MOVED by Mayor LCM Brown, seconded by Cr R Clow:

POLICY MATTER

That the Governing Body:

- e) reject the recommendation of the Independent Hearings Panel in relation to:

C. absence in recommending specific site sizes for Countryside Living subdivision in the Caldwell's Road area in Whitford.

Reasons for rejecting the recommendation are:

- The minimum site size for the Caldwell's Road area was agreed with the submitter (Camperdown Holdings Limited) during the hearings process as an appropriate alternative mechanism to a Precinct.
 - The panel's report is silent on this matter and it may be an omission.
- f) adopt the alternative solution associated with recommendation e) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Resolution number GB/2016/140

MOVED by Mayor LCM Brown, seconded by Deputy Mayor PA Hulse:

That the Governing Body:

- g) accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled "Report to Auckland Council Hearing Topic 064 – Subdivision - rural, July 2016" as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.

CARRIED

**6.13.1 Recommendations on report to Auckland Council Hearing Topic 075 –
Waitakere Ranges, July 2016**

Cr LA Cooper and Cr R Clow declared an interest in Item 6.13.1 and left the meeting at 10.34am.

Cr WD Walker entered the meeting at 10.34 am.

Cr W Cashmore returned to the table at 10.34 am.

Cr CE Fletcher returned to the table at 10.34 am.

Resolution number GB/2016/141

MOVED by Cr W Cashmore, seconded by Cr MP Webster:

POLICY AND TECHNICAL MATTERS

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- A. replacing prohibited activity status with non-complying activity status for subdivision in the Waitakere Ranges Heritage Area Overlay.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Deputy Mayor PA Hulse, Cr C Casey and Cr M Lee requested that their dissenting votes be recorded.

Resolution number GB/2016/142

MOVED by Cr W Cashmore, seconded by Cr MP Webster:

That the Governing Body:

- a) **accept the recommendations of the Independent Hearings Panel in relation to:**
- B. deleting the over-arching Waitakere Ranges Heritage Area precinct and replacing it with a new overlay.**
- C. conversion of precincts into two new rural zones – the Waitakere Ranges zone and the Waitakere Ranges Foothills zone.**
- D. rezoning of areas previously subject to precincts and relying instead on the underlying core PAUP zone.**

CARRIED

Note: Recommendation a) E. below, was deferred and considered on Monday 15 August 2016.

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- E. removal of some activities where they are managed by bylaws, where they are unnecessary or where they are managed by other rules.**

Resolution number GB/2016/143

MOVED by Deputy Mayor PA Hulse, seconded by Cr W Cashmore:

TECHNICAL MATTER

That the Governing Body:

- b) **reject the recommendation of the Independent Hearings Panel in relation to:**
- F. double-tagging [rp/dp] the activity tables in the Rural – Waitakere Ranges Foothills zone and the Rural – Waitakere Ranges zone sites.**

Reasons for rejecting the recommendation are:

- **As a result of the Panel's recommendations, the activity tables for both of the recommended new zones is now a Regional Plan rule or an unspecific part of the activity table is a Regional Plan rule, which leads to uncertain interpretation**
 - **Activities tagged as "rp" but which do not relate to functions of a regional council are arguably ultra vires**
 - **Tagging the entire activity table will result in significant consequences for landowners generally and requiring authorities in particular.**
- c) **adopt the alternative solution associated with recommendation b) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**

CARRIED

Note: Recommendation d) below was deferred and considered on Monday 15 August 2016.

That the Governing Body:

- d) accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled "Report to Auckland Council Hearing Topic 075 – Waitakere Ranges, July 2016" as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.

The meeting was adjourned at 10.50am reconvened at 11.07am

Cr SL Stewart left the meeting at 10.50 am
Cr LA Cooper returned to the meeting at 11.07 am.
Cr R Clow returned to the meeting at 11.07 am.

6.14.1 Recommendations on report to Auckland Council Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in the SOUTH)

Cr AJ Anae declared an interest in Item 6.14.1 and left the table at 11.08am.

Cr CE Fletcher declared an interest in Item 6.14.1 B. and C., and left the table at 11.10am.

Cr Stewart returned to the meeting 11.10 am

Resolution number GB/2016/144

MOVED by Mayor LCM Brown, seconded by Cr CM Penrose:

POLICY MATTER

That the Governing Body:

- a) **accept the recommendations of the Independent Hearings Panel in relation to:**
- B. extension of the Rural Urban Boundary to include Pararēkau and Kopuahingahinga Islands.**
 - C. rezone Pararekau (northern) Island from Countryside Living to Single House.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr C Casey requested her dissenting vote against be recorded.

Cr CE Fletcher returned to the table at 11.16 am.

Resolution number GB/2016/145

MOVED by Cr CE Fletcher, seconded by Cr C Darby:

That the Governing Body:

b) reject the recommendation of the Independent Hearings Panel in relation to:

A. removal of the Rural Urban Boundary at Crater Hill and Pukaki Peninsula, Puhinui.

Reasons for rejecting the recommendation are:

- **The Crater Hill area is not suitable for urban development because it lies within the Outstanding Natural Feature (ONF) overlay, it is a significant geological feature and has significant cultural heritage and landscape value to Mana Whenua. It also contains prime soils.**
- **The Pukaki Peninsula is not suitable for urban development because it has significant cultural heritage and landscape value to Mana Whenua, lies partly within the ONF overlay for Pukaki Crater, and contains significant areas of elite soils, all of which would be extensively compromised by urban development.**
- **Part of the Pukaki Peninsula is under the proposed High Aircraft Noise Area (HANA) and Moderate Aircraft Noise Area (MANA) for the future northern runway as proposed by Auckland International Airport. These noise areas restrict the establishment of urban activities sensitive to aircraft noise such as dwellings.**

c) adopt the alternative solution associated with the above recommendation b) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Mayor LCM Brown	Cr C Brewer	
Cr C Casey	Cr W Cashmore	
Cr R Clow	Cr LA Cooper	
Cr C Darby	Cr DA Krum	
Cr CE Fletcher	Cr CM Penrose	
Deputy Mayor PA Hulse	Cr D Quax	
Cr ME Lee	Cr SL Stewart	
Cr WD Walker	Cr JG Walker	
Cr J Watson	Cr GS Wood	
Cr MP Webster		

The motion was declared **CARRIED** by 10 votes to 9

CARRIED

Cr SE Stewart declared an interest in Item Item 6.14.1, recommendation d) and left the table at 11.24am.

MOVED by Cr C Darby, seconded by Mayor LCM Brown:

That the Governing Body:

- d) reject the recommendation(s) of the Independent Hearings Panel in relation to:
- D. the underlying zoning of Clevedon Waterways to be changed from the Rural Coastal zone to Rural Settlement, Neighbourhood Centre and Informal Recreation zones and a new precinct.

Reasons for rejecting the recommendation are:

- The addition of the precinct and changes to zoning enables development that will have significant adverse cultural effects. It is not consistent with the Regional Policy Statement Mana Whenua provisions, is inconsistent with sections 6(e) and 7(a) of the Resource Management Act 1991, and does not address the Deed of Settlement between Nga Tai and the Crown (7 November 2015) which identifies the Wairoa River as a Statutory Acknowledgement area.
 - The recommended precinct provisions are considered inadequate in recognising and addressing cultural matters, there is no direct provision in the precinct for the active involvement of Mana Whenua in sustainable management and overall the precinct provisions do not promote a meaningful participation of Nga Tai.
 - The recommended precinct provisions and recommended zoning do not give effect to the New Zealand Coastal Policy Statement, and are inconsistent with Part 2 of the Resource Management Act 1991 with respect to having significant adverse effects on natural character, the coastal environment, landscape and amenity.
 - The proposed precinct will introduce a substantial urban element which will break through the coastal edge of the site, impacting adversely on the natural character of the site, its river margins and the coastal environment beyond the site.
 - The precinct is also considered to result in adverse effects on water quality. The recommended precinct provisions do not adequately address the concerns raised in the Council's evidence regarding potential antifouling / water quality effects.
 - Concerns are also held that the precinct provisions address a number of matters which are not considered to be 'resource management' issues. Objectives and policies include the establishment and on-going responsibilities of a body corporate.
- e) adopt the alternative solution associated with recommendation d) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Mayor LCM Brown	Cr C Brewer	
Cr C Casey	Cr W Cashmore	
Cr C Darby	Cr R Clow	
Deputy Mayor PA Hulse	Cr LA Cooper	
Cr ME Lee	Cr CE Fletcher	
Cr JG Walker	Cr DA Krum	
Cr WD Walker	Cr CM Penrose	
Cr J Watson	Cr D Quax	
	Cr MP Webster	
	Cr GS Wood	

The motion was declared LOST by 8 votes to 10.

Cr SL Stewart returned to the table at 11.33 am.

Resolution number GB/2016/146

MOVED by Cr C Casey, seconded by Cr R Clow:

That the Governing Body:

- g) agree that staff be requested to ensure that any future structure planning of the Future Urban Zone in the Mangere Gateway Precinct must address the significant cultural values of the area.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr D Quax and Cr C Brewer requested that their dissenting votes be recorded.

Cr SL Stewart declared an interest in Item 6.14.1 recommendation f) and left the table at 11.41 am.

Resolution number GB/2016/147

MOVED by Deputy Mayor PA Hulse, seconded by Mayor LCM Brown:

That the Governing Body:

- f) accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in the SOUTH)” as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps for the South area, except for the decisions above.**

CARRIED

Notes: Pursuant to Standing Order 1.8.6, Cr D Quax that his dissenting vote regarding ‘rezoning to Mixed Housing Urban’, as per the 24 February 2016 Governing Body meeting be recorded.

Cr SL Stewart returned to the table at 11.43 am.

Cr AJ Anae returned to the table at 11.43 am.

6.14.1 Recommendations on report to Auckland Council Hearing Topic 080 - Rezoning and precincts (General), and 081 - Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in the WEST)

Cr LA Cooper and Cr R Clow declared an interest in Item 6.14.1 and left the table at 11.43am.

Cr SL Stewart left the meeting at 11.47 am.

Resolution number GB/2016/148

MOVED by Deputy Mayor PA Hulse, seconded by Cr MP Webster:

POLICY MATTER

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- E. extension of the Rural Urban Boundary into the Waitakere Ranges Heritage Area and Waitakere Foothills Zone at the following locations:**
- **7–11 Christian Road, Swanson (rezone to Residential – Large Lot)**
 - **112 Simpson Road, Henderson Valley (rezone to Residential - Single House)**
 - **121-123 Parrs Cross Road, Oratia (rezone to Residential - Single House)**
- b) **reject the recommendation of the Independent Hearings Panel in relation to:**
- F. no mechanisms within the Redhills precinct relating to the provision of transport infrastructure.**
- Reason for rejecting the recommendation is:**
- **While the urban zoning and the creation of a precinct is accepted, the specific provisions relating to transport infrastructure provision need to be revised, and associated text amended to clarify the transport requirements for Redhills, both within the area and in the context of the wider transport networks.**
- c) **adopt the alternative solution associated with recommendation b) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**
- d) **reject the recommendation of the Independent Hearings Panel in relation to:**
- G. no indicative roading pattern required to achieve an effective transport network in the Westgate Precinct.**
- Reason for rejecting the recommendation is:**
- **While the Council supports the removal of sub-precinct F, its removal has had the effect of deleting the indicative roading pattern for this part of Westgate. The indicative roading pattern is vital to achieve an efficient and effective transport network, and should therefore should be re-included in the precinct. As a consequence, text in the precinct requires amendment to correctly reference the re-instated indicative roads.**
- e) **adopt the alternative solution associated with recommendation d) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**

CARRIED

Cr SL Stewart returned to the meeting at 11.51 am.

Resolution number GB/2016/149

MOVED by Mayor LCM Brown, seconded by Deputy Mayor PA Hulse:

That the Governing Body:

- f) **accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in the WEST)” as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps for the West area, except for the decisions above.**

CARRIED

6.14.1 Recommendations on report to Auckland Council Topic 080 - Rezoning and precincts (General), and 081 - Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in RODNEY)

Cr R Clow returned to the table at 11.51 am.

Cr LA Cooper returned to the table at 11.51 am.

Cr C Darby left the meeting at 11.51am.

Cr J Watson declared an interest for Item 6.14.1 and left the table at 11.51am.

Resolution number GB/2016/150

MOVED by Cr MP Webster, seconded by Cr LA Cooper:

POLICY MATTER

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- H. extension to the Rural Urban Boundary in the following areas:**
- **North of Hatfields Beach**
 - **West of Orewa from the Grand Drive motorway interchange and south to Wainui**
 - **Pine Valley Road area**
 - **Land at the intersection of Kahikatea Flat Road and Dairy Flat Highway**
 - **Dairy Flat east of the motorway to include an area around and to the north of the Penlink designation.**

CARRIED

Cr C Brewer declared an interest in Item 6.14.1 a) N. and left the table at 11.57am.

Resolution number GB/2016/151

MOVED by Cr MP Webster, seconded by Cr LA Cooper:

That the Governing Body:

- a) **accept the recommendations of the Independent Hearings Panel in relation to:**
- I. **Rezoning of part of the Wainui Future Urban zone to urban zones.**
 - K. **Extension to the Rural Urban Boundary in the following areas:**
 - **North-East of Warkworth comprising 180 ha of land east of Matakana Road, and on both sides of Sandspit Road**
 - **West of Warkworth, Future Urban zoning has been extended to the alignment of the Puhoi to Warkworth Motorway designation on the western side of the Mahurangi River and the Viv Davie Drive and Francis Place country side living area.**
 - L. **Rezoning of Warkworth Future Urban zones to live zones (Light Industry and General Business):**
 - **Warkworth North bounded by the Showgrounds, Great North Road and Goatley Road rezoned to Light Industry**
 - **Warkworth West on the corner of Hudson Road and Great North Road rezoned to General Business.**
 - N. **the deletion of the Riverhead 2 and Riverhead 4 precincts and the rezoning of part of the land (389ha), adjoining Riverhead, under the former precinct rezoned from Future Urban Zone to Rural - Countryside Living Zone.**
 - O. **the addition of a new precinct at Hatfields Beach.**
 - W. **the deletion of the Gulf Harbour precinct and the rezoning of areas from Mixed Housing Suburban zone to Terraced Housing and Apartment Buildings zone.**

CARRIED

Cr Brewer returned to the table at 12.02 pm.

Resolution number GB/2016/152

MOVED by Cr MP Webster, seconded by Cr LA Cooper:

That the Governing Body:

- b) **reject the recommendation of the Independent Hearings Panel in relation to:**
- J. **no mechanisms within the new Wainui precinct for the provision of transport infrastructure.**
- Reason for rejecting the recommendation is:**
- **The specific provisions should be amended to clarify that wider transport network upgrades and staged development may be necessary. The principal reason that these amendments are required is that the evidence presented by the Council to the Panel demonstrates the Wainui precinct has transport infrastructure constraints including the need to connect to an already at or very near capacity transport network. A range of significant projects, including upgrades to State Highway 1 that are currently unplanned and unfunded, may be required to service development within the precinct.**

- c) adopt the alternative solution associated with recommendation b) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.
- d) reject the recommendation of the Independent Hearings Panel in relation to:
- M. the rezoning of the Kumeu Showgrounds from Mixed Rural to Countryside Living.
- Reasons for rejecting the recommendation are:
- The resulting change in underlying zoning has resulted in many activities provided for under the Kumeu District Agricultural and Horticultural Society Act 1991, which align with the objectives of the Society, being given a more restrictive activity status. This undermines the objectives of both the precinct and the Society
 - The Society was the only submitter on the precinct. The Society sought inclusion of the precinct to provide for the activities enabled by the Kumeu District Agricultural and Horticultural Society Act 1991.
- e) adopt the alternative solution associated with recommendation d) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Cr MP Webster declared an interest in Item 6.14.1 recommendation f) P. and left the table at 12.05pm.

Resolution number GB/2016/153

MOVED by Cr GS Wood, seconded by Cr LA Cooper:

That the Governing Body:

- f) reject the recommendation of the Independent Hearings Panel in relation to:
- P. the application of the Large Lot zone at 47-61 Dawson Road, Snells Beach
- Reasons for rejecting the recommendation are:
- The land at 47-61 Dawson Road has very recently been rezoned to Medium Intensity Residential in the Operative Auckland Council District Plan (Rodney Section) as part of Private Plan Change 179.
 - The Medium Intensity Residential in the Operative Auckland Council District Plan (Rodney Section) is most directly equivalent to the Single House zone.
 - Any wastewater and stormwater management issues and urban design and landscaping matters can be adequately addressed by the Single House zone and Auckland-wide standards.
- g) adopt the alternative solution associated with recommendation f) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Cr C Darby had declared an interest in Item 6.14.1 recommendation h) and was not at the table for this item.

Cr WD Walker declared an interest in Item 6.14.1 recommendation h) and left the table at 12.07pm.

Cr MP Webster returned to the table at 12.07pm.

Resolution number GB/2016/154

MOVED by Mayor LCM Brown, seconded by Deputy Mayor PA Hulse:

That the Governing Body:

h) accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 (recommendations in RODNEY)” as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps for the Rodney area, except for the decisions above.

CARRIED

6.14.1 Recommendations on report to Auckland Council Hearing Topic 080 - Rezoning and precincts (General), and 081- Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in the NORTH)

Cr AJ Anae declared a conflict for Item 6.14.1 NORTH and left the table at 12.10pm.

Cr DA Krum declared an interest in Item 6.14.1 recommendations a) Q. and R. and b) S. and left the table at 12.10pm.

The motion was taken in parts.

Cr C Darby returned to the table at 12.10 pm.

Cr WD Walker returned to the table at 12.10 pm

Cr J Watson returned to the table at 12.10 pm.

Deputy Mayor PA Hulse left the meeting at 12.13 pm.

Cr MP Webster left the meeting at 12.18 pm.

Deputy Mayor PA Hulse returned to the meeting at 12.21 pm.

Cr MP Webster returned to the meeting at 12.32 pm.

Cr CM Penrose retired from meeting at 12.46 pm.

MOVED by Mayor LCM Brown, seconded by Cr SL Stewart:

POLICY MATTER

That the Governing Body:

- a) accept the recommendations of the Independent Hearings Panel in relation to:
- Q. extension of the Rural Urban Boundary north of the Vaughans Road ridgeline into the Okura catchment at a location to the east of Okura village.
 - R. the application of a new precinct to the land north of Vaughans Road, Okura and rezoning approximately 130ha of land from Countryside Living to Mixed Housing Suburban, Large Lot, Open Space Conservation and Open Space – Informal Recreation.

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Mayor LCM Brown	Cr C Brewer	
Cr W Cashmore	Cr C Casey	
Cr D Quax	Cr R Clow	
Cr MP Webster	Cr LA Cooper	
	Cr C Darby	
	Cr CE Fletcher	
	Deputy Mayor PA Hulse	
	Cr ME Lee	
	Cr SL Stewart	
	Cr JG Walker	
	Cr WD Walker	
	Cr J Watson	
	Cr GS Wood	

The motion was declared LOST by 4 votes to 13.

Resolution number GB/2016/155

MOVED by Mayor LCM Brown, seconded by Cr WD Walker:

That the Governing Body:

k) consider rejecting recommendations relating to the:

- **extension of the Rural Urban Boundary north of the Vaughans Road ridgeline into the Okura catchment at a location to the east of Okura village**
- **the application of a new precinct to the land north of Vaughans Road, Okura and rezoning approximately 130ha of land from Countryside Living to Mixed Housing Suburban, Large Lot, Open Space Conservation and Open Space – Informal Recreation;**

if further advice from staff, before the end of the meeting, provides appropriate reasons for rejection and a possible alternative (being council's closing position at the Independent Hearings Panel's hearings).

CARRIED

Note: Recommendation b) S. and c) below, were deferred and considered on Monday 15 August 2016.

That the Governing Body:

b) reject the recommendation of the Independent Hearings Panel in relation to:

- S. no mechanisms within the new Okura precinct for the provision of transport infrastructure; and no detail of how the spatial extent of sub-precincts A and B apply to the land.

Reasons for rejecting the recommendation are:

- The recommended Okura Precinct does not include appropriate provisions to address transportation infrastructure requirements.
- Special information requirements for an Integrated Transport Assessment to identify the appropriate transport infrastructure / staging of wider network improvements that will be required to service the urbanisation, and associated amendments to the objectives, policies, and rules are required as a result of the evidence presented to the Panel by the Council and submitters.

- A joint statement about the transport infrastructure issues was prepared by the Council's and Okura Holdings Limited's transportation experts. The joint statement identifies that significant upgrades to the road network that currently have no committed funding, will be required to service the residential development proposed in the Okura precinct.
 - Where significant transport infrastructure upgrades are likely to be required to service development there should be the inclusion of precinct provisions to ensure that subdivision and development is restricted until the necessary infrastructure is available. This is required to give effect to the Regional Policy Statement and to ensure that the potential adverse traffic effects of the proposed development in the Okura precinct are adequately avoided, remedied and mitigated.
 - The precinct text refers to Sub-precinct A and Sub-precinct B, but there are no sub-precincts identified in either the of the two precinct plans, nor identified in the GIS viewer. The spatial extent of the sub-precincts needs to be clarified for the precinct provisions to be workable.
- c) adopt the alternative solution associated with recommendation b) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

Cr DA Krum returned to the table at 12.58pm.

Resolution number GB/2016/156

MOVED by Mayor LCM Brown, seconded by Cr R Clow:

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- V. the deletion of the Milford 2 precinct.**

CARRIED

Resolution number GB/2016/157

MOVED by Mayor LCM Brown, seconded by Cr GS Wood:

- d) **reject the recommendation of the Independent Hearings Panel in relation to:**
- T. the deletion of the Akoranga precinct and reliance upon the Auckland University of Technology (AUT) designation (Designation 6010).**

Reasons for rejecting the recommendation are:

- **The removal of the precinct removes important enabling aspects and controls that were important to the ongoing use of the site.**
- **The inclusion of the precinct will ensure integrated development of the precinct, particularly in the instance that the land is not needed by Auckland University of Technology.**
- **The precinct provides for a range of activities within the site, including complementary tertiary activities which are not accessory to tertiary education and, therefore, are not provided for by the designation. It also enables additional building height which is important to support the development within the precinct.**
- **The provisions proposed to be included in the precinct will enable potential adverse effects on the amenity and function of nearby town centres of Northcote and Takapuna and on the local road network to be considered through more directive assessment enabled by the inclusion of the precinct.**

- e) adopt the alternative solution associated with recommendation d) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Resolution number GB/2016/158

MOVED by Cr GS Wood, seconded by Cr C Darby:

That the Governing Body:

- f) reject the recommendation of the Independent Hearings Panel in relation to:
- U. the deletion of the Takapuna 2 precinct and reliance upon the provisions of the underlying zones (Terraced House and Apartment Buildings and Business – Metropolitan).

Reasons for rejecting the recommendation are:

- Deletion of the precinct means that less intensive development is provided for, contrary to the intent of the Panel's recommendation to provide for intensification around the Takapuna metropolitan centre.
- It is also contrary to the recommended provisions of the RPS, and is inconsistent with the application of Height Variation Controls across the rest of the Terrace Housing and Apartment Building zone surrounding the Takapuna Metropolitan Centre.

- g) adopt the alternative solution associated with recommendation f) and accompanying section 32AA reports (where provided), with the height variation control being 22.5 metres not 20.5 metres, which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Motion

Resolution number GB/2016/159

MOVED by Mayor LCM Brown, seconded by Cr W Cashmore:

That the Governing Body:

- a) acknowledge the departure of Cr CM Penrose at 12.46 pm.

CARRIED

The meeting was adjourned at 1.04 pm and reconvened at 1.58 pm.

Cr C Brewer, Cr R Clow, Cr LA Cooper, Cr DA Krum and Cr WD Walker were not present.

Cr C Brewer, Cr LA Cooper and Cr DA Krum returned to the meeting at 2.01 pm.

Deputy Mayor PA Hulse left the meeting at 2.02 pm.

Cr CE Fletcher left the meeting at 2.02 pm.

Note: Recommendations h) Y. and i), below, relating to Bayswater Marina Precinct, raised by Cr C Darby, were deferred pending further information, to be provided on Monday 15 August 2016.

TECHNICAL MATTER

NORTH – BAYSWATER MARINA PRECINCT

That the Governing Body:

h) reject the recommendation of the Independent Hearings Panel in relation to:

Y. The Panel recommends that in the Bayswater Marina precinct various requirements must be met in only sub-precinct B before ‘dwellings’ and ‘food and beverage’ are a discretionary activity.

Reasons for rejecting the recommendation are:

- The omission of reference to sub-precinct A substantially changes the way in which the provisions would work. This is an issue as the controls were devised based on both sub-precincts. It was made clear at the hearing that some of the 7,200m² open space would be located within sub-precinct A. If the controls were to apply to only sub-precinct B, different threshold values would be used.
- There is substantial marina parking already located in sub-precinct A. There is no apparent justification for requiring that this parking be moved to the inland part of the site as will occur if the 0.5 spaces per marina berth requirement applies to only sub-precinct B.

i) adopt the alternative solution associated with recommendation h) and accompanying section 32AA reports (where provided), which were tabled at the Governing Body meeting.

Cr DA Krum declared an interest in Item 6.14.1 NORTH recommendation j) and left the table at 2.03pm.

Resolution number GB/2016/160

MOVED by Mayor LCM Brown, seconded by Cr GS Wood:

That the Governing Body:

j) accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in the NORTH)” as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps for the North area, except for the decisions above.

CARRIED

Cr DA Krum returned to the table at 2.04 pm.

6.14.1 Recommendations on report to Auckland Council Hearing Topic 080 - Rezoning and precincts (General), and 081- Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in CENTRAL)

Cr R Clow and Cr CE Fletcher returned to the meeting at 2.07 pm.

Cr C Darby left the meeting at 2.09 pm.

Deputy Mayor PA Hulse returned to the meeting at 2.15 pm.

Cr C Darby returned to the meeting at 2.23 pm.

Cr AJ Anae left the meeting at 2.26 pm.

Resolution number GB/2016/161

MOVED by Mayor LCM Brown, seconded by Cr SL Stewart:

POLICY MATTER

That the Governing Body:

a) reject the recommendation of the Independent Hearings Panel in relation to:

X. deletion of the Sylvia Park precinct and reliance on the underlying Metropolitan Centre zone.

Reasons for rejecting the recommendation are:

- **Sylvia Park has undergone a recent plan change which incorporates the most up to date provisions that provide for the ongoing development and operation of the site as well as site-specific development and land-use standards. A number of provisions in the precinct are more enabling and cannot be controlled by overlays.**
- **Removing the precinct provisions removes the delivery of three separate height areas that provide a more granular approach to bulk on the site.**
- **Removing the precinct provisions also removes specific information requirements.**
- **In removing the precinct, Appendix 11.2.2 Sylvia Park is also deleted and this contains statutory provisions that form an interrelated and fundamental part of the precinct.**
- **Retaining the precinct will ensure a better overall outcome for the long-term development of Sylvia Park.**

b) adopt the alternative solution associated with recommendation a) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr DA Krum and Cr Brewer requested that their dissenting votes be recorded.

Note: Recommendation 6.14.1 CENTRAL c), below, relating to the zoning of 32-34 Wood Street, Freemans Bay, raised by Cr ME Lee, was deferred pending further information, to be provided on Monday 15 August 2016.

That the Governing Body:

- c) consider rejecting the recommendation relating to the:
- zoning of 32-34 Wood Street, Freemans Bay
- if further advice from staff, before the end of the meeting, provides appropriate reasons for rejection and a possible alternative.

Cr C Darby, and Cr CE Fletcher declared an interest in Item 6.14.1 CENTRAL recommendation d) and left the table at 2.30pm.

Resolution number GB/2016/162

MOVED by Mayor LCM Brown, seconded by Cr LA Cooper:

That the Governing Body:

- d) **accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in CENTRAL)” as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps for the Central area, except for the decisions above.**

CARRIED

Note: Pursuant to Standing Order 1.8.6 Cr C Brewer, Cr DA Krum and Cr ME Lee requested that their dissenting votes be recorded.

PART D

Cr CE Fletcher and Cr C Darby returned to the table at 2.31 pm.

Cr AJ Anae returned to the meeting at 2.31 pm.

7.1.1 Recommendations on report to Auckland Council Topic – 022 Natural hazards and flooding and 026 General others, July 2016

Resolution number GB/2016/163

MOVED by Deputy Mayor PA Hulse, seconded by Cr R Clow:

TECHNICAL MATTERS

That the Governing Body:

- a) **accept the recommendation of the Independent Hearings Panel in relation to:**
- A. changes to the status of activities within Flood Hazard areas.**
- b) **reject the recommendation of the Independent Hearings Panel in relation to:**
- B. replacing the one per cent annual exceedance probability (AEP) flood hazard with the two per cent annual exceedance probability (AEP) flood hazard in urban areas.**

Reasons for rejecting the recommendation are:

- The one per cent annual exceedance probability (AEP) flood hazard is identified as posing a level of risk warranting management in the Auckland region. This was supported by the majority of relevant experts during the hearing process.
- Off-site effects - the displacement of flood waters onto adjoining properties from buildings in floodplains, and changes to flood depths and velocities experienced by upstream and downstream properties. These are matters that go beyond the Building Code.

c) adopt the alternative solution associated with recommendation b) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

d) reject the recommendation of the Independent Hearings Panel in relation to:

C. No controls for buildings within floodplains to prevent the exacerbation of flood hazards.

Reason for rejecting the recommendation is:

- The Panel's recommended text provides for the management of fences, storage of goods, above ground parking and hazardous substances within the one per cent annual exceedance probability (AEP) floodplain area but does not provide a management response for buildings or structures within these areas.

e) adopt the alternative solution associated with recommendation d) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

f) reject the recommendation of the Independent Hearings Panel in relation to:

D. No controls to manage a change of use to more vulnerable activities in existing buildings within flood plains.

Reasons for rejecting the recommendation are:

- The Panel's recommended rule remains silent on the change of use within existing buildings. It is unclear from the report that this is an intentional omission or otherwise but the result is the creation of a Plan workability issue.
- Amending these provisions will ensure that the control applies to both new buildings and structures as well as to a change of use in an existing building to accommodate a more vulnerable activity and not be in conflict with the Building Act in respect of controlling specific aspects of building works.

g) adopt the alternative solution associated with recommendation f) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

h) reject the recommendation of the Independent Hearings Panel in relation to:

E. Amending the definition of coastal storm inundation one per cent annual exceedance probability plus one metre of sea level rise to not include reference to maps.

Reason for rejecting the recommendation is:

- The definitions for coastal storm inundation area one per cent annual exceedance probability (AEP) and Coastal storm inundation area one per cent annual exceedance probability (AEP) plus one metre sea level rise should be amended to ensure that they align with the Panel's recommended inclusion of the Coastal storm inundation area one per cent annual exceedance probability (AEP) plus 1m sea level rise maps.
- i) adopt the alternative solution associated with recommendation h) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.
- j) reject the recommendation of the Independent Hearings Panel in relation to:
- F. No consent requirements for new buildings in the activity table for the coastal storm inundation one per cent annual exceedance probability (AEP) plus one metre of sea level rise area.

Reasons for rejecting the recommendation are:

- The Panel's recommended rule requires Discretionary Activity consent for additions and alterations to existing buildings. However, no consent requirements are included for new buildings within the same area (of any size). This is inconsistent with the Policy (9) which refers to both new buildings and substantive alterations to existing buildings.
 - The application of the rule to only additions and alterations to existing buildings and not new buildings will pose problems for implementing the policy and rule framework. No explanation of this is given in the Panel's report. Given the issues that the rule in its current form will cause when applied to development within this area, an amendment is proposed to ensure it applies consistently.
- k) adopt the alternative solution associated with recommendation j) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr C Brewer requested that his dissenting vote against j) F. be recorded.

Resolution number GB/2016/164

MOVED by Mayor LCM Brown, seconded by Cr C Darby:

That the Governing Body:

- l) accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled "Report to Auckland Council Topic – 022 Natural hazards and flooding and 026 General others, July 2016" as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.

CARRIED

7.2.1 Recommendations on report to Auckland Council Topic 025 – Trees, July 2016

Cr WD Walker returned to the meeting at 2.53 pm.

Resolution number GB/2016/165

MOVED by Cr R Clow, seconded by Cr J Watson:

TECHNICAL MATTERS

That the Governing Body:

- a) **reject the recommendation of the Independent Hearings Panel in relation to:**
 - A. **The Panel recommends the deletion of 85 scheduled items from the Schedule of Notable Trees which do not comply with section 76(4A)-(4D) of the Resource Management Act 1991**

Reason for rejecting the recommendation is:

 - **85 of the trees recommended to be deleted have the required information which was inadvertently left out of the Proposed Auckland Unitary Plan.**
- b) **adopt the alternative solution associated with the above recommendation a) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**
- c) **reject the recommendation of the Independent Hearings Panel in relation to:**
 - B. **The Panel recommends the deletion of 18 scheduled items from the Schedule of Notable Tree with no explanation or reasoning**

Reason for rejecting the recommendation is:

 - **This appears to be an error as the deletion of these trees is not supported by evidence and no reasons have been given by the Panel.**
- d) **adopt the alternative solution associated with the above recommendation c) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**
- e) **reject the recommendation of the Independent Hearings Panel in relation to:**
 - C. **The Panel recommends the trimming of up to 20 per cent of a notable tree's live growth as a permitted activity, subject to complying with specific standards.**

Reason for rejecting the recommendation is:

 - **Increasing as a permitted activity, the trimming of up to 20 per cent of a notable tree's live growth may have adverse effects on the health and viability of notable trees.**
- f) **adopt the alternative solution associated with the above recommendation e) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**

CARRIED

Resolution number GB/2016/166

MOVED by Mayor LCM Brown, seconded by Cr JG Walker:

That the Governing Body:

- g) **accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Topic 025 – Trees, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.**

CARRIED

7.3.1 Recommendations on report to Auckland Council Topic 038 – Contaminated land, July 2016

Resolution number GB/2016/167

MOVED by Cr C Casey, seconded by Cr LA Cooper:

TECHNICAL MATTERS

That the Governing Body:

- a) **reject the recommendation of the Independent Hearings Panel in relation to:**

- A. **the inclusion of contaminated land in accidental discovery control provisions.**

Reasons for rejecting the recommendation are:

- **Contaminated land is not sensitive material that requires inspection from Heritage New Zealand and/or Mana Whenua representatives.**
- **Inclusion of contaminated land in the accidental discovery control has created an overlap between responses to the discovery of human remains and kōiwi, archaeological sites, Māori cultural artefacts/taonga, protected New Zealand objects as defined in the Protected Objects Act 1975, and lava caves, and the management of discharges from contaminated land.**

- b) **adopt the alternative solution associated with recommendation a) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**

- c) **reject the recommendation of the Independent Hearings Panel in relation to:**

- B. **changes to rules for discharges of contaminants from disturbing soil on land containing elevated levels of contaminants.**

Reasons for rejecting the recommendation are:

- **The Panel’s recommended Permitted activity standard will allow very large amounts of contaminated soil disturbance on large sites with no contaminant discharge controls. This may lead to significant adverse effects from discharges to the environment and ineffective management of contaminated land**
- **It will also mean small amounts of soil disturbance on small sites that are very unlikely to have more than minor adverse effects will require discharge consents.**

- d) adopt the alternative solution associated with recommendation c) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.
- e) reject the recommendation of the Independent Hearings Panel in relation to:
- C. the deletion of the definition of land containing elevated levels of contaminants.
- Reasons for rejecting the recommendation are:
- Land containing elevated levels of contaminants is a unique definition that is necessary for the use and interpretation of the rules.
 - The definition recognises that discharges from land with low levels of contamination above background levels do not need to be subject to expert assessment and oversight through regulations in the Proposed Auckland Unitary Plan.
- f) adopt the alternative solution associated with recommendation e) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Resolution number GB/2016/168

MOVED by Mayor LCM Brown, seconded by Cr WD Walker:

That the Governing Body:

- g) accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 038 – Contaminated land, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.

CARRIED

7.4.1 Recommendations on report to Auckland Council Hearing Topic 039 - Hazardous substances and industrial and trade activities July 2016

Resolution number GB/2016/169

MOVED by Cr J Watson, seconded by Cr ME Lee:

TECHNICAL MATTERS

That the Governing Body:

- a) reject the recommendation of the Independent Hearings Panel in relation to:
- A. Amendments to the definition of clean fill material which removes differentiation between clean fill and managed fills.
- Reason for rejecting the recommendation is:
- The changes recommended by the Panel significantly undermine the effectiveness and differentiation between ‘cleanfill’ and ‘managed fill’ material which may result in issues and ambiguity in the determining human health and environmental risks.

- b) adopt the alternative solution associated with recommendation a) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Resolution number GB/2016/170

MOVED by Mayor LCM Brown, seconded by Cr W Cashmore:

That the Governing Body:

- c) accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 039 - Hazardous substances and industrial and trade activities, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps, except for the decision above.

CARRIED

7.5.1 Recommendations on report to Auckland Council Hearing Topic 041 - Earthworks and minerals, July 2016

Resolution number GB/2016/171

MOVED by Cr LA Cooper, seconded by Cr R Clow:

TECHNICAL MATTERS

That the Governing Body:

- a) reject the recommendation of the Independent Hearings Panel in relation to:
A. the deletion of kauri dieback provisions.

Reason for rejecting the recommendation is:

- It is internationally recognised that pathogens responsible for kauri dieback are spread by movement of soil. It is important that there are clear standards for development and earthworks around kauri trees, and a mechanism for the Council to manage the spread of the disease.
- b) adopt the alternative solution associated with recommendation a) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Resolution number GB/2016/172

MOVED by Mayor LCM Brown, seconded by Cr LA Cooper:

That the Governing Body:

- c) accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 041 - Earthworks and minerals, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps, except for the decision above.

CARRIED

7.6.1 Recommendations on report to Auckland Council Hearing Topic 042 - Infrastructure, July 2016

Note: Recommendations a) A., C. and D. were deferred and considered on Monday 15 August 2016. Recommendation a) B. – Air Quality, was addressed on Wednesday 10 August 2016, under Topics 006 and 035.

TECHNICAL MATTERS

That the Governing Body:

- a) accept the recommendations of the Independent Hearings Panel in relation to:
 - A. the deletion of the High land Transport Noise Overlay and associated provisions.
 - C. the deletion of a policy referring to the avoidance of designations in the road corridor.
 - D. increasing the extent of the National Grid corridor depicted in the National Grid Overlay.

Resolution number GB/2016/173

MOVED by Cr CE Fletcher, seconded by Cr C Casey:

That the Governing Body:

- b) **reject the recommendation of the Independent Hearings Panel in relation to:**
 - E. **No objective to manage the adverse effects of infrastructure in the District Plan provisions for infrastructure.**

Reason for rejecting the recommendation is:

 - **An objective seeking to manage the adverse effects of infrastructure at a District Plan level is necessary to give effect to the Regional Policy Statement.**
- c) **adopt the alternative solution associated with recommendation b) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**
- d) **reject the recommendation of the Independent Hearings Panel in relation to:**
 - F. **The tagging of the infrastructure objectives and policies as regional coastal provisions.**

Reason for rejecting the recommendation is:

 - **The Auckland-wide infrastructure objectives and policies are not Regional Coastal Plan provisions.**
- e) **adopt the alternative solution associated with the above recommendation d) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**
- f) **reject the recommendation of the Independent Hearings Panel in relation to:**
 - G. **Electric vehicle charging stations should be Permitted activities in roads.**

Reason for rejecting the recommendation is:

 - **Allowing electric vehicle charging stations as a Permitted activity on arterial roads would remove the ability to manage their location and ensure the efficient use of arterial roads provision.**

- g) adopt the alternative solution associated with recommendation f) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.
- h) reject the recommendation of the Independent Hearings Panel in relation to:
- H. Deletion of the standards for minor infrastructure upgrading in the standards for activities in roads.
- Reason for rejecting the recommendation is:
- There are no recommended standards for minor infrastructure upgrading within roads and unformed roads. This results in an unworkable.
- i) adopt the alternative solution associated with recommendation h) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.
- j) reject the recommendation of the Independent Hearings Panel in relation to:
- I. Recommends no default activity status for minor infrastructure upgrading where an upgrade to an existing network utility exceeds the specified standard.
- Reason for rejecting the recommendation is:
- Any upgrade works or activities beyond the specified standards for minor infrastructure upgrading should be treated as equivalent to a new application for the same activity.
- k) adopt the alternative solution associated with recommendation j) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.
- l) reject the recommendation of the Independent Hearings Panel in relation to:
- J. Increasing the permitted threshold for the trimming and alteration of trees in streets and public open spaces subject to meeting specific standards including an agreed tree management plan.
- Reason for rejecting the recommendation is:
- While the increase in the permitted threshold is accepted, the requirement for an agreed tree management plan introduces an element of discretion and should be deleted.
- m) adopt the alternative solution associated with recommendation l) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.
- n) reject the recommendation of the Independent Hearings Panel in relation to:
- K. Extending standards on vegetation removal within a Significant Ecological Area to roads
- Reason for rejecting the recommendation is:
- The Panel recommendations do not sufficiently recognise that roads run through many Significant Ecological Areas and the works required to maintain, repair and renew those roads.

- o) adopt the alternative solution associated with recommendation n) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.
- p) reject the recommendation of the Independent Hearings Panel in relation to:
- L. The inclusion of standards relating to earthworks (filling) within a floodplain associated with road works.
- Reason for rejecting the recommendation is:
- The panel recommendations do not sufficiently recognise the function roads perform as drainage systems for stormwater management and flood management. Standards for earthworks (including filling) within a 100 year AEP flood plain should exclude road network activities, as roads are also stormwater management systems.
- q) adopt the alternative solution associated with recommendation p) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.
- r) reject the recommendation of the Independent Hearings Panel in relation to:
- M. The inclusion of standards relating to earthworks (filling) within overland flow paths associated with road work.
- Reasons for rejecting the recommendations are:
- The Panel's recommendations do not sufficiently recognise the function roads perform as drainage systems for stormwater management and flood management
 - Standards for earthworks (including filling) within overland flow paths should exclude road network activities, as roads are also stormwater management systems and overland flow paths. This would not prevent a network discharge consent being required for alternative stormwater discharges.
- s) adopt the alternative solution associated with recommendation r) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.
- t) reject the recommendation of the Independent Hearings Panel in relation to:
- N. Specific limitations on earthworks within overlays for road network activities.
- Reasons for rejecting the recommendation are:
- The Panel's recommendations do not sufficiently recognise the overall area that roads cover
 - Earthworks area and volume limits are insufficient for routine road network activities within the road, including maintenance of water tables, renewal of road and resealing.
- u) adopt the alternative solution associated with recommendation t) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Resolution number GB/2016/174

MOVED by Mayor LCM Brown, seconded by Cr DA Krum:

That the Governing Body:

- v) **accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 042 - Infrastructure, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.**

CARRIED

7.7.1 Recommendations on report to Auckland Council Hearing topic 043/044 - Transport, July 2016

Note: Recommendation 7.7.1 was deferred and considered on Monday 15 August 2016.

Resolution number GB/2016/175

MOVED by Mayor LCM Brown, seconded by Cr ME Lee:

That the Governing Body:

- a) **agree to adjourn the meeting until Monday 15 August, Auckland Town Hall, Level 2 Reception at 11.00am.**

The meeting was adjourned at 3.47pm.

Minutes of a meeting of the Governing Body reconvened in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Monday, 15 August 2016 at 11.00 am.

PRESENT

Mayor	Len Brown, JP	
Deputy Mayor	Cr Penny Hulse	
Councillors	Cr Anae Arthur Anae	Until 1.00pm, Recommendation 6.11.1
	Cr Cameron Brewer	
	Cr Dr Cathy Casey	
	Cr Bill Cashmore	
	Cr Ross Clow	
	Cr Linda Cooper, JP	
	Cr Chris Darby	
	Cr Hon. Christine Fletcher, QSO	
	Cr Denise Krum	
	Cr Mike Lee	
	Cr Calum Penrose	
	Cr Dick Quax	
	Cr Sharon Stewart, QSM	
	Cr Sir John Walker, KNZM, CBE	
	Cr Wayne Walker	
	Cr John Watson	
	Cr Penny Webster	
	Cr George Wood, CNZM	

ABSENT

Cr Alf Filipaina

ALSO PRESENT

Andrew Baker	Franklin Local Board Chair
Joseph Bergin	Devonport-Takapuna Local Board Chair
Shale Chambers	Waitematā Local Board Chair
Angela Dalton	Manurewa Local Board Chair
Julie Fairey	Puketāpapa Local Board Chair
Graeme Easte	Albert-Eden Local Board Member
Peter Haynes	Albert-Eden Local Board Chair
Simon Randall	Maungakiekie-Tāmaki Local Board Chair
Mark Thomas	Ōrākei Local Board Member
Lisa Whyte	Upper Harbour Local Board Chair

Apologies

Resolution number GB/2016/176

MOVED by Mayor LCM Brown, seconded by Cr C Brewer:

That the Governing Body:

- a) accept the apology from Cr AJ Anae for early departure.

CARRIED

7.8.1 Recommendations on report to Auckland Council Hearing Topic 046-049 – Water Quality and Quantity, Lakes, rivers and streams, aquifers and ground water and discharges of stormwater and wastewater, July 2016

Resolution number GB/2016/177

MOVED by Cr GS Wood, seconded by Cr MP Webster:

TECHNICAL MATTERS

That the Governing Body:

- a) reject the recommendation of the Independent Hearings Panel in relation to:

- A. inserting a permitted activity land use rule for stormwater runoff into the stormwater network and combined sewer network.

Reasons for rejecting the recommendation are:

- The recommended rule allows stormwater to be discharged to the combined sewer without control. The policy position that has been recommended by the Panel (consistent with council's case position) is that land use should be required to avoid increasing discharges to the combined network unless they are minor and there is no practicable alternative
- Diverting more stormwater to the combined sewer network will reduce the capacity of the combined sewer network and the Mangere Wastewater Treatment Plant. It may lead to an increase in combined sewer overflows, despite current initiatives undertaken by Watercare Services, with resulting adverse effects on the community and the environment.

- b) adopt the alternative solution associated with recommendation a) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Resolution number GB/2016/178

MOVED by Cr CM Penrose, seconded by Cr W Cashmore:

TECHNICAL MATTERS

That the Governing Body:

- c) reject the recommendation of the Independent Hearings Panel in relation to:

- B. The Panel recommends amending to a Permitted activity status for sites that do not discharge to a stream or discharge below RL 2m in a Stormwater Management Areas Flow (SMAF).

Reasons for rejecting the recommendation are:

- This blanket reclassification has resulted in a situation where a Restricted Discretionary consent would still need to be obtained, but due to site or discharge circumstances, no stormwater management or mitigation would be required
 - This situation is not considered to be efficient or effective and will require consents to be obtained when there is no mitigation or environmental benefit.
- d) adopt the alternative solution associated with recommendation c) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Resolution number GB/2016/179

MOVED by Cr GS Wood, seconded by Deputy Mayor PA Hulse:

TECHNICAL MATTERS

That the Governing Body:

- e) reject the recommendation of the Independent Hearings Panel in relation to:
- C. The Panel recommends amending the activity status for roads within a Stormwater Management Areas Flow (SMAF).

Reason for rejecting the recommendation is:

- It is not efficient to require a Discretionary Activity resource consent where the required standard of mitigation is met.
- f) adopt the alternative solution associated with recommendation e) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr WD Walker requested that his dissenting vote be recorded.

Resolution number GB/2016/180

MOVED by Deputy Mayor PA Hulse, seconded by Cr MP Webster:

TECHNICAL MATTERS

That the Governing Body:

- g) reject the recommendation of the Independent Hearings Panel in relation to:
- D. The Panel recommends deleting the default activity status for roads/motorways within a Stormwater Management Areas Flow (SMAF).

Reason for rejecting the recommendation is:

- It is more appropriate to include a default activity status for roads/motorways that is consistent with other activities.
- h) adopt the alternative solution associated with recommendation g) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr WD Walker requested that his dissenting vote be recorded.

Resolution number GB/2016/181

MOVED by Cr C Darby, seconded by Cr WD Walker:

TECHNICAL MATTERS

That the Governing Body:

- i) **reject the recommendation of the Independent Hearings Panel in relation to:**
- E. The Panel recommends amending the general standards in E10.6.11 and associated rules in E10.6.3.1 to refer to “site” which, as defined, does not include a road.**
- Reason for rejecting the recommendation is:**
- **A minor change is required to clarify the intention of the rules in respect of a road/motorway to reduce confusion regarding the application of the rules to roads and motorways.**
- j) **adopt the alternative solution associated with recommendation i) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**

CARRIED

Resolution number GB/2016/182

MOVED by Deputy Mayor PA Hulse, seconded by Cr AJ Anae:

TECHNICAL MATTERS

That the Governing Body:

- k) **reject the recommendation of the Independent Hearings Panel in relation to:**
- F. The Panel recommends amending the hydrology mitigation requirements for some roading projects.**
- Reason for rejecting the recommendation is:**
- **To recognise the Panel’s recommendation that certain roading projects may have difficulty in meeting hydrology mitigation requirements, the hydrology mitigation requirement in Rule E8.6.4.1 specifying volume reduction and temporary storage should be removed and replaced with a reference to Table E10.6.3.1.1 Hydrology mitigation requirements.**
- l) **adopt the alternative solution associated with recommendation k) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**

CARRIED

Resolution number GB/2016/183

MOVED by Cr LA Cooper, seconded by Cr MP Webster:

TECHNICAL MATTERS

That the Governing Body:

m) **reject the recommendation of the Independent Hearings Panel in relation to:**

G. The Panel recommends deleting the definition of “redevelopment of a road”.

Reason for rejecting the recommendation is:

- **Reinserting the definition of “redevelopment of a road” in line with the amended rules provides for the ongoing routine maintenance, repair and resurfacing of roads.**

n) **adopt the alternative solution associated with the above recommendation m) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**

CARRIED

Resolution number GB/2016/184

MOVED by Mayor LCM Brown, seconded by Cr CE Fletcher:

That the Governing Body:

o) **accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 046-049 - Water, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.**

CARRIED

7.9.1 Recommendations on report to Auckland Council Hearing Topic 065 – Definitions, July 2016

Resolution number GB/2016/185

MOVED by Cr C Darby, seconded by Cr JG Walker:

That the Governing Body:

a) **note the following definitions have already been considered under the relevant topic reports:**

- A. definition of Clean fill material (see discussion under Topic – 039 – Hazardous Substances and Industrial Trade Activities).**
- B. definition of Land containing elevated levels of contaminants (see discussion under Topic – 038 – Contaminated land).**
- C. definition Marine and port facilities (see discussion under Topic - 033, 034 Coastal zones).**
- D. definition of Building coverage (see discussion under Topic – 059-063 Residential).**
- E. definition of Coastal storm inundation one per cent AEP (CSI) (see discussion under Topic – 022 and 026 Natural hazards and flooding).**

- F. definition of Coastal storm inundation area one per cent AEP plus one metre sea level rise (CSI1)) (see discussion under Topic – 022 and 026 Natural hazards and flooding).
- G. definition of Redevelopment of a road (see discussion under Topic IHP - 046, 047, 048, 049 – Water Quality and Quantity; lakes, rivers and streams; aquifers and groundwater; and discharges of stormwater and wastewater).

TECHNICAL MATTER

- b) reject the recommendation of the Independent Hearings Panel in relation to:
 - H. amendment to the definition of Height makes the structures exempted from the definition subject to width and height limits that are unworkable for some structures.
- Reason for rejecting the recommendation is:
- The Panel’s recommended amendment to the definition of Height makes the structures exempted from the definition subject to width and height limits that are unworkable for some structures.
- c) adopt the alternative solution associated with recommendation b) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

CARRIED

Resolution number GB/2016/186

MOVED by Mayor LCM Brown, seconded by Deputy Mayor PA Hulse:

That the Governing Body:

- d) accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 065 – Definitions, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.

CARRIED

5.2.1 Topic 010 – Recommendations on report to Auckland Council Hearing Topic 010 – Historic Heritage July 2016 (revisited)

Resolution number GB/2016/187

MOVED by Cr CM Penrose, seconded by Mayor LCM Brown:

That the Governing Body:

- b) agree to:
 - in relation to recommendation 5.2.1 on “Report to Auckland Council Hearing Topic 010 Historic Heritage, July 2016” the deletion of policies which seek to protect and manage unscheduled significant historic heritage

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr AJ Anae	Cr C Brewer	
Mayor LCM Brown	Cr C Casey	
Cr W Cashmore	Cr R Clow	
Cr LA Cooper	Cr CE Fletcher	
Cr C Darby	Cr ME Lee	
Deputy Mayor PA Hulse	Cr WD Walker	
Cr DA Krum	Cr J Watson	

Cr CM Penrose
Cr D Quax
Cr SL Stewart
Cr JG Walker
Cr MP Webster
Cr GS Wood

The motion was declared CARRIED by 13 votes to 7.

CARRIED

Resolution number GB/2016/188

MOVED by Mayor LCM Brown, seconded by Cr CM Penrose:

That the Governing Body:

- c) **accept all the recommendations of the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 010 – Historic Heritage, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan, and also the associated recommendations as they appear in the plan and the maps.**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr CE Fletcher, Cr ME Lee and Cr WD Walker requested that their dissenting votes be recorded.

5.5.1 Recommendations on report to Auckland Council Hearing Topic 032 – Schedule of Historic Heritage July 2016 (revisited)

Resolution number GB/2016/189

MOVED by Cr R Clow, seconded by Cr ME Lee:

That the Governing Body:

- b) **adopt the reasons for rejections and the alternative solution associated with recommendation b) and accompanying section 32AA reports (where provided), which are attached to the minutes.**

Reasons for rejecting the recommendations are:

- **Heritage experts agree that the Symonds Street flats have outstanding national value and warrant remaining scheduled as a Category A place**
- **Inclusion of the Symonds Street flats in the Schedule of Historic Heritage as a Category A place will not place undue burden on the ability to use and develop the site, particularly given its national heritage significance**
- **Transferable development rights may be utilised to transfer ‘lost’ development capacity to other landholdings in the CBD, and future development of this site can be appropriately considered through the resource consent process**
- **Structural reports concluded ‘...that much of the concrete was sound and did not display cracking or spalling of sufficient magnitude to compromise the structural integrity or potential longevity of the building.’**

CARRIED UNANIMOUSLY

5.8.1 Recommendations on report to Auckland Council Hearing Topic 077 – Sustainable Design July 2016 (revisited)

Resolution number GB/2016/190

MOVED by Cr CE Fletcher, seconded by Cr D Quax:

That the Governing Body:

- b) accept the Panel's recommendation to delete the Auckland-wide objectives policies and rules for sustainable design.**

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr AJ Anae	Mayor LCM Brown	
Cr C Brewer	Cr C Casey	
Cr W Cashmore	Cr R Clow	
Cr LA Cooper	Cr C Darby	
Cr CE Fletcher	Deputy Mayor PA Hulse	
Cr DA Krum	Cr ME Lee	
Cr CM Penrose	Cr WD Walker	
Cr D Quax	Cr J Watson	
Cr SL Stewart		
Cr JG Walker		
Cr MP Webster		
Cr GS Wood		

The motion was declared CARRIED by 12 votes to 8.

CARRIED

6.11.1 Recommendations on report to Auckland Council Hearing topic 059 to 063 – Residential zones, July 2016 (revisited)

A PowerPoint presentation was provided. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number GB/2016/191

MOVED by Cr C Darby, seconded by Cr R Clow:

That the Governing Body:

- h) reject the recommendation of the Independent Hearings Panel in relation to:**
- i. the deletion of front fence rule and deleting policies relating to streetscape from the Single House, Mixed Housing Suburban, Mixed Housing Urban and Terrace House and Apartment Building zones.**
- Reasons for rejecting the recommendation are:**
- **Permitting front fences up to 2.5m will result in poor streetscape outcomes.**
 - **This matter is not addressed in the Panel report and may be a drafting error given that the amenity of the street is still included in the residential zone objectives.**
- i) adopt the alternative solution tabled at the Governing Body meeting on 15 August 2016 (i.e. the council's closing position at the hearing).**

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr C Brewer, Cr D Quax and Cr MP Webster requested that their dissenting votes be recorded.

Resolution number GB/2016/192

MOVED by Cr C Darby, seconded by Cr CE Fletcher:

That the Governing Body:

- r) **accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing topic 059 to 063 – Residential zones, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.**

CARRIED

6.14.1 Recommendations on report to Auckland Council Hearing Topic 080 - Rezoning and precincts (General), and 081 - Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in NORTH) (revisited)

Cr DA Krum declared a conflict in Item 6.14.1 NORTH and left the table at 12.27pm.

Cr D Quax left the meeting at 12.52 pm.

A PowerPoint presentation was provided. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

MOVED by Cr W Cashmore, seconded by Cr MP Webster:

That the Governing Body:

- b) **reject the recommendations of the Independent Hearings Panel in relation to:**

- S. **no mechanisms within the new Okura precinct for the provision of transport infrastructure; and no detail of how the spatial extent of sub-precincts A and B apply to the land.**

Reasons for rejecting the recommendation are:

- The recommended Okura Precinct does not include appropriate provisions to address transportation infrastructure requirements.
- Special information requirements for an Integrated Transport Assessment to identify the appropriate transport infrastructure / staging of wider network improvements that will be required to service the urbanisation, and associated amendments to the objectives, policies, and rules are required as a result of the evidence presented to the Panel by the Council and submitters.
- A joint statement about the transport infrastructure issues was prepared by the Council's and Okura Holdings Limited's transportation experts. The joint statement identifies that significant upgrades to the road network that currently have no committed funding, will be required to service the residential development proposed in the Okura precinct.
- Where significant transport infrastructure upgrades are likely to be required to service development there should be the inclusion of precinct provisions to ensure that subdivision and development is restricted until the necessary infrastructure is available. This is required to give effect to the Regional Policy Statement and to ensure that the potential adverse traffic effects of the proposed development in the Okura precinct are adequately avoided, remedied and mitigated.
- The precinct text refers to Sub-precinct A and Sub-precinct B, but there are no sub-precincts identified in either the of the two precinct plans, nor identified in the GIS viewer. The spatial extent of the sub-precincts needs to be clarified for the precinct provisions to be workable.

- c) adopt the alternative solution associated with recommendation b) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr W Cashmore	Cr AJ Anae	
Cr MP Webster	Cr C Brewer	
	Mayor LCM Brown	
	Cr C Casey	
	Cr R Clow	
	Cr LA Cooper	
	Cr C Darby	
	Cr CE Fletcher	
	Deputy Mayor PA Hulse	
	Cr ME Lee	
	Cr CM Penrose	
	Cr SL Stewart	
	Cr JG Walker	
	Cr WD Walker	
	Cr J Watson	
	Cr GS Wood	

The motion was declared LOST by 2 votes to 16.

Resolution number GB/2016/193

MOVED by Cr WD Walker, seconded by Cr J Watson:

That the Governing Body:

- b) **reject the recommendation of the Independent Hearings Panel in relation to:**

the extension of the Rural Urban Boundary north of the Vaughans Road ridgeline into the Okura catchment at a location east of Okura village.

Reasons for rejecting the recommendation are:

- **The Okura catchment drains into the Okura Estuary which forms part of the Long Bay-Okura Marine Reserve. Stormwater contaminants from urbanisation are likely to result in adverse effects on indigenous biological diversity within the Long Bay-Okura Marine Reserve.**
- **Policy 11 of the New Zealand Coastal Policy Statement 2010 (NZCPS) requires adverse effects of activities on areas set aside for full or partial protection of indigenous biological diversity under other legislation, such as the Long Bay-Okura Marine Reserve, to be avoided. Moving the Rural Urban Boundary from its notified position into the Okura catchment and the proposed urban development will not give effect to the NZCPS.**
- **Including the Okura Holdings Limited land within the Rural Urban Boundary and the proposed urban development is likely to result in adverse effects on the water quality, ecology and hydrology of the streams and rivers on the Okura Holdings Limited land. This is unlikely to give effect to the provisions of the National Policy Statement for Freshwater Management 2014.**
- **The Vaughans Road ridgeline is a strong landscape feature and is the boundary between two catchments. Retaining the Rural Urban Boundary in this location therefore gives better effect to the PAUP regional policy statement than relocating the Rural Urban Boundary into the Okura catchment as recommended by the Independent Hearings Panel.**

- Substantial upgrades to wider transport network would be required to service urban development within the Okura precinct. The recommended Okura Precinct does not include appropriate provisions to address transportation infrastructure requirements, the provisions of open space and the extent of sub-precincts.
- c) reject the recommendation of the Independent Hearings Panel in relation to the application of a new precinct to the land north of Vaughans Road, Okura and rezoning of approximately 130ha of land from Countryside Living to Mixed Housing Suburban, Large Lot, Open Space Conservation and Open Space Informal Recreation zones for the reasons outlined in b) above.
- d) reject the recommendation of the Independent Hearings Panel in relation to the rezoning of approximately 30ha of land from Countryside Living to Future Urban zone on land to the north of Vaughans Road/east of Okura Village for the reasons outlined in b) above.
- e) as a consequential change, amend Table E39.6.5.2.1 Minimum and minimum average net site areas, to include a minimum net site area and average net site area without transferable rural site subdivision, of 4ha to land known as Okura East for the following reasons:
 - For amending Table E39.6.5.2.1 Minimum and minimum average net site areas, and adding the Control: Subdivision Variation Control - Rural, Okura East Countryside Living – if the Countryside Living zone is to be applied instead of Independent Hearings Panel recommended "live" zoning and Future Urban zoning, the minimum 4ha site control for Okura East needs to be included in the plan to carry over the Operative Auckland Council District Plan: North Shore Section Countryside Living minimum site sizes. This is in line with the approach the Independent Hearings Panel has taken for other Countryside Living zoned areas.
- f) as a consequential change, add the Control: Subdivision Variation Control - Rural, Okura East Countryside Living to the land know as Okura East for the reason outlined in e) above.
- g) adopt the alternative solution tabled at the Governing Body meeting on 15 August 2016.

CARRIED UNANIMOUSLY

The meeting was adjourned at 1.00pm and reconvened at 1.45pm. Cr AJ Anae, Cr DA Krum and Cr ME Lee were not present.

6.13.1 Recommendations on report to Auckland Council Hearing Topic 075 – Waitakere Ranges, July 2016

Cr R Clow and Cr LA Cooper declared an interest in Item 6.13.1 and left the table at 1.46pm.

Cr ML Lee returned to the meeting at 1.49 pm.

Cr DA Krum returned to the meeting at 1.50 pm.

Resolution number GB/2016/194

MOVED by Cr CE Fletcher, seconded by Cr GS Wood:

That the Governing Body:

- a) accept the recommendation of the Independent Hearings Panel in relation to:
 - E. removal of some activities where they are managed by bylaws, where they are unnecessary or where they are managed by other rules.

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr ME Lee requested that his dissenting vote be

recorded.

Resolution number GB/2016/195

MOVED by Mayor LCM Brown, seconded by Cr GS Wood:

That the Governing Body:

- d) **accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 075 – Waitakere Ranges, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.**

CARRIED

Cr R Clow and Cr LA Cooper returned to the table at 1.54pm.

7.7.1 Recommendations on report to Auckland Council Hearing Topic 043/044 - Transport, July 2016

A PowerPoint presentation was provided. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

MOVED by Cr C Brewer, seconded by Cr JG Walker:

TECHNICAL MATTERS

That the Governing Body:

- a) accept the recommendations of the Independent Hearings Panel in relation to:
- A. amending the parking rates – (Metropolitan Centre, Town Centre, Local Centre and Mixed Use zones and Terrace Housing and Apartment Building zone) to remove maximum and minimum parking rates for all activities within these zones with the exception of retail and commercial service activities (minimum parking rate only).

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr C Brewer	Mayor LCM Brown	
Cr MP Webster	Cr C Casey	
Cr GS Wood	Cr W Cashmore	
	Cr R Clow	
	Cr LA Cooper	
	Cr C Darby	
	Cr CE Fletcher	
	Deputy Mayor PA Hulse	
	Cr DA Krum	
	Cr ME Lee	
	Cr CM Penrose	
	Cr D Quax	
	Cr SL Stewart	
	Cr JG Walker	
	Cr WD Walker	
	Cr J Watson	

The motion was declared **LOST** by 3 votes to 16.

Resolution number GB/2016/196

MOVED by Cr C Darby, seconded by Cr R Clow:

That the Governing Body:

- a) **reject the recommendation of the Independent Hearings Panel to amend the parking rates for the Metropolitan Centre, Town Centre, Local Centre, Mixed Use and Terrace Housing and Apartment Buildings zones to remove maximum and minimum parking rates for all activities within these zones with the exception of retail and commercial service activities, as contained in the Panel report entitled “Report to Auckland Council Hearing topic 043 and 044 - Transport, July 2016”, for the following reasons:**
- **Not including minimum parking rates for retail and commercial service activities would result in a more efficient use of land, better urban design outcomes and greater support for the public transport network**
 - **Including maximum parking rates would result in better management of oversupply of parking and associated adverse effects on the transport network (e.g. congestion)**
 - **Including maximum parking rates would result in better urban design and amenity outcomes.**
- b) **adopt the alternative solution of not including minimum parking rates for retail and commercial service activities in the Metropolitan Centre, Town Centre, Local Centre, Mixed Use and Terrace Housing and Apartment Buildings zones, and including the maximum parking rates for the Metropolitan Centre, Town Centre, Local Centre, Mixed Use and Terrace Housing and Apartment Buildings zones referred to in the council’s close statement at the hearing.**

CARRIED

Resolution number GB/2016/197

MOVED by Mayor LCM Brown, seconded by Cr LA Cooper:

TECHNICAL MATTERS

That the Governing Body:

- c) **reject the recommendation of the Independent Hearings Panel in relation to:**
- B. **parking rates for residential and non-residential activities in the City Centre zone of 1:125m² for non-residential activities within a proposed ‘Outer core’ parking area while applying a rate of 1:200m² within a proposed ‘Inner core’ parking area. A maximum rate of 1.5 car parks per dwelling (regardless of dwelling size) is proposed for residential activities.**
- Reasons for rejecting the recommendation are:**
- **The Panel’s recommendations will provide more accessory parking and residential parking in the City Centre zone, which is an already congested road network with high levels of public transport accessibility.**
 - **The Panel’s recommendations are higher than the rates currently applied and are considered to be less efficient and effective in achieving transport objectives around managing travel demand in the City Centre.**
- d) **adopt the alternative solution associated with recommendation b) and accompanying section 32AA reports (where provided), which are attached to the Auckland Development Committee agenda report as Attachments B, C and D.**

CARRIED

Resolution number GB/2016/198

MOVED by Mayor LCM Brown, seconded by Cr W Cashmore:

That the Governing Body:

- e) **accept all the other recommendations from the Independent Hearings Panel as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 043/044 - Transport, July 2016” as they relate to the content of the Proposed Auckland Unitary Plan and also the associated recommendations as they appear in the plan and the maps, except for the decisions above.**

CARRIED

7.6.1 Recommendations on report to Auckland Council Hearing Topic 042 - Infrastructure, July 2016 - Revisited

A PowerPoint presentation was provided. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Note: Recommendation a) B. – Air Quality, was addressed on Wednesday 10 August 2016 under Topics 006 and 035.

Resolution number GB/2016/199

MOVED by Mayor LCM Brown, seconded by Cr W Cashmore:

TECHNICAL MATTERS

That the Governing Body:

- a) **accept the recommendations of the Independent Hearings Panel in relation to:**
- A. the deletion of the High land Transport Noise Overlay and associated provisions.**
 - C. the deletion of a policy referring to the avoidance of designations in the road corridor.**

CARRIED

MOVED by Cr WD Walker, seconded by Cr ME Lee:

That the Governing Body:

- a) **accept the recommendation(s) of the Independent Hearings Panel in relation to:**
- D. increasing the extent of the National Grid corridor depicted in the National Grid Overlay.**

LOST

Resolution number GB/2016/200

MOVED by Cr DA Krum, seconded by Cr CE Fletcher:

That the Governing Body:

- a) **reject the recommendation of the Independent Hearings Panel to:**
- D. increase the extent of the National Grid Corridor overlay, as it relates to the area 32m each side of 110kv lines and 37m each side of the centerline of 220kv lines, as contained in the Panel report entitled “Report to Auckland Council Hearing Topic 042 - Infrastructure, July 2016”, for the following reasons:**

- The appropriate corridor width to give effect to Policy 11 of the National Policy Statement on Electricity Transmission 2008 (NPSET) is as notified in the Proposed Auckland Unitary Plan, being 24m (12m either side of the transmission lines centreline), which enables control of activities sensitive to the lines, access to the national grid infrastructure for operation, maintenance and upgrade purposes and compliance with the relevant clearances required under the NZECP 34:2001.
 - There is insufficient evidential basis to identify and assess the potential development implications associated with the broader corridor.
- b) adopt the alternative solution of retaining a corridor width of 12 metres either side of the centerline of the national grid electricity transmission lines and deleting all reference in the text of the Proposed Auckland Unitary Plan to a wider National Grid Corridor (in particular as it relates to the area 32m each side of the 110kv line and 37m each side of centerline of 220kv line) (i.e. the council's closing position at the hearing).

CARRIED

Note: Pursuant to Standing Order 1.8.6, Cr ME Lee requested that his dissenting vote be recorded.

Note: Staff advised that anomalies such as Bayswater Marina Precinct (6.14.1 NORTH) and the zoning of 32-34 Wood Street, Freemans Bay (6.14.1 CENTRAL), which were site specific, would best be dealt with by way of a plan change. It was anticipated that this would come before the incoming Council early in 2017.

MOTION

Resolution number GB/2016/201

MOVED by Deputy Mayor PA Hulse, seconded by Cr ME Lee:

That the Governing Body:

- a) **direct the Chief Executive to initiate a process for relevant plan changes to address any further technical matters and property anomalies relating to the Auckland Unitary Plan and report back to the incoming Council, no later than March 2017.**

CARRIED

8.1 Recommendations – Alternative solutions and section 32AA reports.

Resolution number GB/2016/202

MOVED by Deputy Mayor PA Hulse, seconded by Cr CE Fletcher:

That the Governing Body:

- a) **adopt the corresponding alternative provisions set out in Attachment B to the Auckland Development Committee agenda report – Alternative Solutions (text and diagrams) and Attachment C to the Auckland Development Committee agenda report– Alternative Solutions (maps), and the alternative solutions tabled at the Governing Body meeting for each of the Panel recommendations that are rejected.**
- b) **adopt the corresponding section 32AA reports set out in Attachment D to the Auckland Development Committee agenda report for each of the Panel recommendations that are rejected.**

CARRIED UNANIMOUSLY

MOTION

Resolution number GB/2016/203

MOVED by Cr C Darby, seconded by Deputy Mayor PA Hulse:

That the Governing Body:

- a) **direct the Chief Executive to report back as appropriate on recommendations made by the Independent Hearings Panel on non-Unitary Plan or operational matters.**

CARRIED

12 Proposed Auckland Unitary Plan Report 3 - Response to Recommendations from the Auckland Unitary Plan Independent Hearings Panel Relating to Designations

An additional nine designations were tabled at the meeting. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number GB/2016/204

MOVED by Mayor LCM Brown, seconded by Deputy Mayor PA Hulse:

That the Governing Body:

- a) **accept the Panel's recommendations in the Introductory Designations Report set out in Attachment E Part 1 to the Auckland Development Committee agenda report, including the Independent Hearings Panel's recommended amendments to the explanatory text in the Proposed Auckland Unitary Plan relating to designations, together with the further amendment to the explanatory text set out in Attachment E Part 1 to Auckland Development Committee agenda report (to ensure the correct map colours are referred to).**
- b) **accept the Independent Hearings Panel's recommendations on Auckland Council designations set out in the Specific Designation Reports listed in Attachment E Part 2 to the Auckland Development Committee agenda report.**
- c) **accept the Independent Hearings Panel's recommendations on the designations of other requiring authorities set out in the Specific Designation Reports listed in Attachment E Part 3 to the Auckland Development Committee agenda report, with the minor typographical corrections to the Independent Hearings Panel's recommendation on Counties Power designation R3008 noted in Attachment E Part 3 to the Auckland Development Committee agenda report, and adopt them as the Council's recommendations to those requiring authorities.**

- d) request that the General Manager Plans and Places notifies the other requiring authorities of the Council's recommendations in respect of their designations.

CARRIED UNANIMOUSLY

Minutes Attachments

Below are the presentations and tabled supporting documents relating to the above decisions.

The attachments are contained in a separate minutes attachment document which has been placed on the official minutes and is available on the Auckland Council website.

Attachments

- A 10 August 2016 - Governing Body - Councillors' declarations of interest
- B 10 August 2016 - Governing Body - Recommendations 5.1.1 (revisited) and 6.9.1 - Design statements PowerPoint presentation
- C 10 August 2016 - Governing Body - Recommendation(s) 6.14.1 maps - Rodney, North, West, Central, South
- D 10 August 2016 - Governing Body - Recommendation 6.11.1 (revisited) - (front fence rule) PowerPoint presentation
- E 10 August 2016 - Governing Body - Recommendation 6.14.1 NORTH (revisited) Okura PowerPoint presentation
- F 10 August 2016 - Governing Body - Recommendation 7.7.1 - Transport (parking) PowerPoint presentation
- G 10 August 2016 - Recommendation 7.6.1 - Infrastructure (National Grid corridor) PowerPoint presentation
- H 10 August 2016 - Governing Body - Additions to agenda Attachment D - designations
- I 10 August 2016 - Governing Body - Alternative solutions

Mayor's Acknowledgement

The Mayor thanked:

- the Independent Hearings Panel, Judge Kirkpatrick and his team
- fellow Councillors for their good will and quiet determination
- Local Board chairs, especially Andy Baker and Shale Chambers for their contribution from the beginning of the process
- Local Board members for their consistent attendance, input and help
- the Independent Māori Statutory Board, Chair David Taipari and his members for their generosity, spirit and contributions
- Cr AM Filipaina for leading the Unitary Plan Committee
- Deputy Mayor PA Hulse, acknowledging that the spirit of the Unitary Plan was hers.

Motion

Resolution number GB/2016/205

MOVED by Deputy Mayor PA Hulse, seconded by Mayor LCM Brown:

That the Governing Body:

- a) **acknowledge and thank the planning, legal and other staff who have worked tirelessly to provide timely information, expert evidence and best practise solutions to the preparation of the Unitary Plan. We also acknowledge the completion of the Auckland Unitary Plan within the timeframe required and the huge effort taken to achieve this. We warmly congratulate all staff involved.**

CARRIED UNANIMOUSLY

13 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

3.11 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 GOVERNING BODY HELD
ON

DATE:.....

CHAIRPERSON:.....