

Attachment 1 – Links to relevant legislation

Listed in the order it is referenced in the report

Resource Management Act 1991 (the Act)

Due to the large number of sections referenced in this report and some of the sizes of the sections of the Act, we recommended you view the Act

online: <http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM230265.html#DLM240686>

National Coastal Policy Statement (NCPS)

You can view the NCPS online: <http://www.doc.govt.nz/about-us/science-publications/conservation-publications/marine-and-coastal/new-zealand-coastal-policy-statement/new-zealand-coastal-policy-statement-2010/>

Hauraki Gulf Marine Park Act 2000 (HGMPA)

You can view the HGMPA

online: http://www.legislation.govt.nz/act/public/2000/0001/latest/DLM52558.html?search=qs_act%40bill%40regulation%40deemedreg_hauraki+gulf_resel_25_h&p=1&sr=1

Waitakere Ranges Heritage Protection Act 2008 (WRHPA)

You can view the WRHPA

online: http://www.legislation.govt.nz/act/local/2008/0001/latest/DLM1076035.html?search=qs_act%40bill%40regulation%40deemedreg_waitakere+ranges_resel_25_h&p=1&sr=1

Local Government Act 2002 (LGA)

You can view the LGA

online: http://www.legislation.govt.nz/act/public/2002/0084/latest/DLM170873.html?search=qs_act%40bill%40regulation%40deemedreg_Local+government+_resel_25_h&p=1&sr=1

Local Government (Auckland Transitional Provisions) Act 2010 (LGATPA)

You can view the LGATPA

online: http://www.legislation.govt.nz/act/public/2010/0037/latest/DLM3016607.html?search=qs_act%40bill%40regulation%40deemedreg_Local+government+_resel_25_h&p=1&sr=1

Reserves Act 1977 (RA)

You can view the RA

online: http://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444305.html?search=qs_act%40bill%40regulation%40deemedreg_reserves+resel_25_h&p=1&sr=1

Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA)

You can view the HNZPTA

online: http://www.legislation.govt.nz/act/public/2014/0026/latest/DLM4005414.html?search=ts_act%40bill%40regulation%40deemedreg_heritage+new_resel_25_a&p=1

Hazardous Substances and New Organisms Act 1996 (HSNOA)

You can view the HSHNOA

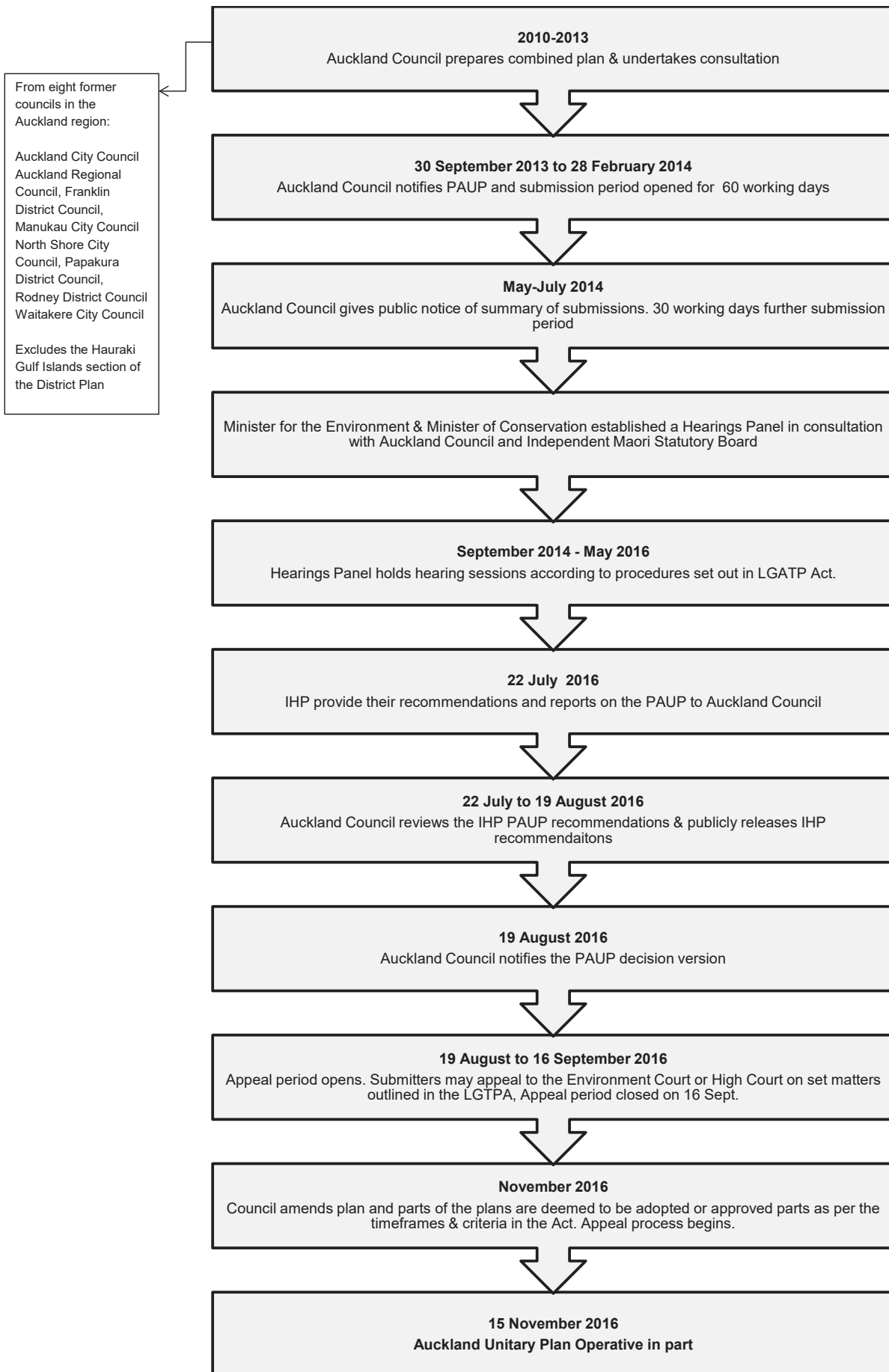
online: http://www.legislation.govt.nz/act/public/1996/0030/latest/DLM381222.html?search=qs_act%40bill%40regulation%40deemedreg_hazard_resel_25_h&p=1&sr=1

The Soil Conservation and Rivers Control Act 1941 (SCRCA)

You can view the SCRCA

online: http://www.legislation.govt.nz/act/public/1941/0012/latest/DLM230365.html?search=qs_act%40bill%40regulation%40deemedreg_soil_resel_25_h&p=1&sr=1

Attachment 2 – Chronology of the Auckland Unitary Plan



Attachment 3 – Groupings

The evaluation of individual technical errors and anomalies been kept together with their relevant chapter / sub-sections of the AUP i.e. Chapter B, Chapter D, Chapter E and so forth.

Name of Groupings	Analysis is shown in Attachment
Chapter B RPS	6
Chapter D Overlays	7
Chapter E Auckland wide	8
Chapter H Zones	9
Chapter I Precincts – Auckland wide (I100+)	10
Chapter I Precincts – City Centre (I200+)	11
Chapter I Precincts – Central (I300+)	12
Chapter I Precincts – South (I400+)	13
Chapter I Precincts – North (I500+)	14
Chapter I Precincts – West (I600+)	15
Chapter I Precincts – Special Housing Areas	16
Chapter J Definitions	17
Schedule 6 Outstanding Natural Features Overlay Schedule	18
Schedule 12 Sites and Places of Significance to Mana Whenua Schedule	19
Schedule 14.1 Schedule of Historic Heritage	20
Schedule 14.2 Historic Heritage Areas – Maps and statements of significance	21
Schedule 15 Special Character Schedule, Statements and Maps	22
AUP GIS Viewer Mapping Overlays	23
AUP GIS Viewer Mapping Controls	24
AUP GIS Viewer Mapping Precincts	25
AUP GIS Viewer Mapping Zoning – Central	26
AUP GIS Viewer Mapping Zoning – South	27
AUP GIS Viewer Mapping Zoning – North	28
AUP GIS Viewer Mapping Zoning – West	29
AUP GIS Viewer Mapping Zoning – Open Space	30

Attachment 4 – Sub-categories

The sub-categories and associated examples of **technical errors** are as follows:

Sub-Categories	Description of Error (the description below does not encompass all types of errors that could be identified under the sub-category)	Example (these are examples only – not any actual or proposed change)
Amendments to Diagrams, figures, tables or appendices	Missing diagrams, figure, tables, or appendices or where parts of a diagram, figure, table or appendix needs to be amended or deleted	A diagram may be referred to but does not exist, but existed in previous versions of the Plan.
Amendments to Schedules	Missing macrons, mapping errors, incorrect identification of schedule items, missing key information (name, location, type, primary features and/or exclusions), minor text amendments for correction	For example, where the extent of place is to be extended (two places) or is to be reduced (in size)
Clarification or Explanation	Addition, deletion, amendment or reformatting of text for clarification purposes.	Provisions poorly drafted or that don't make sense. <i>(A91)Tree alteration or removal <u>of any tree less than 4m in height or less than</u> and trees 400mm in girth</i>
Duplication	Duplication of provisions, e.g. where a policy or standard has been repeated unnecessarily.	Where a provision has been repeated exactly or almost exactly.
Inconsistency of provisions, references, terms or formatting	Where provisions or references aren't consistent or clearly wrong. Inconsistency of terms.	For example, reference to the wrong standards or activity table. Inconsistency of terms, i.e. coastal marine to coastal marine area.

The sub-categories and associated examples of **anomalies** are as follows:

Sub-Categories	Description of Error (the description below does not encompass all types of errors that could be identified under the sub-category)	Example (these are examples only – not any actual or proposed change)
Zone Mapping Error	Corrections to a zone where the spatial application has been clearly applied to the wrong site, wholly or partially.	For example, where there are a few parcels zoned differently from its neighbouring parcels for no apparent reason Updating the GIS viewer to land recently vested as open space, roads etc.
Overlay Mapping Error, or Precinct Mapping Error, or Control Mapping Error	Corrections to overlay, precinct or control boundaries where this is clearly incorrect between different versions of the Plan. The precinct overlay or control boundary extends over the wrong sites, or is inconsistent with the Precinct Plan, or former version of the AUP.	For example, mapped extent of place in Operative in part and Council's case position Viewers doesn't exactly match extent of place as marked up and agreed on.
Nonsensical outcomes	Amendments to correct nonsensical provisions or references – i.e. where a reference does not make sense and doesn't apply to the provision. There is an anomaly that arises between provisions. A clear discrepancy between the plans.	For instance, height limits reference Macro-invertebrate overlay (where height limits won't apply).

Attachment 5 – S32 analysis on the proposed re-zoning of land recently vested

With regard to the spatial zoning of land recently vested land in AUP, a section 32 analysis on options were identified and assessed on its appropriateness, efficiency, effectiveness, costs, benefits and risks, in accordance with Section 32(1)(b) and (2) of the Act.

The three options are:

- do not change the zoning of vested land to “align” with the purpose for which it has been vested (*Option 1: Status Quo/Do Nothing*)
- change the zoning of all vested land to an appropriate unitary plan zone or new zone if no equivalent (*Option 2: Change the zone in AUP via a plan change*)
- change the zoning of vested land to an appropriate zone where one exists (*Option 3: change the zone in AUP via a plan change*)

Both Options 2 and 3 involve rezoning vested land to an appropriate zone. Options 2 involves apply an existing zone to all vested land or if no appropriate zone exists, introducing a new zone. Option 3 involves applying a zone to vested land, only where a suitable zone existing. For example, land is sometimes vested for drainage purposes, local purposes – amenity reserve or utility reserve but this does not necessitate a change in zoning.

The options were assessed against the following criteria:

Sections of the Act		Criteria
Appropriateness	s32(1)(a) and s32(1)(b) of the Act	Is this option the most appropriate way in which to address the issue at hand? In doing so, is this option the most appropriate way to meet the objective of the AUP and the purpose of the Act?
Effectiveness	s32(1)(b)(ii) of the Act	How successfully can this option address the issue? Does this option successfully meet the objectives of the AUP?
Efficiency	s32(1)(b)(ii) of the Act	Does this option address the issue at lowest cost and highest net benefit? Whether the option is the most efficient in terms of implementation (note; there is some overlap here with costs/benefit?)
Costs	s32(2) of the Act	What are the time and money/expense associated with the option
Benefits	s32(2) of the Act	What are the savings in terms of time and money/expenses
Risks	s32(2)(c) of the Act	What are the risks of addressing this issue? What are the risks of not addressing this issue?

The section 32 analysis of the above three options is provided below.

	Option 1: Status Quo/Do Nothing	Option 2: Change the Zoning of All Vested Land to An Appropriate Unitary Plan Zone or New Zone if No Equivalent via a plan change to the AUP	Option 3: Change the Zoning of Vested Land to an Appropriate Zone Where One Exists via a plan change to the AUP
Cost	Costs may occur if use and/or development is to take place – i.e. costs associated with the resource consent process if the zoning and the purpose for which the land has been vested do not align.	Costs (both time and money) associated with a plan change to align the purpose for which the land was vested to a Unitary Plan zone.	Costs (both time and money) associated with the plan change. Costs may occur if use and/or development is to take place – i.e. costs associated with the resource consent process if the zoning and the purpose for which the land has been vested do not align.
Benefit	No costs associated with a Council Plan Change.	Reduced or no costs if the zoning and the purpose for which the land has been vested align. This will negate the need for resource consents.	Reduced or no costs if the zoning and the purpose for which the land has been vested align. This will negate the need for resource consents.
Effectiveness	If the zoning and the purpose for which the land has been vested do not align, the Unitary Plan will not be effective in achieving the relevant objectives and policies.	A change in zoning will ensure that the purpose for which the land has been vested aligns with the Unitary Plan’s objectives and policies. Some “types” of vested land may not have an equivalent Unitary Plan zoning. A new zoning may be required.	A change in zoning will ensure that the purpose for which the land has been vested aligns with the Unitary Plan’s objectives and policies. Option recognises that some “types” of vested land may not have an equivalent Unitary Plan zoning. The zoning of the land as per the Unitary Plan would therefore continue to apply.

	Option 1: Status Quo/Do Nothing	Option 2: Change the Zoning of All Vested Land to An Appropriate Unitary Plan Zone or New Zone if No Equivalent via a plan change to the AUP	Option 3: Change the Zoning of Vested Land to an Appropriate Zone Where One Exists via a plan change to the AUP
Efficiency	There could be the need for costly resource consents (both time and money) to undertake activities and development that are closely aligned to what the land was vested for. The process would therefore not be efficient.	With land zoned in a manner that closely aligns with the purpose for which it has been vested, the use and development of it will be efficient. Creating new additional zones is not an efficient use of the Unitary Plan. New zone(s) may be required when there is not an equivalent Unitary Plan zoning.	With land zoned in a manner that closely aligns with the purpose for which it has been vested, the use and development of it will be efficient. Some land will not be able to aligned because there is not an equivalent Unitary Plan zoning.
Appropriateness	Least appropriate of the options. The Unitary Plan's objectives and policies are unlikely to be achieved with the land not having an appropriate zoning.	A more appropriate option (than option 1). However, some "types" of vested land may not have an equivalent Unitary Plan zoning and this may necessitate additional zone(s).	The most appropriate option. Aligns the Unitary Plan zoning with the purpose for which the land has been vested. Recognises that not all vested land has an equivalent zoning and that rural, residential or business zones are appropriate in some situations.
Risk	The purpose for which the land is vested may be frustrated due to an inappropriate zoning. This could trigger the need for a resource consent and the associated costs and delays.	Risk of spot zoning or creating additional zones. Adds extra complexity to the Unitary Plan.	Some land will not have an equivalent Unitary Plan zoning but the vast majority of vested land will.

Summary of Analysis

With regard to the spatial zoning of land recently vested land in AUP, Option 3 strikes the best balance between aligning the purpose for which the land has been vested with the appropriate zone while recognising that some “types” of vested land do not require an equivalent Unitary Plan zoning.

This will correct the appropriate land use zoning for land recently vested into Council, and can be included into the Administrative Plan Change as zoning mapping anomalies for correction.