

Attachment B:

Amendments to Proposed Plan Change 4 following feedback from mana whenua

Memo

15 September 2017

To: Cr C Darby, Cr D Lee and Independent Māori Statutory Board Member Liane Ngamane

From: Gurv Singh, Principal Planner and Phill Reid, Manager, Auckland-wide Planning

Subject: **Authority to approve amendments to the Auckland Unitary Plan (Operative in Part) - Proposed Plan Change – Administrative Plan Change for public notification**

Purpose

1. This memorandum relates to the Proposed Administrative Plan Change (**PC4**) to the Auckland Unitary Plan (Operative in Part) (**AUP**).
2. This memorandum seeks approval from the Chair and Deputy Chair of the Planning Committee and member Ngamane from the Independent Māori Statutory Board on Monday 18th September 2017 to approve the amendments to PC4 prior to public notification.

Background

3. On 5th September 2017, council staff reported to the Planning Committee to publicly notify a change to the AUP to correct technical errors and anomalies.
4. The Planning Committee made the resolution (PLA/2017/117) to:
 - a) *approve the notification of the proposed plan change to the Auckland Unitary Plan (Operative in Part) to correct technical errors and anomalies included as Attachments E-N of the agenda report.*
 - b) *endorse the section 32 evaluation report contained as Attachment B to the agenda report.*
 - c) *delegate to the Chair and Deputy Chair of the Planning Committee and an Independent Māori Statutory Board Member the authority to make amendments to the proposed plan change prior to public notification to incorporate any changes due to feedback from iwi authorities or other minor amendments.*
5. Staff sought delegated authority to the Chair and Deputy Chair of the Planning Committee and an Independent Māori Statutory Board to make amendments to the proposed plan change (PC4) prior to public notification. This is to enable any feedback received from iwi authorities by 13 September to be considered for amendments to the proposed plan change.

Summary of feedback from iwi authorities

6. A draft copy of PC4 was sent to all 19 iwi authorities in the Auckland region on 21 August 2017. Three of the 19 iwi authorities responded to the letter which was Te Akitai Waiohau,

Ngāti Whātua o Ōrākei, and Te Rūnanga o Ngāti Whātua. Te Akitai Waiohua did not provide any feedback on PC4 but want to be kept informed of the process.

7. Council staff met with two iwi authorities (Ngāti Whātua o Ōrākei and Te Rūnanga o Ngāti Whātua) whom provided feedback on the documents. The feedback received was on:
 - i. importance to include, use and reference Māori values and Māori language in documents, particularly in operational and strategy documents i.e. Auckland Plan, and the Auckland Unitary Plan;
 - ii. putting an Auckland context to any review or discussion of National Policy Statements in reports especially when talking about the regional and local planning context; and
 - iii. the proposed amendments to Schedule 12 Sites and Places of Significance to Mana Whenua Schedule (Schedule 12) and proposed spatial map changes of Sites and Places of Significance to Mana Whenua Overlay in the AUP GIS Viewer.

8. In response to 7(i) above, council staff agreed with the representative of Te Rūnanga o Ngāti Whātua that their feedback was more on the Auckland Plan refresh than on the proposed plan change documents. This feedback has been provided to the Auckland Plan Refresh project team for their information and use.

9. In response to 7(ii) above, the feedback seeking an Auckland context to National Policy Statements has been reflected in additional statutory context being iwi management plans recognised within the section 32 evaluation report as a matter to which the plan change must consider under s61, s66 and s74 of the Resource Management Act 1991.

10. In response to 7(iii) above, advice on the feedback relative to Schedule 12 has been sought from Council's Heritage Unit. This advice will be provided by close of business 15 September so that officer's recommendations to the section 32 evaluation report and proposed changes to Schedule 12 in PC4 (results from feedback) can be tabled for consideration on Monday 18th September.

Summary of amendments

11. A legal review of the section 32 evaluation report and PC4 was conducted by Council's Legal team.

12. Following receipt of feedback from iwi authorities and the legal review, council staff have made the following key changes:
 - i. updates to the Section 32 evaluation report and proposed plan change documents to reflect legal review and feedback received from iwi authorities;
 - ii. amendments to Schedule 12 and spatial maps in PC4 to reflect advice and recommendations received from iwi authorities;
 - iii. removal of specific errors and anomalies where the change will be corrected via another process (i.e. future plan change/s, or appeals); and
 - iv. amendments to the proposed spatial map changes in PC4 to align with the AUP GIS Viewer.

13. Council staff considers all changes to be appropriate and these do not change the form, content, intent and scope of PC4. A copy of the section 32 evaluation report and proposed changes to PC4 will be tabled on Monday 18th September for review.

14. On that basis, council staff seek the delegated Councillors and Member Ngamane to approve the changes to PC4 prior to public notification. Public notification of PC4 is proposed for 28 September 2017.

Prepared by: Gurv Singh

Approved by: Phill Reid

**Principal Planner,
Auckland-Wide Planning Unit**

**Manager, –
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