Date: Thursday 4 October 2018
Time: 9:30am
Meeting Room: Room 1, Level 26
Venue: 135 Albert St
          Auckland

Komiti Whakahaere ā-Ture /
Regulatory Committee

OPEN ATTACHMENTS

ATTACHMENTS UNDER SEPARATE COVER

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<th>ITEM</th>
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<td>11</td>
<td>Regulatory Committee Summary of Information Items 4 October 2018</td>
<td></td>
</tr>
<tr>
<td></td>
<td>C. 20180920 _urgent decision re: delegated authority - Plan Change 4</td>
<td>3</td>
</tr>
</tbody>
</table>

Note: The attachments contained within this document are for consideration and should not be construed as Council policy unless and until adopted. Should Councillors require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.
Request for delegated authority for appeals on Plan Change 4, Auckland Unitary Plan

File No.: 

Purpose

1. To advise the Committee of the two appeals received on Plan Change 4: Administrative Plan Change; and to seek the appropriate delegations.

Executive Summary

2. Under the Governing Body Terms of Reference (GB/2016/237), the Planning Committee holds the delegation for plan changes and other matters relevant to the Auckland Unitary Plan (‘the Unitary Plan’).

3. However, the Regulatory Committee holds the responsibility for regulatory hearings and appeal matters.

4. Plan Change 4: Administrative Plan Change (‘Plan Change 4’) sought to correct technical errors and anomalies in the Unitary Plan. In accordance with its delegated authority, it was made operative in part, by the Planning Committee at its 4 September meeting (PLA/2016/85).

5. However the appeals to Plan Change 4 are a matter for the Regulatory Committee.

6. There are two appeals on Plan Change 4 on separate matters. These are:
   * an appeal from Housing New Zealand Corporation (‘HNZC’) to the proposed amendments to Chapter E12: Land Disturbance, Activity Table E12.4.2
   * an appeal from Pine Harbour Marina Limited on provisions in the Pine Harbour Precinct.

7. Staff seeks delegation from the Regulatory Committee to enter into negotiations and attend court mediation to either resolve the issues raised in the appeal or narrow down the issues for any Environment Court hearing.

8. Delegation is sought under urgency as council is attending a court-assisted mediation on 25 September 2018 for the appeal by HNZC. This is prior to the next meeting of the Regulatory Committee.

9. Attachment A of this report contains the relevant agenda item to the Planning Committee 4 September meeting. It sets out Plan Change 4 process, timeframes and other matters in detail.
Recommendation

That the Regulatory Committee:

a) delegate to the council’s Legal Services (Regulatory Litigation) and relevant Plans and Places staff, the authority to enter into discussions and/or attend mediation/s for the purpose of exploring settlements, or reaching agreements on any amendments to Plan Change 4; or refining issues prior to a Court hearing.

| Report Recommendations accepted under urgency | Councillor Linda Cooper  
Chairperson Regulatory Committee |
|------------------------------------------------|--------------------------------------------------|
| Date: 21/9/18 | Deputy Mayor Bill Cashmore  
Deputy Chairperson Regulatory Committee |
| | Member Glenn Wilcox  
Independent Māori Statutory Board |

Discussion


11. Technical matters and anomalies include matters such as incorrect references and provisions that lead to nonsensical outcomes. If a remedy to an error required a shift in a policy position, or the solution was unclear, it was excluded from the scope of Plan Change 4.

12. Schedule 1 of the Resource Management Act 1991 sets out the process for a change to a policy statement or plan. Plan Change 4 adhered to the plan change process.

13. Attachment A contains the report to the Planning Committee’s 4 September 2018 meeting. It outlines these plan change process and other matters in more detail.

14. In accordance with its delegations, the Planning Committee made Plan Change 4 operative in part, with the exception of:
   - proposed amendments subject to appeals and
   - regional coastal plan amendments, that require the approval of the Minister of Conservation.

15. Two appeals have been received on Plan Change 4, one from the Pine Harbour Marina Limited and one from Housing New Zealand Corporation (‘HNZC’).
Regulatory Committee (Under Urgency)

Appeal received by Housing New Zealand Corporation

16. The appeal from Housing New Zealand Corporation relates to amendments made to Chapter E12: Land Disturbance – District, Activity Table E12.4.2.

17. Plan Change 4 reinstates controls on land disturbance (on earthworks of more than 5m³) in the Special Character Areas - Residential Isthmus C. The proposed amendment will control earthworks on the slopes of four maunga.

18. This control on earthworks was introduced into the legacy Auckland City Council Isthmus District Plan through Plan Change 192. The PAUP retained these earthworks provisions. Auckland Council evidence to the Independent Hearings Panel indicated the intention to retain these earthwork provisions and include it in the relevant chapters on land disturbance.

19. In the Unitary Plan, these earthworks provisions are currently included in Chapter E26: Infrastructure, but not mirrored in E12: Land Disturbance (District). Staff investigated this omission and fixed it through Plan Change 4.

20. In its submission, Housing New Zealand Corporation expressed concerns that this change seeks to introduce another 'heritage' related matter to the Unitary Plan, rather than to correct an error.

21. The commissioner’s decision report agreed with staff, that this particular provision was inadvertently excluded from the Unitary Plan, and Plan Change 4 seeks to reinstate this.

22. Housing New Zealand Corporation is appealing this decision.

23. Court assisted mediation on this appeal is scheduled for 25 September 2016.

24. Staff seek the delegation to enter into discussions to explore settlement options.

25. Staff also seek the delegation to the Chair and the Deputy Chair, to approve any changes to Plan Change 4, following outcomes from negotiation of these appeals.

Appeal received by Pine Harbour Marina Limited

26. Pine Harbour Marina Limited’s appeal relates to provisions in the Pine Harbour Precinct (Chapter I431). Staff proposed a handful of amendments to the Pine Harbour Precinct that corrected references.

27. In its submission in 2017, Pine Harbour Marina Limited proposed changes to provisions that were not proposed for change under Plan Change 4.

28. Staff did not support these proposed changes on the basis they were outside of the scope of the plan change. Also, staff did not have the opportunity to appropriately consult with affected parties on any proposals put forward by Pine Harbour Marina Limited.

29. In its decision report, the commissioners agreed with staff and found Pine Harbour Marina Limited’s submission to be out of scope of Plan Change 4 and that its changes should be progressed as a separate plan change.

30. Pine Harbour Marina Limited is appealing this decision and seeks to incorporate its proposed changes as part of Plan Change 4.

31. The appeal is progressing between parties prior to court assisted mediation.

Consideration

Local Board Views

32. Local boards’ comments and views were considered as part of this plan change process (Attachment A).

33. Housing New Zealand Corporation appeal on earthworks does not relate to a specific local board area. No local board views will be sought on this matter.
34. Staff will update the Franklin Local Board about the appeal on the Pine Harbour Precinct provisions.

Maori Impact Statement
35. Feedback and views of 19 iwi authorities and Tūpuna Maunga o Tāmaki Makaurau Authority were considered as part of the plan change process (Attachment A).
36. Tūpuna Maunga o Tāmaki Makaurau Authority will be updated on the progress of the Housing New Zealand Corporation appeal as appropriate.

Implementation
37. The resolution of appeals by agreement between the parties, where possible, provides the best financial outcome and use of staff resources. Where agreement cannot be reached, specialist consultant resources can still be reduced by negotiations, even though evidence preparation and presentation at a court hearing will still proceed.
38. Delegations to help effective case management will assist discussions and may negate the need for a hearing.
39.

Attachments

<table>
<thead>
<tr>
<th>No.</th>
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<tbody>
<tr>
<td>A</td>
<td>Link to the Report to Planning Committee 4 September 2018</td>
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Signatories

<table>
<thead>
<tr>
<th>Authors</th>
<th>Jasmin Kaur, Planner, Auckland wide., Plans and Places Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authoriser</td>
<td>Phill Reid, Manager, Auckland wide, Plans and Places Department</td>
</tr>
</tbody>
</table>
Te take mō te pūrongo / Purpose of the report
1. To make Plan Change 4: Administrative Plan Change operative in part.

Whakarāpopotanga matua / Executive summary
2. In September 2017, the Planning Committee approved the proposed Administrative Plan Change (Plan Change 4) for public notification (Resolution number PLA/2017/117). Plan Change 4 seeks to correct technical errors and anomalies in the Auckland Unitary Plan (the Unitary Plan).

3. Plan Change 4 was notified on 28 September 2017. Submissions were heard over three days in January 2018. The independent hearings commissioners released their decisions in June 2018 and these were publicly notified on 14 June 2018. The period for lodging appeals has closed. Two appeals have been received on separate matters in Plan Change 4.

4. There are 12 proposed amendments to regional coastal plan provisions under Plan Change 4. Section 28 of the Resource Management Act 1991 requires approval from the Minister for Conservation before these are made operative. The committee can adopt the 12 proposed amendments and refer these to the Minister of Conservation for final approval.

5. Staff recommend that Plan Change 4 be made operative in part except for:
   - proposed amendments subject to appeals
   - proposed amendments related to the regional coastal plan in Attachment A.

6. Following the outcome of appeal negotiations staff recommend delegated authority be given to the Chair and the Deputy chair of the Planning Committee to approve these amendments.

Ngā tūtohunga / Recommendation/s
That the Planning Committee:

a) agree to make proposed amendments under Plan Change 4: Administrative Plan Change, operative in part.

b) adopt proposed amendments to regional coastal plan set out in Attachment A to the agenda report and refer to the Minister of Conservation for final approval.

c) delegate to the Chair and Deputy Chair of the Planning Committee, authority to approve any amendments to Plan Change 4, following the outcome of appeal negotiations.

d) request the General Manager, Plans and Places to undertake the steps in Schedule 1 of the Resource Management Act to make Plan Change 4 to the Auckland Unitary Plan operative in part.

Horopaki / Context
7. Plan Change 4: Administrative Plan Change (Plan Change 4) seeks to correct technical errors and anomalies in the Auckland Unitary Plan (the Unitary Plan).
8. Technical errors and anomalies include matters such as incorrect references and provisions that led to nonsensical outcomes. Any remedies of an error or anomaly that require a shift in policy position, or where the solution to an error is unclear; are excluded from the scope of Plan Change 4.

9. In September 2017 the committee approved Plan Change 4 for public notification (Resolution number PLA/2017/117). Schedule 1 of the Resource Management Act 1991 (the Act) sets out the process for a change in a policy statement or plan. Following Schedule 1 of the Act, Plan Change 4 was:
   - publicly notified on 28 September 2017
   - open for public submissions until 27 October 2017
   - open for further submissions from 2 November to 16 November 2017
   - heard by independent commissioners over three days in January 2018
   - publicly notified the decisions from the commissioners on 14 June 2018.

10. The period for lodging any appeals in the Environment Court has closed and two appeals on Plan Change 4 were received.

11. There are 12 regional coastal plan provisions proposed for amendment under Plan Change 4. These are outlined in Attachment A. Amendments to regional coastal plan provisions cannot be made operative until these are approved by the Minister of Conservation.

12. Staff recommend that Plan Change 4 be made operative in part except for:
   - proposed amendments subject to appeals
   - proposed amendments related to the regional coastal plan (Attachment A).

**Appeals received by Pine Harbour Marina Limited and Housing New Zealand Corporation**

13. Pine Harbour Marina Limited’s appeal relates to provisions in the Pine Harbour Precinct (Chapter I431). In its submission in 2017, Pine Harbour Marina Limited proposed changes to provisions that were not proposed for change under Plan Change 4.

14. Officers did not support these proposed changes on the basis they were outside of the scope of the plan change. Also, officers did not have the opportunity to appropriately consult with affected parties on any proposals put forward by Pine Harbour Marina Limited.

15. In its decision report, the commissioners agreed with officers and found Pine Harbour Marina Limited’s submission to be out of scope of Plan Change 4 and that its changes should be progressed as a separate plan change. Pine Harbour Marina Limited is appealing this decision and seeks to incorporate its proposed changes as part of Plan Change 4.

16. The second appeal, from Housing New Zealand Corporation relates to amendments made to Chapter E12: Land Disturbance – District, Activity Table E12.4.2.

17. Plan Change 4 reinstates controls on land disturbance (on earthworks of more than 5m³) in the Isthmus C Special Character Areas. The proposed amendment will control earthworks on the slopes of four maunga as was originally included in the Proposed Auckland Unitary Plan.

18. In its submission, Housing New Zealand Corporation expressed concerns that this change seeks to introduce another ‘heritage’ related matter to the Unitary Plan, rather than to correct an error.

19. The commissioner’s decision report agreed with officers, that this particular provision was inadvertently excluded from the Unitary Plan, and Plan Change 4 seeks to reinstate this.

20. Housing New Zealand Corporation is appealing this decision.

21. Officers seek delegation to the Chair and the Deputy chair, to approve any changes to Plan Change 4, following outcomes from negotiation of these appeals.
Regional coastal plan amendments require approval by the Minister of Conservation
22. There are 12 regional coastal plan errors and anomalies shown in Attachment A that have been amended as part of Plan Change 4.
23. As per section 28 of the Act, any amendments to the regional coastal plan will require the approval of the Minister of Conservation before these can be made operative.
24. The committee can adopt the regional coastal plan amendments and refer these to the Minister of Conservation for final approval.

Tātaritanga me ngā tohutohu / Analysis and advice
25. As this report is procedural in nature, no further analysis and advice is required.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe / Local impacts and local board views
26. As part of Plan Change 4, local boards were:
   • advised in April 2017 that proposed plan change for administrative errors and anomalies had commenced and were invited to put forward matters for inclusion into this plan change
   • advised in August 2017 that the proposed plan change would be notified and were invited to provide feedback.
27. Where proposed amendments affected a particular local board, the board was appropriately advised. Local boards did not provide formal feedback on Plan Change 4 but instead sought clarification on proposed amendments.

Tauākī whakaaweawe Māori / Māori impact statement
28. As part of the development of Plan Change 4, staff:
   • sent a memo to all 19 iwi authorities in July 2017 to signal that the proposed plan change is in the pipeline and to determine interest in consulting on this plan change
   • sent the draft proposed plan change in August 2017 for feedback in accordance with Clause 4 of Schedule 1 of the Act.
29. Three iwi authorities provided feedback on Plan Change 4. Attachment B summarises feedback received from these iwi authorities and subsequent amendments made to the draft proposed plan change.
30. No submissions were received from iwi authorities during the public notification process.
31. Tūpuna Maunga o Tāmaki Makaurau Authority made a submission with regards to Chapter D14 Volcanic Viewshafts and Height Sensitive Areas Overlay.
32. Officers recommended changes in accordance with Tūpuna Maunga o Tāmaki Makaurau Authority’s submission as it further clarified Standard D14.6.3(1)(a)(i). The changes were supported by the independent hearing commissioners.

Ngā ritenga ā-pūtea / Financial implications
33. There are no financial implications associated with making this plan change operative.

Ngā raru tūpono / Risks
34. There are no risks associated with making this plan change operative.
Ngā koringa ā-muri / Next steps
35. Proposed amendments under Plan Change 4 are currently annotated as such in the Unitary Plan (text and maps). Staff will incorporate amendments from Plan Change 4 into the Unitary Plan (text and maps) and remove/amend annotations by November 2018. Proposed amendments subject to appeal and regional coastal plan provisions awaiting ministerial approval will remain annotated until these are resolved and approved, respectively.

Ngā tāpirihanga / Attachments

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<td>Regional coastal plan provisions under Plan Change 4</td>
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<tr>
<td>B</td>
<td>Feedback from mana whenua on Proposed Plan Change 4</td>
<td>17</td>
</tr>
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Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Jasmin Kaur - Planner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>John Duguid - General Manager - Plans and Places</td>
</tr>
<tr>
<td></td>
<td>Jim Quinn - Chief of Strategy</td>
</tr>
</tbody>
</table>
Attachment A:
Regional coastal plan provisions under Plan Change 4

This attachment outlines proposed amendments to regional coastal plan provisions under Plan Change 4.

Amendments to regional coastal plan provisions cannot be made operative until these are approved by the Minister for Conservation (as per section 28 of the Resource Management Act 1991).

Where a provision applies to both land and coastal marine area, the landward aspect can be made operative as a district plan provision. Any regional coastal plan provision is operative only after it has been approved by the Minister of Conservation.

Changes proposed are shown in strike through for a removal and underline for an addition.

Proposed amendments to regional coastal plan provisions (text and maps) include:

- amendment to Chapter D17: Historic Heritage overlay
- amendment to I103: Waitemata Navigation Channel Precinct
- amendment to I208 Port Precinct
- amendment to I325 Ōkahu Marine Precinct
- amendments to sites 049, 052,055 and 073 in Schedule 12: Sites and places of significance to mana whenua
- amendment to site 02735 in Schedule 14.1: Schedule of historic heritage
- amendment to alignment of significant ecological area overlay to indicative coastline at 2791 Kaipara Coast Highway
- amendment to mapping of site 052 in Schedule 12, to adjust location
- amendment to mapping of site 055 in Schedule 12, to adjust extent.

These are outlined below.

Text and map amendments to regional coastal plan provisions under Plan Change 4:

Chapter D17 Historic Heritage Overlay

Amend D17 Historic Heritage Overlay as follows

Table D17.4.1 Activity table - Activities affecting Category A, A\(^1\) and B scheduled historic heritage places [rcp – where references is made in Chapter F to these rules applying]
### Attachment C

#### Item 11

<table>
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<tr>
<th>Development</th>
<th>Demolition or destruction</th>
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<tr>
<td>(A2)</td>
<td>Demolition or destruction of 30% or more, but less than 70%, by volume or footprint (whichever is the greater) of any feature.</td>
</tr>
<tr>
<td>NC</td>
<td>NC</td>
</tr>
<tr>
<td>NC</td>
<td>NC</td>
</tr>
<tr>
<td>D</td>
<td>0</td>
</tr>
<tr>
<td>0</td>
<td>F - where the feature is free-standing</td>
</tr>
<tr>
<td>C</td>
<td>- where the feature is connected to a scheduled feature</td>
</tr>
</tbody>
</table>

[Note chapter F2 activity table F2.19.10 (A125): Demolition or removal of any buildings or coastal marine area structures references this Activity Table D17.4.1 (A2). So this is a regional coastal plan provision.]

### 1103: Waitemata Navigation Channel Precinct

Amend 1103 Waitemata Navigation Channel Precinct as follows:

1103.3 Policies [rcp]

The Coastal –General Coastal Marine Zone, Auckland-wide and overlay policies apply in this precinct in addition to those specified above with the exception of D.5.1.Dredging Policy.4 of the Coastal-General Coastal Marine Zone [F2.9.3 Dredging Policy. F2 Coastal. General Coastal Marine Zone]

### 1208: Port Precinct

Amend 1208 Port Precinct as follows:

<table>
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<tr>
<th>1208.6 Standards</th>
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<tr>
<td>1208.6.1 Land and water standards</td>
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</table>

The land and water use standards...

Request to make Plan Change 4: Administrative Plan Change, operative in part
Regulatory Committee  
04 October 2018

Planning Committee  
04 September 2018

Attachment A  
Item 8

Attachment C  
Item 11

I325 Ōkahu Marine Precinct

Amend I325 Ōkahu Marine Precinct as follows:
I325.10.1. Ōkahu Marine Precinct: Precinct plan 1- building areas within sub-precinct B
Amend the tagging of provisions in Precinct plan 1 to read:
1. Ōkahu Marine sub-precinct A(rctdp)
2. Ōkahu Marine sub-precinct B(rctdp)

Schedule 12 Sites and Places of Significance to Mana Whenua

<table>
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<tr>
<th>Schedule ID</th>
<th>Name</th>
<th>Location</th>
<th>Description</th>
<th>Nominated by Mana Whenua</th>
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<tr>
<td>049</td>
<td>Te Pūpu o Kawa (Tāhua Tōrea)</td>
<td>Tāhua Tōrea Reserve, including sandspit 338 &amp; 340 West Tamaki Road, Glengowrie</td>
<td>Waahi whakairihia</td>
<td>Ngāti Whātau o Ōrākei</td>
</tr>
<tr>
<td>052</td>
<td>Kohimaramara / Bastion Rock Takaparawha Point</td>
<td>Tāmaki, Tamaki Yacht Club, Tamaki Drive, Ōrākei</td>
<td>Waahi tapu, Wai tapu</td>
<td>Ngāti Whātau o Ōrākei</td>
</tr>
<tr>
<td>055</td>
<td>Te Tō Waka Ōtāhuhu portage Ōtāhuhu portage</td>
<td>Head of Tāmaki River at Ōtāhuhu, near Canal Reserve and Portage Road, Ōtāhuhu</td>
<td>Ōtāhuhu portage Waahi tapu, Wai tapu, Head of Tamaki River at Ōtāhuhu, May be nationally Significant portage for waka including ancestral waka</td>
<td>Ngāti Whātau o Ōrākei</td>
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<td>073</td>
<td>Karaka Bay (Oroko)</td>
<td>Foreshore area below Peacock Street, Glendowie</td>
<td>Located below the Pa pā Te Pane o Horowiet, Site of several battles, Location of signing of Te Tiriti o Waitangi</td>
<td>Ngāti Paoa</td>
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Schedule 14.1 Schedule of Historic Heritage

<table>
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<th>ID</th>
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<th>Exclusions</th>
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<tbody>
<tr>
<td>02735</td>
<td>Queens Wharf</td>
<td>1. Fendering, Cast iron bollards, Any works associated with repair and maintenance to ensure the integrity of the wharf structure for port purposes. The repair and maintenance methodology for piers includes the removal of defective concrete either by mechanical means or hydrodemolition, replacement of corroded reinforcement, coating of reinforcement and reinstatement with new concrete either by spraying or resurfacing with concrete or mortar</td>
<td></td>
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</tbody>
</table>
Map Amendments

These are listed below:

1. 2791 Kaipara Coast Highway
   Amend Significant Ecological Area – Terrestrial and Marine; Coastal Inundation 1 per cent AEP Plus
   1m Control, and Rural Coastal Zone to align with indicative coastline

2. Mapping of Schedule 12 Item, site 052
   Correcting the location of Kohimaramara/ Bastion Road Takaparawha Point

3. Mapping of Schedule 12 Item, site 055
   Correcting extent of site for Te Tō Waka Ótāhuhu Portage
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 Waloahu, ...
Ngāti Whātua o ēkei, 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 ēkei 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
Principal Planner,
Auckland-Wide Planning Unit

Approved by: Phill Reid
Manager, –
Auckland-Wide Planning Unit