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

**Date:** Tuesday, 2 April 2019  
**Time:** 9.30am  
**Meeting Room:** Reception Lounge  
**Venue:** Auckland Town Hall  
301-305 Queen Street  
Auckland

**Komiti Whakarite Mahere / Planning Committee**

**OPEN AGENDA**

**MEMBERSHIP**

<table>
<thead>
<tr>
<th>Chairperson</th>
<th>Cr Chris Darby</th>
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<tr>
<td>Deputy Chairperson</td>
<td>Cr Richard Hills</td>
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<td>Members</td>
<td>Cr Josepiline Bartley</td>
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<td>Cr Dr Cathy Casey</td>
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<td>Deputy Mayor Cr Bill Cashmore</td>
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<td>Cr Ross Clow</td>
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<td>Cr Fa'anana Efeso Collins</td>
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<td>Cr Linda Cooper, JP</td>
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<td>Cr Alf Filipaina</td>
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<td>Cr Hon Christine Fletcher, QSO</td>
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<td>Mayor Hon Phil Goff, CNZM, JP</td>
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<td>IMSB Member Hon Tau Henare</td>
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<td>Cr Penny Hulse</td>
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<td>Cr Mike Lee</td>
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<td>Cr Daniel Newman, JP</td>
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<td>IMSB Member Liane Ngamane</td>
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<td>Cr Greg Sayers</td>
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<td>Cr Desley Simpson, JP</td>
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<td>Cr Sharon Stewart, QSM</td>
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<td>Cr Sir John Walker, KNZM, CBE</td>
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<td>Cr Wayne Walker</td>
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<td>Cr John Watson</td>
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<td>Cr Paul Young</td>
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</tbody>
</table>

(Quorum 11 members)

**Kalinda Gopal**  
Senior Governance Advisor  
28 March 2019

Contact Telephone: (09) 367 2442  
Email: kalinda.gopal@aucklandcouncil.govt.nz  
Website: www.aucklandcouncil.govt.nz

**Note:** The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.
Terms of Reference

Responsibilities

This committee guides the physical development and growth of Auckland through a focus on land use planning, housing and the appropriate provision of infrastructure and strategic projects associated with these activities. Key responsibilities include:

- Relevant regional strategy and policy
- Infrastructure strategy and policy
- Unitary Plan
- Spatial plans
- Plan changes to operative plans
- Housing policy and projects
- Special Housing Areas
- City centre development
- Tamaki regeneration
- Built heritage
- Urban design
- Environmental matters relating to the committee’s responsibilities
- Acquisition of property relating to the committee’s responsibilities and within approved annual budgets
- Activities of the following Council Controlled Organisations:
  - Panuku Development Auckland
  - Auckland Transport
  - Watercare Services Limited
  - Regional Facilities Auckland (stadia)

Powers

(i) All powers necessary to perform the committee’s responsibilities, including:
   (a) approval of a submission to an external body
   (b) establishment of working parties or steering groups.

(ii) The committee has the powers to perform the responsibilities of another committee, where it is necessary to make a decision prior to the next meeting of that other committee.

(iii) The committee does not have:
   (a) the power to establish subcommittees
   (b) powers that the Governing Body cannot delegate or has retained to itself (section 2).
Exclusion of the public – who needs to leave the meeting

Members of the public

All members of the public must leave the meeting when the public are excluded unless a resolution is passed permitting a person to remain because their knowledge will assist the meeting.

Those who are not members of the public

General principles

- Access to confidential information is managed on a “need to know” basis where access to the information is required in order for a person to perform their role.
- Those who are not members of the meeting (see list below) must leave unless it is necessary for them to remain and hear the debate in order to perform their role.
- Those who need to be present for one confidential item can remain only for that item and must leave the room for any other confidential items.
- In any case of doubt, the ruling of the chairperson is final.

Members of the meeting

- The members of the meeting remain (all Governing Body members if the meeting is a Governing Body meeting; all members of the committee if the meeting is a committee meeting).
- However, standing orders require that a councillor who has a pecuniary conflict of interest leave the room.
- All councillors have the right to attend any meeting of a committee and councillors who are not members of a committee may remain, subject to any limitations in standing orders.

Independent Māori Statutory Board

- Members of the Independent Māori Statutory Board who are appointed members of the committee remain.
- Independent Māori Statutory Board members and staff remain if this is necessary in order for them to perform their role.

Staff

- All staff supporting the meeting (administrative, senior management) remain.
- Other staff who need to because of their role may remain.

Local Board members

- Local Board members who need to hear the matter being discussed in order to perform their role may remain. This will usually be if the matter affects, or is relevant to, a particular Local Board area.

Council Controlled Organisations

- Representatives of a Council Controlled Organisation can remain only if required to for discussion of a matter relevant to the Council Controlled Organisation.
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<td>Public Input</td>
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<td>5.1 Public Input - McMullen and Wing - the introduction of zero emission electric ferries into the Auckland Transport ferry service</td>
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<td>5.2 Public Input - Generation Zero - Public Transport Fares</td>
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<td>Converting Road Reserve, Unformed Legal Roads and Pedestrian Accessways to Open Space</td>
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<td>Proposed plan change to re-order and undertake technical corrections to Schedule 10 – Notable Trees Schedule and the corresponding mapped overlay</td>
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<td>Receipt of Notice of Appeal to the decision on Orakei Point Private Plan Change (Covering report)</td>
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<td>13</td>
<td>Summary of Planning Committee information memos and briefings - 2 April 2019</td>
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<td>14</td>
<td>Consideration of Extraordinary Items</td>
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**PUBLIC EXCLUDED**

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<td>15</td>
<td>Procedural Motion to Exclude the Public</td>
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<td>C1</td>
<td>Orakei Point Private Plan Change – Notice of Appeal (Covering report)</td>
</tr>
</tbody>
</table>
1 Apologies

At the close of the agenda no apologies had been received.

2 Declaration of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

3 Confirmation of Minutes

That the Planning Committee:

a) confirm the ordinary minutes of its meeting, held on Tuesday, 5 March 2019, including the confidential section, as a true and correct record.

4 Petitions

At the close of the agenda no requests to present petitions had been received.

5 Public Input

Standing Order 7.7 provides for Public Input. Applications to speak must be made to the Governance Advisor, in writing, no later than one (1) clear working day prior to the meeting and must include the subject matter. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders. A maximum of thirty (30) minutes is allocated to the period for public input with five (5) minutes speaking time for each speaker.

5.1 Public Input - McMullen and Wing - the introduction of zero emission electric ferries into the Auckland Transport ferry service

Te take mō te pūrongo
Purpose of the report

1. Michael Eaglen, Chief Executive of McMullen and Wing, will speak to the committee about the introduction of zero emission electric ferries into the Auckland Transport ferry service.

Ngā tūtohunga
Recommendation/s

That the Planning Committee:

a) receive the public input from Michael Eaglen on behalf of McMullen and Wing about the introduction of zero emission electric ferries into the Auckland Transport ferry service, and thank him for attending.
5.2 Public Input - Generation Zero - Public Transport Fares

Te take mō te pūrongo
Purpose of the report
1. Leroy Beckett will speak to the committee on behalf of Generation Zero about public transport fares.

Ngā tūtohunga
Recommendation/s
That the Planning Committee:

a) receive the public input from Generation Zero about public transport fares and thank them for attending.

6 Local Board Input

Standing Order 6.2 provides for Local Board Input. The Chairperson (or nominee of that Chairperson) is entitled to speak for up to five (5) minutes during this time. The Chairperson of the Local Board (or nominee of that Chairperson) shall wherever practical, give one (1) day’s notice of their wish to speak. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders.

This right is in addition to the right under Standing Order 6.1 to speak to matters on the agenda.

At the close of the agenda no requests for local board input had been received.

7 Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

(a) The local authority by resolution so decides; and

(b) The presiding member explains at the meeting, at a time when it is open to the public,-

(i) The reason why the item is not on the agenda; and

(ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”
Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

(a) That item may be discussed at that meeting if-

(i) That item is a minor matter relating to the general business of the local authority; and

(ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but

(b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”
Hamilton to Auckland Corridor Plan – proposed partnership and work programme

File No.: CP2019/02048

Te take mō te pūrongo
Purpose of the report
1. To update the committee on the central government-led Hamilton to Auckland Corridor Plan project and to seek endorsement of a proposed new partnership framework for the project through ‘Future Proof’, the Waikato sub-region’s growth management strategy and partnership framework.

Whakarāpopototanga matua
Executive summary
2. There are important growth, social, environmental, economic and cultural issues that cross administrative boundaries between Auckland and Waikato. Most of these issues are currently addressed on a project-by-project basis.

3. The Hamilton to Auckland Corridor Plan (the project) is an opportunity for council to provide an aligned strategic approach to these cross-boundary issues with central government, local government and mana whenua partners.

4. As part of the project, council has now been invited to participate, as an associate member, in what will be an expanded Future Proof partnership. The Hamilton to Auckland Corridor Plan project will be a workstream within Future Proof. The proposed partnership arrangement will be used to deliver on a proposed joint work programme.


6. Associate membership limits the scope of council’s involvement and contributions to the cross-boundary initiatives and issues that are relevant to Auckland.

7. Staff recommend that council accepts the invitation to participate in the expanded Future Proof as an associate member, subject to a number of conditions.

8. This approach is potentially cost-neutral as most of the initiatives within council’s scope are already underway and will be funded from existing budgets.

9. Council’s participation in the project and specific initiatives does not constitute endorsement of project initiatives in any way. All financial and policy decisions will still be required to be approved by council.

10. There is a separate process to invite additional Tāmaki Makaurau iwi with an interest to the corridor to join Future Proof. This process is being led by Waikato Tainui. Staff will provide technical advice in this regard when required.

Ngā tūtohunga
Recommendation/s
That the Planning Committee:

a) note the progress update on the Hamilton to Auckland Corridor Plan project.

b) approve the scope of council’s involvement in the proposed programme of initiatives as outlined in Attachment D of the agenda report.
c) approve council’s participation in the expanded Future Proof partnership as an associate member, subject to the following conditions:

i) council’s participation in Future Proof is limited to initiatives and issues that are relevant to Auckland, including:

A) growth management issues relating to central government’s Urban Growth Agenda;

B) cross-boundary issues that impact on Auckland’s communities, with a focus on growth, transport connections, service and infrastructure provision, water allocation and discharge, blue-green networks, and productive soils;

C) specific project initiatives as shown in Attachment D of the agenda report;

D) any other matters that the council wishes to specifically table, at its own discretion;

ii) council’s financial contribution is limited to Auckland-specific matters and initiatives only;

iii) council’s participation does not constitute endorsement of initiatives in any way, and all financial, policy and other decisions still need to be approved by council or council-controlled organisation boards;

iv) alignment with existing council strategies and policies, e.g. the Auckland Plan 2050 Development Strategy;

v) alignment with the Crown and Auckland Council Joint Programme of Work on Auckland Housing and Urban Growth.

Horopaki Context

Project update

11. The Hamilton to Auckland Corridor Plan (the project) was initiated by central government in 2018. It aims to investigate opportunities to unlock and shape growth along the corridor between Papakura and Cambridge.

12. The project falls under the “spatial planning” pillar of central government’s Urban Growth Agenda. Project partners are mana whenua, central government and local government.

13. On 4 September 2018, the Planning Committee endorsed council’s ongoing participation as a partner in the project (Resolution number PLA/2018/89).

14. Since September, Council and CCO staff have been working with project partners to progress certain focus areas within the project, such as:

- contributing to the evidence base behind the project initiatives (e.g. GIS maps, population and employment projections);
- aligning project initiatives with the sequencing and timeframes in the Auckland Plan 2050 Development Strategy and Auckland Transport Alignment Project (ATAP);
- specific technical inputs into various workstreams including aligning the project with existing Auckland-based workstreams e.g. southern structure planning and supporting transport technical work.

15. It is now proposed that the ongoing partnership arrangement of the project be reconsidered, specifically its governance and technical structures.
Proposed partnership framework

16. Council currently addresses cross-boundary issues mainly on a project-by-project basis, although from time to time discussions of a broader strategic nature are had with our neighbours.

17. The Hamilton to Auckland project partners have expressed a desire for the partners – including additional iwi - to formalise this cross-boundary arrangement by adapting and enlarging the existing Future Proof partnership to deliver the various workstreams developed in the Hamilton to Auckland project.


19. To serve as the vehicle for the Hamilton to Auckland project the following changes to Future Proof are proposed:
   • invite central government and Auckland Council to join Future Proof as ‘associate members’, with Auckland Council involvement limited to cross-boundary transport connections and initiatives, and housing and urban growth matters; and
   • invite additional iwi with an interest in the region and corridor to join Future Proof.

20. Waikato Tainui are leading the process to invite additional iwi to join the expanded Future Proof partnership. An iwi-only hui was held on 21 March 2019, the outcomes of which will be known to council by the 2 April 2019 Planning Committee.

21. Attachment A shows the proposed structure and membership of Future Proof. This is a work in progress and subject to change as discussions continue between various parties.

22. As it relates to Auckland, Attachment A shows that:
   • political representation (through the Future Proof Implementation Committee) will include the Franklin Ward Councillor and the Franklin Local Board Chair;
   • additional Tāmaki Makaurau iwi are potentially to be included in the Implementation Committee and/or Ngā Karu Atua o te Waka (Tangata Whenua advisory group), subject to the outcomes of the 21 March 2019 iwi-only hui;
   • the Chief Executive (or his representative) will be included in the Future Proof Chief Executives Advisory Group;
   • the Hamilton to Auckland Corridor Plan project will become one of the ‘technical workstreams’ of Future Proof. Attachment B shows the proposed geographic coverage of the project as a subset of the wider Future Proof area.

Proposed Hamilton to Auckland programme of housing and urban growth initiatives

23. There are currently twenty initiatives in the proposed work programme for the Hamilton to Auckland project. Some are council, crown or iwi initiatives already underway. Some are existing projects that have been rescoped. There are also a few new initiatives.

24. The initiatives fall under the following focus areas:
   • Focus Area 1: Stronger corridor connections (focusing on a cross-regional blue-green open space; fast intercity rail between Hamilton and Auckland)
   • Focus Area 2: Papakura-Pokeno sub-region (completion of respective council structure plans; investigating extending rail electrification to Pukekohe and Pokeno)
   • Focus Area 3: River communities (focusing on revitalising Meremere and Huntly)
   • Focus Area 4: Hamilton-Waikato sub-region (a council-crown-iwi spatial plan for the sub-region; metropolitan mass transit plan)
   • Focus Area 5: New tools and options (using new funding and financing tools; increased crown involvement to support pace and scale).
25. Attachment C shows the proposed programme of initiatives in full.

Tātaritanga me ngā tohutohu
Analysis and advice

26. Staff recommend that council accepts the invitation to participate in the expanded Future Proof as an associate member, subject to conditions as outlined in the next section.

27. There are important issues that cross administrative boundaries between Auckland and Waikato, most of which are addressed on a project-by-project basis. Formalising the arrangements can contribute to a more coordinated effort by partners to achieve shared outcomes.

28. Associate membership limits the scope of council’s involvement and contributions to the cross-boundary initiatives and issues that are relevant to Auckland.

29. In comparison, full membership of Future Proof requires that council be involved in all Future Proof initiatives, which includes Hamilton and Waipa initiatives. It is not appropriate for council to involve itself in another region’s initiatives that do not impact on Auckland’s communities.

30. Associate membership is potentially cost-neutral as most of the initiatives within council’s scope are already underway and will be funded from existing budgets at this stage.

Conditions to membership

Scope of council involvement

31. As an associate Future Proof member, council would:
   • attend and participate in Future Proof only in relation to the initiatives and issues that are relevant to Auckland;
   • contribute resources to Auckland-specific matters or initiatives only;
   • in general, not take part in the wider Future Proof governance, management and technical discussions and work programmes, apart from those with cross-boundary implications on Auckland’s communities.

32. The involvement of council and council-controlled organisations (CCOs) in project initiatives does not constitute endorsement of those initiatives in any way. All financial, policy and other decisions still need to be approved by council or CCO boards.

33. The specific matters and initiatives that council and the wider council family would participate in are:
   • growth management issues or opportunities that relate to the corridor, e.g. Urban Growth Agenda;
   • cross-boundary development issues or opportunities, with a focus on growth, transport connections, service and infrastructure provision, water allocation and discharge, blue-green networks, and productive soils;
   • progression of the specific project initiatives as shown in Attachment D;
   • any other matters that the council wishes to specifically table, at its own discretion.
Alignment with existing council strategies

34. The Auckland Plan 2050 Development Strategy is council’s spatial plan. The Auckland Unitary Plan gives effect to this strategy and is council’s statutory plan under the Resource Management Act. Both these form the basis of council’s current position on land use and will set the parameters for work under Future Proof.

35. Central government has indicated an aspiration to undertake a joint government-¯iwi-council spatial plan for the southern Auckland and northern Waikato area, after the completion of the southern Auckland structure plans. This has not been agreed by council. This is a new initiative and something the council may have to consider in future. At this stage, any joint spatial planning for the corridor that affects Auckland would have to align with existing council strategies and plans.

Alignment with Crown and Auckland Council Joint Programme of Work on Auckland Housing and Urban Growth

36. At the Planning Committee on 5 March 2019 the committee endorsed the Terms of Reference for this joint programme of work, including the initial workstreams and projects (Resolution number PLA/2019/16).

37. The following projects under this programme have relevance to the Hamilton to Auckland workstream under the Future Proof partnership:
   - southern growth area (immediate focus Drury)
   - infrastructure funding and financing
   - spatial planning.

38. Staff will ensure that the necessary links are made and that work under the Future Proof partnership does not duplicate work under this joint work programme.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera Council group impacts and views

39. The proposed Hamilton to Auckland Corridor Plan work programme affects the wider council family in the following ways:
   - Watercare because of the significance of the Waikato River to Auckland from an allocation and discharge perspective;
   - Auckland Transport (AT) because of the potentially significant cost and operational implications of the proposed “fast” intercity rail service – ATAP does not explicitly provide for regional services – and the proposed extension of the AT metro network to Pokeno;
   - Auckland Tourism, Events and Economic Development (ATEED) due to the project objective to create employment opportunities within the corridor.

40. There are opportunities for the council family to be represented at the executive and technical levels of Future Proof, to be determined on a case-by-case basis.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe Local impacts and local board views

41. The project study area includes the Franklin and Papakura Local Boards areas with most relevance to Franklin Local Board given its proximity to the Auckland-Waikato boundary.

42. There are significant growth-related social, economic, environmental and cultural issues that cross administrative boundaries. This includes:
   - the social and physical infrastructure and services required to service growth;
   - the fragmentation of prime and elite soils through subdivision and land use;
   - the significant issues with water allocation and discharge within the corridor.
43. This project enables Auckland and Waikato to coordinate an integrated strategic approach to these issues.

44. Franklin and Papakura Local Board representatives have been involved at governance-level discussions for the Hamilton to Auckland project. Staff recommend that the Franklin Local Board chair, together with the Franklin Ward councillor, be part of the governance of the proposed Future Proof partnership, with representation from Papakura Local Board if and when required.

**Tauākī whakaaweawe Māori**

**Māori impact statement**

45. Provision is made for mana whenua representation in the proposed Future Proof partnership. This includes expansion of iwi representation to include additional Tāmaki Makaurau iwi.

46. The Hamilton to Auckland Corridor Plan project initially only included Waikato Tainui and Ngāti Paoa as partners. After advocacy from Auckland Council and the Independent Māori Statutory Board, additional iwi with an interest in the corridor were notified of the project and invited to participate in workshops and governance meetings. They include Ngāti Tamaoho, Ngāi Tai ki Tāmaki, Ngāti Maru, Ngāti Tamaterā, Ngāti Whanaunga, Ngāti Te Ata Waiohua, Te Kawerau ā Maki, Te Ahiwaru and Te Ākitai.

47. The process to invite additional iwi to participate in Future Proof is led by Waikato Tainui. Waikato Tainui and Ngāti Tamaoho are already part of Future Proof.

48. An iwi-only hui was held on 21 March 2019, the outcomes of which will be known to council by the 2 April 2019 Planning Committee.

49. Attachment A shows that additional Tāmaki Makaurau iwi could potentially be included in the Future Proof Implementation Committee and/or Ngā Karu Atua o te Waka (Tangata Whenua advisory group), subject to the outcomes of the iwi-only hui on 21 March 2019. Additionally, staff will provide best practice approaches to advance mana whenua decision-making and priorities through the Hamilton to Auckland project to the project’s director.

**Ngā ritenga ā-pūtea**

**Financial implications**

50. Most of the initiatives within council’s scope are already underway and will be funded from existing budgets.

**Ngā raru tūpono me ngā whakamaurutanga**

**Risks and mitigations**

51. The following risks are identified:

<table>
<thead>
<tr>
<th>Risk</th>
<th>Mitigation</th>
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<tbody>
<tr>
<td>Central government could, through this project, apply a top-down approach to addressing growth management in Auckland that could undermine council’s current strategic approach and be contrary to existing council policies.</td>
<td>Governance and executive groups to oversee and manage risks.</td>
</tr>
<tr>
<td>There is reputational risk that, if investigated initiatives do not progress, council will be criticised for raising expectations.</td>
<td>Engagement with stakeholders and communication with Aucklanders during the investigation of initiatives.</td>
</tr>
<tr>
<td>There is a risk that this project may raise expectations that Auckland Council will contribute financial resources to the wider corridor project or Future Proof.</td>
<td>Auckland Council will contribute resources to Auckland-specific matters or initiatives only.</td>
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Ngā koringa ā-muri

Next steps

52. The next steps are:

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<thead>
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<th>Date</th>
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<tbody>
<tr>
<td>April</td>
<td>Auckland Council and Crown to separately consider associate membership to Future Proof.</td>
</tr>
<tr>
<td>May - June</td>
<td>If invitations to join Future Proof are accepted, agree proposed joint work programme and associated resources.</td>
</tr>
<tr>
<td>July</td>
<td>Final agreement to joint key initiatives work programme by proposed new partnership, subject to further endorsement, consultation and engagement.</td>
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<tr>
<td>Ongoing</td>
<td>Work with central government to identify and pilot new planning, funding and financing tools linked to the other key initiatives. Part of the Auckland Housing and Urban Growth joint work programme with government.</td>
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Ngā tāpirihanga

Attachments

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<td>Proposed Future Proof partnership structure and membership</td>
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<td>B4</td>
<td>Map of the Auckland-Hamilton Corridor Plan within the wider Future Proof area</td>
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<tr>
<td>C4</td>
<td>Proposed Hamilton-Auckland Corridor programme of housing and urban growth initiatives</td>
<td>23</td>
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<tr>
<td>D4</td>
<td>Specific Hamilton-Auckland Corridor matters and initiatives that council would participate in</td>
<td>27</td>
</tr>
</tbody>
</table>

Ngā kaihaina

Signatories

Authors  
Szening Ooi – Senior Transport Advisor  
Phil Haizelden – Team Leader Transport Strategy

Authorisers  
Jacques Victor - GM Auckland Plan Strategy and Research  
Penny Pirrit - Director Urban Growth and Housing  
Megan Tyler - Chief of Strategy
Attachment A: Proposed Future Proof Structure and Membership

Future Proof Implementation Committee

**Proposed members:**
- Crown (Ministers x 2)
- Auckland Council (Franklin Ward Councilor)
- Papakura Local Board (Chair)
- Tamaki / Hauraki Wi*
- Local Board representatives if and when relevant and required

**Existing members:**
- Waikato Regional Council
- Waipa District Council
- Hamilton City Council
- Waikato District Council
- Matamata-Piako District Council
- NZTA
- Tainui Waaka Alliance*
- Waikato Tainui*
- Nga Karu Atua o te Waka

Future Proof Chief Executives Advisory Group

**Proposed members:**
- Chief Executives (or their representatives) from Auckland Council and MMU
- Other central government or CCO Chief Executives (or their representatives) if and when relevant and required

**Existing members:**
- Chief Executives (or their representatives) from Waikato Regional Council, Hamilton City Council, Waikato District Council, Waipa District Council, Matamata-Piako District Council, NZTA, and Waikato-Tainui

Future Proof Technical Implementation Group

- Relevant staff from the Future Proof partner councils, NZTA, and iwi

Hamilton to Auckland Corridor Plan Steering Group

- (20 initiatives in the proposed work programme)
- Senior officials from NZTA, MfE, MMU, HUGA and Treasury
- Senior staff from councils
- Waikato-Tainui staff
- Other iwi staff

Future Proof Water Policy Group

- Relevant staff from the Future Proof partner councils and iwi
- Officials as required and agreed by Water Policy Group

Other Technical Groups

- Relevant staff from the Future Proof partner councils and iwi
- Officials as required and agreed by Council or CCO

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* Tamaki and Hauraki Wi membership in Future Proof to be determined by separate Wi engagement led by Waikato-Tainui.

*Note discussions between Tainui Waaka Alliance and Waikato-Tainui regarding additional Waikato-Tainui representation at the governance level.

### Attachment C: Proposed Hamilton-Auckland Corridor work programme of housing and urban growth initiatives

<table>
<thead>
<tr>
<th>FOCUS AREA 1: STRONGER CORRIDOR CONNECTIONS</th>
<th>FOCUS AREA 2: PAPAKURA-POKENO SUB REGION</th>
<th>FOCUS AREA 3: RIVER COMMUNITIES</th>
<th>FOCUS AREA 4: HAMILTON-WAIKATO SUB REGION</th>
<th>FOCUS AREA FIVE: NEW TOOLS AND OPTIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Piloting a new collective biodiversity off-setting tool [New]</td>
<td></td>
<td></td>
<td></td>
<td>- Utilise any new funding and financing tools for developers and councils increased Crown involvement to support pace and scale</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>13. Metropolitan Mass Transit Plan [Enhanced role and focus]</td>
</tr>
<tr>
<td>FOCUS AREA 1: STRONGER CORRIDOR CONNECTIONS</td>
<td>FOCUS AREA 2: PAPAKURA-POKENO SUB REGION</td>
<td>FOCUS AREA 3: RIVER COMMUNITIES</td>
<td>FOCUS AREA 4: HAMILTON-WAIKATO SUB REGION</td>
<td>FOCUS AREA FIVE: NEW TOOLS AND OPTIONS</td>
</tr>
<tr>
<td>-------------------------------------------</td>
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<td>---------------------------------</td>
<td>-----------------------------------------------</td>
<td>----------------------------------------</td>
</tr>
</tbody>
</table>
### Attachments C

<table>
<thead>
<tr>
<th>Focus Area 1: Stronger Corridor Connections</th>
<th>Focus Area 2: Papakura-Pokeno Sub Region</th>
<th>Focus Area 3: River Communities</th>
<th>Focus Area 4: Hamilton-Waikato Sub Region</th>
<th>Focus Area Five: New Tools and Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Development-Leading Infrastructure</td>
<td>7. Extend mass transit (rail and bus) from Papakura to Pukekohe and Pokeno [Programmed/increased scope]</td>
<td>11. Introducing peak and more frequent off peak bus services between towns [Programmed/enhanced role and focus]</td>
<td>18. Introduce a metro mass transit network (possibly including metro rail) that connects all the key growth nodes of the metropolitan area</td>
<td>* Linking the corridor planning and partnership to the plans and initiatives of Te Waka and ATEED and exploring opportunities for attracting investment from the Provincial Growth Fund.</td>
</tr>
<tr>
<td>20. New sub-regional water and wastewater solutions [Started/enhanced joint focus]</td>
<td></td>
<td></td>
<td></td>
<td>* Applying new approaches to planning and land use regulation as these become available.</td>
</tr>
</tbody>
</table>

**Source:** The Hamilton-Auckland [H2A] corridor / Hei Awanui kete Oranga – February 2019 progress update to local and central government officials.
### Attachment D: Specific Hamilton- Auckland Corridor matters and initiatives that council would participate in

<table>
<thead>
<tr>
<th>Initiatives</th>
<th>Council and wider council family role and interest</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Focus Area 1: Stronger corridor connections</strong></td>
<td></td>
</tr>
</tbody>
</table>
| Fast and frequent intercity rail service between Hamilton and Auckland, in stages | Council and Auckland Transport (AT) to be involved at all levels.  
There are significant cost and operational implications.  
It is critical to consider the interaction of this service with the Auckland metro and freight networks, and the need for a terminal station(s) in Auckland.  
Various business case processes underway.                                                                                   |
| Blue-green open space and recreational network                            | Council to play an advisory and supporting role, focusing on cross-boundary issues and best practice.                                                                                                                                           |
| Biodiversity off-setting pilot                                             | Council to play an advisory and supporting role, focusing on cross-boundary issues and best practice.                                                                                                                                           |
| **Focus Area 2: Papakura – Pokeno**                                       |                                                                                                                                                                                                                                               |
| Completion of respective council structure or blueprint plans for Ōpāheke-Drury, Pukekohe-Paerata, Tuakau and Pokeno. | Council has a leading role for the completion of the structure plans.  
There is a risk that this project could impact on council’s engagement process for the structure plans.                                                                                 |
| Drury Future Urban Area                                                   | Council has a leading role. Part of the Auckland Housing and Urban Growth joint work programme with government.                                                                                                                                |
| Pokeno long-term growth scenario                                          | Council to play an advisory and supporting role, focusing on cross-boundary issues and best practice.                                                                                                                                           |
| Extending mass transit (rail and bus) from Papakura/Pukekohe to Pokeno    | AT to play a leading role due to impacts on AT metro network.  
Potential impacts on the implementation of rail electrification from Papakura to Pukekohe.                                                                                               |
| **Focus Area 3: River communities & Focus Area 4: Hamilton-Waikato metropolitan area** |                                                                                                                                                                                                                                               |
| New sub-regional water and wastewater solutions                           | Watercare to play a leading role.  
The influence of the Waikato River has significant impacts on Watercare’s ability to conduct its business. Watercare has a specific interest in the Waikato River from a water source, allocation and policy direction perspective, as well as specific existing servicing requirements for north Waikato towns. |
| **Focus Area 5: New tools and options**                                   |                                                                                                                                                                                                                                               |
| All initiatives                                                           | Council to continue working with central government to identify and pilot new planning, funding and financing tools linked to the other key initiatives. Part of the Auckland Housing and Urban Growth joint work programme. |
Converting Road Reserve, Unformed Legal Roads and Pedestrian Accessways to Open Space

File No.: CP2019/00064

Te take mō te pūrongo
Purpose of the report

1. To identify options for using road reserve and unformed legal roads (paper roads) as open space and to highlight some of the potential issues that could be involved.

2. To recommend the most appropriate mechanism(s) for investigating potential conversions of road reserve and unformed legal road to open space.

Whakarāpopototanga matua
Executive summary

3. At its 7 August 2018 meeting, the Planning Committee:

   (c) requested staff report back to the Planning Committee before the end of the year on the issues and options associated with reclassifying and rezoning pieces of road reserve and public owned paper roads as recreation reserves and open space. The report should also assess whether pedestrian only accessways should be zoned as open space.

   (Resolution number PLA 2018/72)

4. In established urban areas, it is becoming increasingly more difficult and hugely expensive to acquire additional public open space.

5. Additional open space could be secured by converting portions of unutilised road reserve and unformed legal roads (paper roads) to open space. This could be undertaken either with or without “stopping” the road. The process for “stopping a road” is specified in the Local Government Act 1974. Rezoning road reserve to open space would require a plan change.

6. Formed and sealed roads are shown as “road” in the Auckland Unitary Plan. Unformed legal roads are shown in a variety of ways, depending on the approach that was used in the legacy district plans.

7. In some cases, portions of road reserve and unformed legal roads are already used informally as open space, for example, walkways to reserves or informal recreation areas. Many existing parks and reserves include unformed paper roads. Some “road ends” abutting the coastal marine area do not have a formed carriageway and appear to be open space. Road stopping procedures would be required to “stop” these roads.

8. Pedestrian accessways linking roads are shown as “road” under the Auckland Unitary Plan. This approach was agreed to by Auckland Transport (AT), Parks and Plans and Places Departments when developing the plan. They are owned and maintained by AT. Many of these are vested as local purpose reserve – walkway.

9. The advantages of securing additional open space via road reserve or unformed legal road are that the open space resource is increased in a cost-effective manner and there is a positive public perception associated with this. The disadvantages include the costs of “stopping” roads, including potential Environment Court costs, the need for a stopped road to be offered back to the former owners, the need in some cases to maintain access to private property and the more enabling provisions of an open space zone (in comparison to “road”).
10. Auckland Council currently uses a number of tools that are/can be used to identify additional open space and recreational opportunities. These include greenway plans, open space network plans, area plans, centre plans, structure plans and “regeneration” plans. The greenway plans, open space network plans and structure plans, in particular, are already/could be used to identify opportunities to utilise road reserve and unformed legal road and/or pedestrian accessways as open space.

11. Innovative ways of providing open space and/or opportunities for recreation activities in urban areas are not limited to road reserves or unformed paper roads. The wider issue therefore, is what innovative approaches could be used to provide additional areas of open space and/or recreational opportunities. In addition to the information requested in the 7 August 2018 Planning Committee resolution, this paper also provides some examples of innovative approaches used in Auckland and elsewhere in New Zealand and around the world.

**Ngā tūtohunga**

**Recommendation/s**

That the Planning Committee:

a) note that unutilised road reserve and unformed paper roads are a significant (in excess of 300 ha) potential open space resource;

b) note that unutilised road reserve and unformed legal road (paper roads) do not necessarily need to be “stopped” and/or rezoned to open space to be used as open space;

c) recommend to the Parks and Recreation Policy Unit that where road reserve and unformed legal road is utilised as open space / recreation purposes, this is in addition to the open space provision standards for a local board area;

d) approve the use of existing mechanisms such as the preparation, implementation and review of greenway plans, open space network plans and structure plans as the primary tools for identifying future open space opportunities;

e) request staff when undertaking the preparation, implementation or review of greenway plans and open space network plans, and the preparation of structure plans in conjunction with local boards, give further consideration to:

   i) where appropriate, using unutilised road reserve and/or unformed paper roads as open space; and

   ii) investigating innovative ways of providing additional open space and recreational facilities (in accordance with the Auckland Council’s Parks and Open Space Acquisition Policy 2013, the Open Space Provision Policy 2016 and the Auckland Plan 2050);

f) endorse the existing Unitary Plan approach for pedestrian accessways, which is that pedestrian accessways linking roads are shown as “road”, and those linking roads to open space are shown as “open space”.

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Converting Road Reserve, Unformed Legal Roads and Pedestrian Accessways to Open Space
Horopaki
Context

Previous Resolution
12. At its 7 August 2018 meeting, the Planning Committee:
   (c) requested staff report back to the Planning Committee before the end of the year on the
   issues and options associated with reclassifying and rezoning pieces of road reserve and
   public owned paper roads as recreation reserves and open space. The report should also
   assess whether pedestrian only accessways should be zoned as open space.
   (Resolution number PLA 2018/72)

13. The above resolution of the Planning Committee arose out of its consideration of the Open
   Space Plan Change (PC13), where land that had been vested or purchased over the
   preceding year, was to be rezoned to one of the five Auckland Unitary Plan open space
   zones.

Problem or Opportunity Definition
14. In established urban areas, it is difficult and hugely expensive to acquire additional public
   open space. As parts of Auckland become more intensively developed, existing open
   spaces will need to be used more efficiently and innovative ways of increasing access to
   open space or providing recreation opportunities may be required.

15. There are portions of road reserve and unformed legal road that are currently or potentially
   could be, used as open space. Additional open space could be secured by converting or
   utilising road reserve as open space. This could be undertaken either with or without
   “stopping” the road.

16. Many existing open spaces/reserves include unformed legal (paper) roads. Some of these
   are shown as road in the Auckland Unitary Plan while others are zoned the same as the
   surrounding open space. The public are generally not aware of these paper roads. Road
   stopping procedures would be required to "stop" these roads. There is little to be gained and
   potentially significant costs involved if these unformed legal (paper) roads are "stopped". In
   addition, if land is no longer required for a public work, it must be offered back to the former
   owners under the Public Works Act 1981.

17. Pedestrian walkways linking roads are shown as “road” under the Auckland Unitary Plan.
   They are owned and maintained by Auckland Transport. Many of these are vested as local
   purpose reserve – walkway.

Unformed Legal Roads (or Paper Roads)
18. An unformed road is as much a legal road as the formed roads that make up Auckland’s
   public road network. Unformed legal roads may only be recorded on survey plans and not
   always readily identifiable on the ground (which is why they are often referred to as “paper
   roads”). Most have never been developed due to there being no access requirements,
   impractical topography, lack of funding priority or unsuitable environmental conditions.
   Ownership lies with either a territorial authority or the crown. Road Controlling Authority
   powers are exercisable over them in the same way as other roads. This means that in
   Auckland, unformed legal roads are under the control of Auckland Transport. Unformed legal
   roads are an important component of the transport and recreation network envisaged in the

19. Most unformed legal roads were established during the early days of settlement, particularly
   in the period of provincial government (1854 – 1876). Before crown land was sold, land was
   set aside as roads to ensure public access would be available once the land was developed.
   Roads were shown on survey plans, but not frequently built or used.
20. The functions and powers of Auckland Transport are set out in the Local Government (Auckland Council) Act 2009 – particularly sections 45 and 46. These provisions provide that Auckland Transport manages and controls the Auckland transport system (including unformed legal roads).

21. Public users have rights of free passage on unformed legal roads as they do with public formed roads. However, unlike formed roads, unformed roads may in places not be traversable due to the condition of the surface, unsuitable terrain, dense vegetation and other natural hazards.

22. Rights of free passage must also be balanced against potential damage to the environment, and Auckland Transport has the right to restrict vehicle movements on unformed legal roads for the purpose of protecting the environment or the public.

23. Some of the unformed legal roads throughout the Auckland region are already used by recreational users for such activities as walking, mountain biking, horse riding, hunting and to reach outdoor destinations such as rivers, lakes and beaches.

The Use of Roads (Including Unformed Roads)

24. Section 22AB of the Land Transport Act 1998 enables road controlling authorities to make certain bylaws. Auckland Transport have a Traffic Bylaw (2012) which sets the requirements for vehicle and road use, parking and enforcement powers on roads under the care, or management of Auckland Transport.

Methods for Removing the Status of Legal Road

25. There are two methods for removing the status of a legal road:
   
i. By a process referred to as “road stopping” under the Local Government Act 1974 – see Attachment A (as opposed to temporary road closures where the underlying status of being a road returns after the closure), or

ii. By the Minister for Land Information who may stop a road under section 116 of the Public Works Act 1981.

26. Auckland Transport can stop roads by following the procedure set out in Schedule 10 of the Local Government Act 1974, which involves public notification. If the road is in a rural area, the consent of the Minister for Land Information must be obtained for the road to be stopped. If there are objections to the road stopping these will need to be determined by the Environment Court.

27. Assessment of whether a road should be stopped is based on a number of factors (including current and possible future use) to determine whether the need for the road for public use is outweighed by the need for the stopping. Once a road has been stopped, it must be offered back to the former land owners under the Public Works Act 1981. If they (or their successors) are not interested in acquiring the land, Auckland Council is responsible for determining how the land will be used or disposed of. In practice, the purpose of the road stopping often determines how the land will be used. Stopped roads bordering waterways must become esplanade reserves. Under the Auckland Unitary Plan, stopped roads are to be zoned the same as the adjacent zone and do not need to go through a plan change process.

28. Auckland Transport has no obligation to form any unformed legal roads, and currently has no forward capital works programme to form or improve unformed roads. However, Auckland Transport will consider applications from adjacent property owners, developers and interest groups to construct carriageways, cycle tracks, bridle paths and footpaths within unformed legal roads at the applicant’s expense where this is vital for development or where significant public access benefits are clearly demonstrated.
The Auckland Unitary Plan Approach

29. The different ways roads, including unformed legal roads are shown in the Auckland Unitary Plan are listed in the table below. Apart from pedestrian walkways where a consistent approach was adopted throughout the region, these largely reflect the legacy District Plan approaches.

<table>
<thead>
<tr>
<th>Road Status</th>
<th>Unitary Plan Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Road – formed and sealed</td>
<td>All shown as road</td>
</tr>
<tr>
<td>Unformed legal (paper) road</td>
<td>Some shown as road, some have the same zoning as adjacent land, some are zoned open space (e.g. if they lie within a park/reserve)</td>
</tr>
<tr>
<td>Pedestrian walkway linking road to road</td>
<td>All shown as road</td>
</tr>
<tr>
<td>Pedestrian walkway linking road to open space</td>
<td>All zoned as the same open space zone as the reserve it provides access to</td>
</tr>
</tbody>
</table>

Examples of the Different Unformed Legal Roads

30. Attachment B provides examples of the different ways unformed legal roads and pedestrian accessways are dealt within the Auckland Unitary Plan. These include:

(a) Road reserve “ends” that are shown as road (e.g. Brett Ave, Takapuna, Ellett Road and Kidd Road, Karaka) but are effectively used as open space;

(b) Unformed legal road shown as road (e.g. Kauri Point Domain, unnamed road off Piha Road);

(c) Unformed legal road shown as open space (e.g. Omana Reserve, Maraetai);

(d) Unformed legal road shown as the same zoning as the adjacent land (e.g. Krippner Road, Puhoi);

(e) Pedestrian accessway from road to road (View Road and The Esplanade, Campbells Bay);

(f) Pedestrian accessway from road to reserve (Whitby Crescent, Mairangi Bay).
Number of Road Ends, Unformed Legal Roads & Pedestrian Accessways

31. The Plans and Places GIS team undertook an analysis of the number of instances unformed legal roads occur adjacent to the Coastal Marine Area (CMA) and the number of pedestrian accessways shown as road.

32. The table below contains the results of that analysis.

<table>
<thead>
<tr>
<th>Unformed Legal Roads &amp; Pedestrian Accessways</th>
<th>Number</th>
<th>Approximate Area (ha)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Instances of unformed legal roads adjacent to the Coastal Marine Area</td>
<td>512</td>
<td></td>
</tr>
<tr>
<td>- Instances of unformed legal road zoned as road adjacent to the CMA and not in Parks asset database</td>
<td>271</td>
<td>308</td>
</tr>
<tr>
<td>- Instances of unformed legal road adjacent to the CMA which are in the parks asset database but are not zoned as open space</td>
<td>241</td>
<td>330</td>
</tr>
<tr>
<td>Instances of legal road zoned as open space</td>
<td>172</td>
<td></td>
</tr>
<tr>
<td>Pedestrian accessways shown as road</td>
<td>465</td>
<td></td>
</tr>
</tbody>
</table>

33. Potentially there are 512 unformed legal roads adjacent to the CMA that could be rezoned to increase the area of open space zoned land. Of these, 271 are not currently in the Parks asset database and 241 are in the database. This information is portrayed on a map in Attachment C.

34. In addition, there are 465 pedestrian accessways in the Auckland region that are shown in the Unitary Plan as “road”. These are located between roads. Pedestrian accessways that provide access from a road to a park (or open space) typically have the same zoning as the adjacent open space.

Relevant Auckland Council Plans and Strategies Relating to Open Space Acquisition

i. The Auckland Plan 2050

35. The outcomes, focus areas and directions from the Auckland Plan 2050 that are relevant to open space are contained in Attachment D.

36. The Auckland Plan 2050, Homes and Places outcome recognises that “As Auckland’s population increases and becomes more urbanised, our public places and spaces will become even more important to our wellbeing. This is particularly the case in areas of high growth, increased density and socio-economic need. This has implications for the number, size and location of our public places. It is also an important reason why we need to think differently about what we consider to be a public place and how we conceive its use. We also need to think differently about how we design and deliver them”. 
ii. Parks Acquisition Strategies and Policies

37. The acquisition of parks is guided by the Parks and Open Space Strategic Action Plan 2013, the Parks and Open Space Acquisitions Policy 2013 and the Open Space Provision Policy 2016. The role and function of these documents is outlined in Attachment E.

Tools Available to Identify and Deliver Open Space and Recreation Opportunities

Open Space Network Plans

38. The open space acquisition policy identifies tools for identifying future open space and parks. These include two key tools - open space network plans and greenway plans.

39. Open Space Network Plans set out the actions needed to deliver a sustainable quality open space network for a local board area that will respond to the anticipated growth and provide the community with access to a range of recreational, social, cultural and environmental experiences. They sit under the Open Space Strategy, providing high level direction for improvements to the open space network, specific to each Local Board area.

40. The current status of Open Space Network Plans for the Auckland Region’s local board’s is outlines in Attachment J.

41. The plans assist Auckland Council to prioritise its spending for parks and open space development by identifying projects for prioritisation through the local board plan, long term plan and annual plan processes.

Greenway Plans

42. Auckland’s Greenway Plans are a series of linked, visionary plans being developed from the “ground up” by local boards and their communities with the long-term aim of improving walking, cycling and ecological connections across the region.

43. Greenway Plans aim to provide cycling and walking connections which are safe and pleasant while also improving local ecology and access to recreational opportunities. To achieve this, greenways may cross existing areas of parkland and follow street connections between parks. The network typically follows natural landforms such as streams and coastlines as well as man-made features such as streets and motorways.

44. The status of Greenway Plans for each local board area is outlined in Attachment K.

Structure Plans

45. Appendix 1 – Structure Plan Guidelines, of the Auckland Unitary Plan identifies the provision of open space, the integration of green networks with open space and pedestrian and cycle networks and the layout of the transport network and facilities as matters that a structure plan must identify, investigate and address.

46. Open space network plans, greenway plans and structure plans are/can be an effective tool in identifying future open space opportunities associated with road reserves and unformed legal road.

Examples from Other Cities of Road Reserve/Closed Roads Being Converted to (or Considered as) Open Space

47. Like Auckland, other cities in Australasia are recognising the open space benefits of roads or road reserves. Attachment F highlights examples from Sydney, Melbourne and Christchurch which illustrate this point.
Other Innovative Approaches

48. Innovative ways of providing open space and/or opportunities for recreation activities in urban areas are not limited to road reserves or unformed paper roads.

49. The Auckland Plan 2050 Homes and Places outcome (in Direction 4) states “we need to think differently about what we consider to be a public place and how we conceive its use. We also need to think differently about how we design and deliver them”.

50. There are a number of examples of innovative ways of providing open space and recreational opportunities in Auckland, other parts of New Zealand and overseas. Attachment G provides some examples of these. Existing mechanisms such as greenway plans, open space network plans, area plans, centre plans, structure plans and “regeneration plans” can be used to explore innovative responses to the need for additional open space/recreation facilities, particularly in established urban areas.

Advantages and Disadvantages of Different Options

51. Attachment H identifies possible options associated with converting road reserve, unformed legal roads and pedestrian accessways to open space and assesses the advantages and disadvantages. The three scenarios discussed at the Planning Committee meeting of 7 August 2018 are assessed. These are:

- Road ends (which are effectively the end portions of road reserve or unformed legal roads);
- Paper roads (or unformed legal roads); and
- Pedestrian accessways.

52. Attachment H also provides an initial scoping of likely costs and benefits. If a plan change was to be pursued, a more detailed section 32 report of the costs and benefits would need to be prepared.

53. In summary, the key advantages of zoning unformed legal roads to open space potentially are:

- secures additional open space; and
- there is a positive public perception associated with adding/securing additional open space.

54. The key disadvantages could potentially be:

- the costs of the process of stopping roads (if they are to be stopped);
- the possibility of Environment Court costs and delays if road stopping is appealed;
- in some cases, unformed legal roads provide access to adjacent private land, so access would need to be maintained;
- stopped roads may need to be offered back to the former land owner under the Public Works Act 1981;
- issue of maintenance responsibility (e.g. Auckland Transport or Parks);
- an open space zoning is generally more enabling than road reserve (in terms of allowing buildings and structures) so there could be opposition to any rezoning from potentially affected persons.
Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views

Views of Auckland Transport

55. All roads, including unformed roads are ‘owned’ by Auckland Council. Auckland Transport, as the road controlling authority, manages the road network for Auckland Council. If the function of a road, including unformed roads, is to change, Auckland Transport would need to support this change in function. If an unformed road was to be used for a public access purpose, like a pedestrian way/cycleway – this would not be a change of function – but there would be funding needed to develop unformed roads for this type of public access.

56. Auckland Transport agree that there are opportunities to convert some road reserve and unformed legal road (paper roads) into open space, particularly in coastal areas. These would need to be considered on a case by case basis however. They do advise that road stopping is a difficult and expensive process and are of the view that a joined up cross-Council management approach, without the “stopping of roads” may be able to achieve the same outcomes. There are some areas where Auckland Transport would not support conversions of road reserve to open space e.g. in future urban areas.

Views of Auckland Council Parks and Recreation Policy Unit

57. Auckland Council Parks and Recreation Policy Unit also agree that there are opportunities via road reserve and unformed legal road (paper roads) into open space, particularly in coastal areas. These are being identified through the development of open space network plans and greenway plans. In addition, an evaluation of the network plans in the future will be able to identify further opportunities. Parks and Recreation Policy are of the view there is not a great deal of value in closing unformed legal roads where they are located in existing parks and already have an open space zoning as there is no impact in terms of additional open space. They also advise that the New Zealand Walking Access Commission frequently utilises unformed legal roads to develop walking and cycling trails.

58. Parks and Recreation Policy are comfortable with the current approach to pedestrian accessways whereby those that link roads are shown as “road” and those that link to open space/parks have the same zoning as the park/open space. They point out that should pedestrian accessways linking roads be converted to open space this may raise maintenance issues for parks.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views

59. Consultation has not yet occurred with local boards. If the recommendations of this report are supported, consultation would occur with the respective local boards through the development, implementation and future review of greenway plans, open space network plans and structure plans.

60. Representatives of the Devonport-Takapuna and Hibiscus and Bays Local Boards attended a workshop on the issue of converting road reserve and unformed legal road to open space. Email correspondence was also received from the Albert Eden Local Board. The key point made by all three boards was the need to ensure that where road reserve and unformed legal road is utilised as open space and/or for recreation purposes, this is in addition to the normal open space provision standards for a local board area.
**Tauākī whakaaweawe Māori**

**Māori impact statement**

61. Any proposed road stopping would involve engagement with iwi.

62. Under section 41 of the Public Works Act 1981, where former Māori land is not required for a public work it must be offered back to the former owner(s).

63. Also under section 40 of that act, where land is no longer required for a public work it must be offered back to the former land owner or their successors. If that owner does not want the land it potentially becomes available for Treaty Settlements and iwi have the first right of refusal.

64. Māori are also potentially impacted through the development of greenway, open space network and structure plans. The development of these plans includes engagement with relevant iwi.

**Ngā ritenga ā-pūtea**

**Financial implications**

65. Costs are associated with any road closure and/or plan change process, including possible appeal costs and opportunity costs (loss of the opportunity for council officers to work on other projects). These costs need to be considered alongside the benefits.

66. In addition, the Finance Department advises that the transfer of road reserve to open space would need to be paid for by Parks at net book value.

**Ngā raru tūpono me ngā whakamaurutanga**

**Risks and mitigations**

67. A number of greenway plans, open space network plans and structure plans have been completed recently. If these planning tools are the primary means by which additional open space opportunities are identified and they did not explore or identify all options, there is a risk that opportunities to secure additional open space by way of road reserve and/or unformed legal roads will not be realised for some time when these plans are next reviewed.

68. Any “global approach” to converting road reserve or unformed legal road to open space could potentially overlook local and site specific issues. Assessing these opportunities on a case by case basis will enable potential advantages and disadvantages to be identified.

**Ngā koringa ā-muri**

**Next steps**

69. An initial assessment of converting unformed legal road and/or pedestrian accessway to an open space zone indicates there are both advantages and disadvantages. The exact nature and degree of these will depend on the context. They therefore need to be looked at on a case by case basis.

70. Auckland Council already has suitable mechanisms and processes underway - greenway plans, open space network plans and structure plans, for identifying opportunities for additional open space across local board areas (see Attachment I for examples). These planning processes already include the assessment of whether road reserve or unformed legal roads could be appropriately converted to or used as open space. The implementation of these plans is the next step in the process. Other innovative approaches to securing open space could also be explored.

71. Auckland Transport would need to be closely involved in any proposal to convert unformed legal roads to open space as they are the road controlling authority on behalf of Auckland Council.
## Ngā tāpirihanga

### Attachments

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<td>85</td>
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## Ngā kaihaina

### Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Tony Reidy - Team Leader Planning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>John Duguid - General Manager - Plans and Places</td>
</tr>
<tr>
<td></td>
<td>Megan Tyler - Chief of Strategy</td>
</tr>
</tbody>
</table>
Attachment A - Local Government Act 1974 (Road Stopping)

319 General powers of councils in respect of roads

(1) The council shall have power in respect of roads to do the following things:

(h) to stop or close any road or part thereof in the manner and upon the conditions set out in section 342 and Schedule 10:

342 Stopping and closing of roads

(1) The council may, in the manner provided in Schedule 10,—

(a) stop any road or part thereof in the district:

provided that the council shall not proceed to stop any road or part thereof in a rural area unless the prior consent of the Minister of Lands has been obtained; or

(b) close any road to traffic or any specified type of traffic (including pedestrian traffic) on a temporary basis in accordance with that schedule and impose or permit the imposition of charges as provided for in that schedule.

Schedule 10 Conditions as to stopping of roads and the temporary prohibition of traffic on roads

1 The council shall prepare a plan of the road proposed to be stopped, together with an explanation as to why the road is to be stopped and the purpose or purposes to which the stopped road will be put, and a survey made and a plan prepared of any new road proposed to be made in lieu thereof, showing the lands through which it is proposed to pass, and the owners and occupiers of those lands so far as known, and shall lodge the plan in the office of the Chief Surveyor of the land district in which the road is situated. The plan shall separately show any area of esplanade reserve which will become vested in the council under section 345(3).


2 On receipt of the Chief Surveyor’s notice of approval and plan number the council shall open the plan for public inspection at the office of the council, and the council shall at least twice, at intervals of not less than 7 days, give public notice of the proposals and of the place where the plan may be inspected, and shall in the notice call upon persons objecting to the proposals to lodge their objections in writing at the office of the council on or before a date to be specified in the notice, being not earlier than 40 days after the date of the first publication thereof. The council shall also forthwith after that first publication serve a notice in the same form on the occupiers of all land adjoining the road proposed to be stopped or any new road proposed to be made in lieu thereof, and, in the case of any such land of which the occupier is not also the owner, on the owner of the land also, so far as they can be ascertained.
3 A notice of the proposed stoppage shall, during the period between the first publication of
the notice and the expiration of the last day for lodging objections as aforesaid, be kept
fixed in a conspicuous place at each end of the road proposed to be stopped:

provided that the council shall not be deemed to have failed to comply with the provisions of
this clause in any case where any such notice is removed without the authority of the
council, but in any such case the council shall, as soon as conveniently may be after being
informed of the unauthorised removal of the notice, cause a new notice complying with the
provisions of this clause to be affixed in place of the notice so removed and to be kept so
affixed for the period aforesaid.

4 If no objections are received within the time limited as aforesaid, the council may by public
notice declare that the road is stopped; and the road shall, subject to the council's
compliance with clause 9, thereafter cease to be a road.

5 If objections are received as aforesaid, the council shall, after the expiration of the period
within which an objection must be lodged, unless it decides to allow the objections, send the
objections together with the plans aforesaid, and a full description of the proposed
alterations to the Environment Court.

Schedule 10 clause 5: amended, on 2 September 1996, pursuant to section 6(2)(a) of the

6 The Environment Court shall consider the district plan, the plan of the road proposed to be
stopped, the council's explanation under clause 1, and any objection made thereto by any
person, and confirm, modify, or reverse the decision of the council which shall be final and
conclusive on all questions.

Schedule 10 clause 6: replaced, on 1 October 1991, by section 362 of the Resource

Schedule 10 clause 6: amended, on 2 September 1996, pursuant to section 6(2)(a) of the

7 If the Environment Court reverses the decision of the council, no proceedings shall be
entertained by the Environment Court for stopping the road for 2 years thereafter.

Schedule 10 clause 7: amended, on 2 September 1996, pursuant to section 6(2)(a) of the

8 If the Environment Court confirms the decision of the council, the council may declare by
public notice that the road is stopped; and the road shall, subject to the council's compliance
with clause 9, thereafter cease to be a road.

Schedule 10 clause 8: amended, on 2 September 1996, pursuant to section 6(2)(a) of the

9 Two copies of that notice and of the plans hereinbefore referred to shall be transmitted by
the council for record in the office of the Chief Surveyor of the land district in which the road
is situated, and no notice of the stoppage of the road shall take effect until that record is made.

10 The Chief Surveyor shall allocate a new description of the land comprising the stopped road, and shall forward to the District Land Registrar or the Registrar of Deeds, as the case may require, a copy of that description and a copy of the notice and the plans transmitted to him by the council, and the Registrar shall amend his records accordingly.
Attachment B – Examples of the Different Ways Unformed Legal Roads and Pedestrian Accessways are Dealt With in the Auckland Unitary Plan

Road End’s - Winscombe Street & Westwell Road, Belmont
Item 9

Attachment B

Paper Roads and Road Ends – Ellett Road & Kidd Road, Karaka
Paper Roads Shown as Road – Unnamed Road in Kauri Point Domain & Defense Land
Paper Roads Show as Road – Unnamed Road off Piha Road, Piha

Attachment B

Item 9
Road Reserve Zoned as Open Space - Omana Reserve, Maraetai
Pedestrian Walkways (Road to Road) – View Road & The Esplanade, Campbells Bay
Pedestrian Walkways (Road to Reserve) – Whitby Crescent, Mairangi Bay
Attachment D – Auckland Plan 2050 – Outcomes, Focus Areas and Directions Relating to Open Space

Auckland Plan

Outcome: Belonging and Participation

Direction 1: Foster an inclusive Auckland where everyone belongs

Focus area 1: Create safe opportunities for people to meet, connect, participate in, and enjoy community and civic life

Focus area 7: Recognise the value of arts, culture, sports and recreation to quality of life

Outcome: Homes and Places

Direction 4: Provide sufficient public places and spaces that are inclusive, accessible and contribute to urban living

The Auckland Plan contains the following statement on the need for different thinking on public places/spaces.

“As Auckland’s population increases and becomes more urbanised, our public places and spaces will become even more important to our wellbeing. This is particularly the case in areas of high growth, increased density and socio-economic need.

This has implications for the number, size and location of our public places. It is also an important reason why we need to think differently about what we consider to be a public place and how we conceive its use. We also need to think differently about how we design and deliver them.

They have to:

- support multiple uses
- be able to adapt and change in the future
- reflect who we are as communities, Aucklanders and New Zealanders.

As Auckland grows and intensifies, space will be at an even higher premium.

Acquiring new public space is expensive. Auckland must therefore complement any new public places by getting more out of what we already have. Innovative and thoughtful design will be key ways of meeting this challenge”.

Outcome: Transport and Access

Direction 1: Better connect people, places, goods and services

Direction 2: Increase genuine travel choices for a healthy, vibrant and equitable Auckland

Direction 3: Maximise safety and environmental protection

Focus area 1: Make better use of existing transport networks

Focus area 4: Make walking, cycling and public transport preferred choices for many more Aucklanders
**Focus area 5: Better integrate land-use and transport**

Quality open space is a critical component of attractive and liveable high density urban areas. Therefore, high quality open space can facilitate the regeneration and growth of urban centres. The existing urban area of Auckland has an established, well distributed, open space network. The ability to significantly expand the urban network is constrained due to the land supply and budget constraints. Therefore, council's investment in open space in the existing urban area prioritises improving the existing network.
Attachment E – Parks Acquisition Strategies and Policies

Parks and Open Spaces Strategic Action Plan 2013
1. The Parks and Open Spaces Strategic Action Plan, 2013 focuses on creating a green network across Auckland by physically and visually connecting parks, open spaces and streets. The priorities for the next 10 years are to:
   - Create greenways across Auckland
   - See our streets as places
   - Create a regional trail network
   - Connect our natural areas
   - Link with the transport network
   - Use parks and open space to create attractive urban areas

2. Actions identified in the plan include:
   - (P3) Develop greenway plans for all local board areas that identify and prioritise opportunities to enhance connection between local destinations and provide recreational opportunities through streets, parks and open spaces.
   - (P4) Develop local park network plans for all local board areas based on analysis of the current network and that prioritise actions for improvement.
   - (P5) Develop a regional park network plan based on analysis of the current network and that prioritises actions for improvement.
   - (P6) Develop a regional open space network plan based on analysis of the provision of parks and open spaces across Auckland and outlines investment priorities at a regional scale.
   - (P7) Plan and implement a regional trail network that aims to provide destinations for walking and riding that will attract users from across Auckland and tourists.
   - (D5) Prioritise upgrading and investment in new parks, open spaces and streetscapes in areas identified for growth (intensification and greenfield development) in the Auckland Unitary Plan.
   - (D6) Develop our network of walkways and cycleways through parks and open spaces to implement connections identified in greenway plans.

Parks and Open Space Acquisitions Policy 2013
3. The Parks and Open Space Acquisition Policy sets the framework for acquiring new land for parks and open space.
4. The policy identifies four acquisition criteria and high and medium priorities. It also identifies matters that are “not a priority” within each of those criteria.
5. The high priorities within each of the criteria that are potentially relevant to utilising road reserve and/or unformed legal road as open space are outlined in the table below:
<table>
<thead>
<tr>
<th>Criteria</th>
<th>High Priorities</th>
</tr>
</thead>
</table>
| Meeting community needs, now and in the future | Land to increase the accessibility or capacity of the parks and open space network that serve areas identified as most change and significant change in the Auckland Development Strategy.  
Land to meet a significant current and future need identified in a council endorsed needs assessment or parks and open space network plan. |
| Connecting our parks and open space          | Land that will establish a significant area of contiguous park or open space that enhance recreation, ecological or landscape values.  
Land required to establish regional or sub-regional recreation connections (walkways, bike trails) identified in an endorsed council plan (e.g. greenways plan, parks and open space network plan).  
Riparian land (such as esplanade reserves) that provides access to or along the coast or waterways.  
Land that connects areas of habitat or significant ecological value. |
| Protecting and restoring Auckland’s unique features and meanings | Land containing or protecting rare or threatened indigenous ecological values.  
Land containing historic heritage or cultural value, including taonga of significance to Mana Whenua, of regional significance or greater and that has public open space values.  
Land of geological or landscape value of regional significance or greater and that has public open space values. |
| Improving the parks and open space we already have | Land that will improve the accessibility and functionality of an existing park or open space that serves an area of most and significant change identified in the Auckland Development Strategy.  
Land that provides access to an existing park from an area with poor access to parks and open space. |

**Open Space Provision Policy 2016**

6. The Open Space Provision Policy 2016 gives effect to the Parks and Open Spaces Strategic Action Plan. It informs the council’s investment, asset and acquisition.
activities in open space, and guides spatial planning by both the council and the private sector.

7. The focus for investment in open space in the existing urban areas is:
   - investing in the established open space network to offer a wider range of activities for more people;
   - improving linkages between open space, such as establishing greenways;
   - optimising assets through land exchange and reconfiguration;
   - acquiring new open spaces as opportunities allow, particularly in large brownfield developments.

8. The focus for investment in open space in greenfield areas is:
   - investing in new open space when growth occurs;
   - integrating open space with stormwater, transport, schools and community facilities;
   - creating a resilient and multi-functional open space network that can evolve with changing community needs over time;
   - connecting new and existing open space networks.

9. The policy sets out principles to deliver high quality parks and open spaces across the region. The principles align to the four areas of focus of the Parks and Open Spaces Strategic Action Plan – treasure, connect, enjoy and utilise.

10. The principles most relevant to the potential use of unformed legal roads and road reserve include:
    - Provide regular access points to coastal open space networks and the foreshore from adjoining streets;
    - Locate corridors of multifunctional public space along the coast, streams and floodplains that provide for green infrastructure, conservation and recreation outcomes;
    - Form contiguous open space networks along waterways, the coastline and floodplains, particularly where esplanade reserves or green infrastructure corridors are required;
    - Retrofit linkages and improve access to open space in the existing urban area when opportunities arise;
    - Use greenways and ‘green streets’ with generous berms, street trees, wide footpaths and cycleways to connect parks and open spaces and create recreational circuits for walking, running and cycling;
    - Implement connections identified in greenway plans, walking and cycling strategies, or other spatial plans;
    - Ensure esplanade reserves are wide enough to provide for access and environmental outcomes. Expect to provide a 20-metre wide esplanade reserve or strip along all qualifying water bodies;
    - Integrate the design of civic space and adjoining streets to create larger spaces, and add interest to the street.

11. The Open Space Provision Policy 2016 also contain metrics for the provision of open space.
Attachment F – Examples From Other Cities of Road Reserve/Closed Roads Being Converted to (or Considered as) Open Space

City of Sydney

1. The City of Sydney’s “Open Space, Sports and Recreation Needs Study 2016” identifies street closures as one of its open space classifications. The classifications are:
   - Park
   - Pocket Park
   - Foreshore Park
   - School
   - Street closure
   - Civic
   - Ancillary link
   - Open space not controlled by the City of Sydney

2. The strategy notes that “key to creating open space linkages is the City’s Liveable Green Network and at a wider regional level the State Governments Sydney Green Grid. These projects will make walking and cycling a viable option to access the open space and recreation network as well as being part of a greater recreation/fitness network”.

City of Melbourne

3. The City of Melbourne’s investigations into open space opportunities for North and West Melbourne (Open Space Opportunities In North and West Melbourne – City of Melbourne (undated)) includes a number of road reserves adjacent to existing parks.

4. Although North and West Melbourne possess few large parks, the local street pattern produces two important open space assets. Thoroughfares are wide, and pockets of open space occur where different street grids intersect. Some of these streets and intersections are intensively landscaped. These areas provide green corridors and green spaces within a dense fabric of residential and mixed – use buildings. However, the potential of many other streets and sites remains unrealized. In their current form they are too small, too inaccessible or too sparsely planted to provide valuable recreational amenities.

5. The study focuses on the irregular “left over” spaces that occur between North and West Melbourne’s skewed street grids. It examines how these accidental open spaces can become more significant components of the city’s recreational open space system.

6. The analysis recommends full and partial (narrowing of the road reserve) road closures and the incorporation of land into adjacent reserves.
Christchurch City

7. The Christchurch City Council Public Open Space Strategy covers the following categories:
   - 'green spaces' (parks used for recreation and amenity purposes and for the protection of biodiversity and cultural heritage);
   - 'blue spaces' (the city's waterways and wetlands);
   - 'grey space' (streets, malls and squares).

8. Grey Spaces primarily refers to the street network. In addition to its transportation function, it also provides for passive recreation, amenity, potential connectivity between parks and other civic features, as well as areas for exercise.

9. Grey spaces also incorporate elements of green, such as grass harts and plantings and make a major contribution to the landscape character of the city. A high proportion of urban Christchurch's open space consists of street networks.

10. Examples of roads enhanced for pedestrian use include civic squares, pedestrian malls and living streets such as Cathedral Square, City Mall and New Regent Street.

11. Open space issues identified in the strategy include:
   - Provision of adequate parks space is needed to meet the day-to-day requirements of existing and future residents in areas with open space deficiency and urban intensification including the Central City;
   - Improved pedestrian friendly linkages, including streets, are needed within the Central City to link existing open space features;
   - Generally, Christchurch urban parks are not well linked either by pedestrian friendly streets or green or blue open space;
   - Better access through rural areas for walking and cycling using Council-owned unformed legal roads is needed.
Attachment G – Examples of Innovative Ways of Providing Open Space and Recreational Opportunities

1. Use of road reserve e.g skatepark on Greville Reserve, Forrest Hill Road, Auckland
2. Open Space Over Railway Yards e.g Millennium Park, Chicago
3. Cycle and walking trails around the perimeter of golf courses

Oregon, USA

Chamberlain Park/Northwestern cycleway
4. Roof top parks/open spaces

Gangbuk Gu, South Korea
5. On top of existing infrastructure (Greville Reserve, Forrest Hill water reservoir (learn to ride course))
6. Disused infrastructure e.g. rail lines

The High Line, New York City

The 606, Chicago
7. Purpose built bridges, aerial parks (e.g. Frank Kitts Park, Wellington)

Grafton Street Land Bridge
8. Stairways (e.g. Freyburg Place, Auckland City)

Hurstmore Green (Takapuna)
9. Over water

Westhaven Promenade, Auckland

Santa Monica Pier, Los Angeles
10. Abandoned or converted infrastructure - railway lines, motorways

Central Otago Rail Trail

Light Path, Auckland
11. Disused Quarries (e.g. Bellwood Quarry/Park, Atlanta)
12. Vacant Land

Wellesley Street Temporary Park, Auckland
13. Car parks (e.g. Proposed Takapuna Square, Takapuna central carpark)

Golden Shoe carpark area, Singapore
14. Walls (e.g. Millennium Park, Chicago)
### Attachment H – Options and Advantages/Disadvantages of Converting Road Reserve, Unformed Legal (Paper) Roads, and Pedestrian Accessways to Open Space

#### 1. Road Reserve and Unformed Legal (Paper) Roads

**Option 1a - Road Stopping Option**

<table>
<thead>
<tr>
<th>Advantages/benefits</th>
<th>Disadvantages/costs</th>
</tr>
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<tbody>
<tr>
<td>Secures additional public open space</td>
<td>Road stopping costs (e.g., survey, valuation, legal costs - $25-$30,000 for average road stopping)</td>
</tr>
<tr>
<td>Positive public perception (adding/securing additional open space)</td>
<td>Costs of the process (e.g., Committee reports, signage etc., vesting of land as reserve)</td>
</tr>
<tr>
<td></td>
<td>Possibility of Environment Court costs (if any of the changes are appealed)</td>
</tr>
<tr>
<td></td>
<td>Stopped my need to be offered back to original land owners</td>
</tr>
<tr>
<td></td>
<td>In some cases, road ends provide access to adjacent private land and so would need to be assessed on a case by case basis</td>
</tr>
<tr>
<td></td>
<td>Maintenance responsibility shift to Parks</td>
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</table>

**Option 1b - Non Road Stopping Option but Zoning Change**

<table>
<thead>
<tr>
<th>Advantages/benefits</th>
<th>Disadvantages/costs</th>
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</thead>
<tbody>
<tr>
<td>No road stopping costs (as road remains open but a portion of it is “zoned” open space – note GIS are able to create a phantom boundary for the zone boundary)</td>
<td>Plan Change costs – changing the “zoning” from road to open space</td>
</tr>
<tr>
<td>Secures additional public open space</td>
<td>Possibility of Environment Court costs (if any of the changes are appealed)</td>
</tr>
<tr>
<td>Positive public perception (adding/securing additional open space)</td>
<td>Maintenance responsibility may shift to Parks</td>
</tr>
<tr>
<td>Open Space zoning reflects current use of that portion of the road reserve</td>
<td></td>
</tr>
<tr>
<td>Would not need to be offered back to the former owner as status as road is unchanged</td>
<td></td>
</tr>
</tbody>
</table>

**Option 1c – Non Road Stopping & No Zoning Change**

<table>
<thead>
<tr>
<th>Advantages/benefits</th>
<th>Disadvantages/costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secures additional public open space if paper road is currently shown as road</td>
<td>No net gain in public open space (^1) (unless paper road is currently shown as road) as it is not adding to the open space resource</td>
</tr>
<tr>
<td>Positive public perception (adding/securing additional open space)</td>
<td>Maintenance responsibility may shift to Parks</td>
</tr>
<tr>
<td>Paper road remains available for public access</td>
<td>Less of an opportunity for a positive public message (adding/securing additional open space)</td>
</tr>
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</table>
2. Pedestrian Accessways

Option 2a - Pedestrian Accessways Providing Access Between Roads Rezoned to Open Space

<table>
<thead>
<tr>
<th>Advantages/benefits</th>
<th>Disadvantages/costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secures additional land as public open space (although its use does not change)</td>
<td>Plan Change costs (but could be bundled with other open space changes)</td>
</tr>
<tr>
<td></td>
<td>Possibility of Environment Court costs (if any of the changes are appealed)</td>
</tr>
<tr>
<td></td>
<td>Issues of maintenance responsibility AT v Parks</td>
</tr>
<tr>
<td></td>
<td>Existing access (some properties utilise walkways to access their property – legally if these are identified as road)</td>
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</tbody>
</table>

Option 2b – Pedestrian Accessways Providing Access Between Roads - No Change

<table>
<thead>
<tr>
<th>Advantages/benefits</th>
<th>Disadvantages/costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walkway remains available for pedestrian access</td>
<td>No additional open space secured¹</td>
</tr>
<tr>
<td>Retains existing access to those properties which utilise walkways to access their property – legally if these are identified as road</td>
<td></td>
</tr>
<tr>
<td>No costs associated with a plan change</td>
<td></td>
</tr>
<tr>
<td>No possibility of Environment Court costs</td>
<td></td>
</tr>
<tr>
<td>Maintenance responsibility remains with Auckland Transport</td>
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</table>

Notes:

¹ If road reserves/walkways are recognised as part of the open space network (i.e can be used and are recognised in the metrics) then what they are zoned is not really relevant.
Attachment I

Item 9
Attachment J - The current status of Open Space Network Plans for the Auckland Region’s Local Boards

<table>
<thead>
<tr>
<th>Local Board</th>
<th>Open Space Network Plan Completed</th>
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<tbody>
<tr>
<td>Albert-Eden</td>
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<td>Devonport-Takapuna</td>
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</tr>
<tr>
<td>Franklin</td>
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</tr>
<tr>
<td>Great Barrier</td>
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<tr>
<td>Henderson-Massey</td>
<td>Completed</td>
</tr>
<tr>
<td>Hibiscus and Bays</td>
<td>2019</td>
</tr>
<tr>
<td>Howick</td>
<td>2019</td>
</tr>
<tr>
<td>Kaipōtiki</td>
<td>2019</td>
</tr>
<tr>
<td>Māngere-Ōtāhuhu</td>
<td>Completed</td>
</tr>
<tr>
<td>Manurewa</td>
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<tr>
<td>Tāmaki portion of Maungakiekie-Tāmaki</td>
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<td>Balance of Maungakiekie-Tāmaki</td>
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<td>Papakura</td>
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<td>Puketāpapa</td>
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<tr>
<td>Rodney</td>
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</tr>
<tr>
<td>Upper Harbour</td>
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</tr>
<tr>
<td>Waitākere Ranges</td>
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<td>Waiheke</td>
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</tr>
<tr>
<td>Waitemata</td>
<td>2019</td>
</tr>
<tr>
<td>Whau</td>
<td>Completed</td>
</tr>
</tbody>
</table>
## Attachment K - The Status of Greenway Plans for Each Local Board Area

<table>
<thead>
<tr>
<th>Local Board</th>
<th>Greenway Plan Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albert-Eden</td>
<td>Aug 2013</td>
</tr>
<tr>
<td>Devonport-Tekepuna</td>
<td>June 2015</td>
</tr>
<tr>
<td>Franklin (Pukekohe – Parata Paths Plan)</td>
<td>Dec 2018</td>
</tr>
<tr>
<td>Franklin (Pohutukawa Coast Trails)</td>
<td>June 2017</td>
</tr>
<tr>
<td>Franklin (Waiuku Te Ara Hiko – Waiuku Trails)</td>
<td>Dec 2017</td>
</tr>
<tr>
<td>Great Barrier</td>
<td>no</td>
</tr>
<tr>
<td>Henderson-Massey</td>
<td>In 2018/19 Board work plan. Referred to as a connections plan rather than a greenway plan</td>
</tr>
<tr>
<td>Hibiscus and Bays</td>
<td>Dec 2016</td>
</tr>
<tr>
<td>Howick (Walking and Cycling Network)</td>
<td>Nov 2018</td>
</tr>
<tr>
<td>Kaipōtiki</td>
<td>no</td>
</tr>
<tr>
<td>Māngere-Ötāhuhu</td>
<td>Aug 2016</td>
</tr>
<tr>
<td>Manurewa</td>
<td>No plan although the Board intend to develop one</td>
</tr>
<tr>
<td>Naungakiekie-Tāmaki</td>
<td>Dec 2012</td>
</tr>
<tr>
<td>Ōrākei</td>
<td>Aug 2016</td>
</tr>
<tr>
<td>Otara-Papatoetoe</td>
<td>April 2017</td>
</tr>
<tr>
<td>Papakura</td>
<td>Sept 2016</td>
</tr>
<tr>
<td>Puketāpapa</td>
<td>April 2012</td>
</tr>
<tr>
<td>Rodney (Puhinui Pakiri Greenways Local Paths Plan)</td>
<td>May 2017</td>
</tr>
<tr>
<td>Rodney (Wellsford Greenways)</td>
<td>July 2015</td>
</tr>
<tr>
<td>Rodney (Kumeu, Huapai, Waimaukau &amp; Riverhead)</td>
<td>Dec 2016</td>
</tr>
<tr>
<td>Rodney (Wai Rodney Greenways Local Paths Plan)</td>
<td>Currently being developed</td>
</tr>
<tr>
<td>Upper Harbour</td>
<td>Nov 2015</td>
</tr>
<tr>
<td>Waikato</td>
<td>Currently being developed</td>
</tr>
<tr>
<td>Waitākere Ranges</td>
<td>Oct 2018 – draft version only, soon to be adopted</td>
</tr>
<tr>
<td>Waitonomai</td>
<td>July 2013</td>
</tr>
<tr>
<td>Whau (Whau Neighbourhood Greenways Plan)</td>
<td>Aug 2015</td>
</tr>
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Proposed plan change to re-order and undertake technical corrections to Schedule 10 – Notable Trees Schedule and the corresponding mapped overlay

File No.: CP2019/00843

Te take mō te pūrongo
Purpose of the report
1. To seek approval to publicly notify a change to the Auckland Unitary Plan (Operative in Part) to re-order and correct technical errors in Schedule 10 – Notable Trees Schedule and the corresponding mapped overlay.

Whakarāpopototanga matua
Executive summary
2. In March 2017, the Planning Committee agreed to a plan change to amend errors in Schedule 10 – Notable Trees Schedule (the schedule) (Resolution number PLA/2017/40). Between March 2017 and the present time, council staff have worked to identify these errors and inconsistencies.
3. The key objectives of the proposed plan change are to re-order the schedule to improve its legibility and usability, amend the identified errors and inconsistencies and improve the accuracy of the mapped overlay.
4. The specific errors and issues addressed as part of the plan change include typographical errors, updating the schedule where listed trees no longer exist and amending inaccuracies in addresses where subdivision has altered the address of a listed tree or trees.
5. The scope of the plan change is narrow and limited to re-ordering the schedule and correcting technical errors therein. It does not seek to introduce any new objectives, policies, rules, zoning, or other methods relevant to Chapter D13 (Notable Trees Overlay) or to any other parts of the Auckland Unitary Plan.
6. Given the number of maps associated with the plan change (approximately 3000), an online portal is proposed instead of publication of PDFs. This will assist users to readily search an address instead of having to look through a large number of PDFs which are not easily searchable. A link will be made available as part of the plan change documents at the time of public notification.
7. The addition, re-evaluation of or removal of trees listed in the schedule (apart from those known to have been removed) is out of scope of the plan change. Any nominations of trees or re-evaluations of trees currently listed on the schedule would need to be subject to a future plan change.
8. ‘Opening up’ the Schedule to a full review for additions, deletions and re-evaluations would require a significant amount of resources and a timeframe of at least 2-4 years, depending on the number of submissions and further submissions received. In the meantime, the errors and inconsistencies would remain. It is therefore appropriate that an administrative plan change to address the usability and accuracy of the schedule and a full review of it are treated as two separate issues.
9. In accordance with Part 5 of Schedule 1 and section 32 of the Resource Management Act 1991 (the Act), a section 32 evaluation report has been prepared to determine the appropriateness, effectiveness, efficiency as well as costs and benefits of the proposed plan change. The section 32 evaluation report is included as Attachment A.
Ngā tūtohunga
Recommendation/s
That the Planning Committee:

a) approve the notification of the proposed plan change to the Auckland Unitary Plan (Operative in Part) to re-order and correct technical errors and anomalies in Schedule 10 – Notable Trees included as Attachments B and C of the agenda report;

b) endorse the section 32 evaluation report contained as Attachment A to the agenda report; and

c) delegate to the Chair and Deputy Chair of the Planning Committee and an Independent Māori Statutory Board Member the authority to review and approve the final schedule and make minor amendments to the proposed plan change prior to public notification to incorporate any changes due to feedback from iwi authorities.

Horopaki
Context

10. Following the notification of the decision version of the Proposed Auckland Unitary Plan (the ‘PAUP’) and the Auckland Unitary Plan (Operative in part), council staff identified a number of technical errors within the schedule.

11. In March 2017, the Planning Committee approved a plan change to amend errors in the schedule (Resolution number PLA/2017/40).

12. Staff have since systematically worked through the schedule and the mapped overlay to identify technical errors and inconsistencies. The majority of these are minor and resulted from irregularities created when all legacy council schedules were amalgamated into the Auckland Unitary Plan (Operative in part).

13. Other issues identified include the need to update the schedule where a listed tree or trees have been removed as a result of a resource consent, or where the listed address of a listed tree has changed as a result of a subdivision. In addition, the readability of the schedule was considered to require improvement in terms of the way in which trees are itemised. The mapped overlay also required improvement in accuracy and usability to show locations of trees or groups of trees where these are known.

14. These errors, inconsistencies and ambiguities can create confusion and doubt for users (i.e. consents staff, the public and consultants) which in turn impacts the integrity and functionality of the Auckland Unitary Plan. Consequentially, this may lead to incorrect assumptions about the protected status of notable trees.

15. The key objectives of the plan change are to re-order the schedule to improve its legibility, amend the errors which have been identified therein, and improve the accuracy of the mapped overlay.

16. In accordance with Part 5 of Schedule 1 and section 32 of the Act, an evaluation report has been prepared to determine the appropriateness, effectiveness, efficiency as well as costs and benefits of a proposed plan change.

17. This section 32 evaluation report (Attachment A) determined that of the two options identified, a plan change to the Auckland Unitary Plan is the most appropriate option. This will ensure the trees are protected and managed appropriately through the schedule and the corresponding mapped overlay. For the Notable Trees Overlay to be efficient and effective, the schedule and the GIS viewer must be as up to date and free of errors as possible, as well as being structured in a way that maximises their use and readability.
18. In summary, the section 32 evaluation report found that the plan change:
   • is effective, as it better aligns with the relevant objectives and policies in the AUP and the purpose of the Act;
   • is efficient, as the potential for users to interpret these provisions incorrectly is reduced; and
   • is appropriate, as the AUP will function more efficiently and productively with the correction of these errors.

Tātaritanga me ngā tohutohu
Analysis and advice

19. The scope of the plan change has a narrow focus and is limited to technical errors, inconsistencies, structure and improvements to the mapped overlay.

20. In-scope changes include the following:
   • updating the schedule to remove listed trees that are no longer present;
   • updating addresses where subdivisions have altered the address (street number, lot and deposited plan number) of a listed tree or group of trees;
   • improving the legibility to ensure that descriptions, address convention and numbering are consistent throughout;
   • re-organising the schedule into district and alphabetically by street name to improve users’ ability to identify locations of listed trees;
   • amending typographical errors (such as incorrect botanical and/or common names);
   • clarifying and amending inconsistency between columns of information in the schedule; and
   • where the locations of trees or groups of trees are known, amendments to the mapped overlay will be undertaken to show these locations more accurately (replacing the current green triangle which appears by default in the middle of the property parcel).

21. A methodology was developed to systematically review the schedule for errors and inconsistencies. This involved predominantly a desktop exercise that analysed (line by line) the individual entries in the schedule. The following were identified using a variety of desktop tools, some site visits and information held in the council database:
   • text errors, typographical errors (such as incorrect species names, missing botanical names etc);
   • accuracy of lot and deposited plan descriptions;
   • incorrect locations of trees or groups of trees;
   • numbers of trees inaccurately described;
   • identification of properties remaining affected by the overlay when the tree/trees had been removed; and
   • duplication or multiple entries.

22. The mapped overlay was similarly systematically reviewed to improve the detail of the location of a tree or trees. Where these were able to be confirmed, a revised symbology indicates the location of the tree/s. Where there remains ambiguity about actual location, the existing notation (in the middle of the property parcel) remains unchanged, indicating the presence of a notable tree or trees.

23. It is intended that the schedule be notified in its re-ordered state and the changes therein marked up with strike-through and underline. An extract from the revised schedule is included at Attachment B. This is provided as a sample of the marked-up schedule to indicate the range and extent of amendments proposed as part of the plan change.
24. While errors and inconsistencies have now been identified, the detailed work to mark up the revised schedule will progressively take place over the next few weeks prior to notification. Given the detailed administrative task to mark up almost 3000 line items, it is anticipated that the final proposed schedule will be subject to approval of the Chair and Deputy Chair of the Planning Committee and an Independent Māori Statutory Board Member prior to notification.

25. An online portal is being developed as part of the notification documents to enable the public to view the changes to the maps. An example of this is included at Attachment C. The advantage of the portal is that it replaces the need to publish almost 3000 PDFs which show proposed changes to the maps. This large number of PDFs would create difficulty for users and potential submitters in that they cannot be readily searched. By using the online portal (which is similar in its functionality to the Auckland Unitary Plan GIS viewer), users will be able to search by address and clearly see the before and after changes. These can also be readily printed if required.

26. Out of scope changes are:
   - the addition of new trees or groups of trees to the schedule;
   - the removal of trees from the schedule (other than where it is confirmed that a listed tree or tree no longer exists);
   - re-evaluation of any tree or group of trees listed in the schedule;
   - amendments to the objectives or policy framework or to the rules relating to the Notable Trees Schedule (the policy approach to notable trees, its purpose and function remains unchanged); and
   - re-visitation of previous plan changes undertaken by legacy councils which developed the schedules of notable trees which were subsequently ‘rolled over’ to the operative Schedule 10 in the AUP.

27. Additions through nominations, deletions and re-evaluations or amendments to the policy approach for notable trees would need to be subject to a future plan change. A full schedule review to include additions, deletions and re-evaluations would require significant resourcing and a timeframe of 2-4 years depending on the number of submissions, further submissions and the length of time to evaluate all new nominations. In the meantime, the errors and inconsistencies would remain. It is therefore appropriate that an administrative plan change to address the usability and accuracy of the schedule and a full review of it are treated as two separate issues.

Ngā whakaawaewe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views
28. Council-controlled organisations, statutory bodies and internal departments were sent memorandums on 7 March 2019 to inform them of the plan change. No direct consultation was undertaken with these bodies given the limited scope of the plan change and that it does not result in any policy changes.

Ngā whakaawaewe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views
29. Due to the administrative focus of the plan change and because no policy changes are proposed, limited consultation was undertaken with local boards on its development. A memo was sent to all local boards on 6 March 2019 to advise on the proposed plan change and to invite feedback. A further memo will be sent prior to notification to provide local boards with the full plan change documents.
Tauākī whakaaweawe Māori

Māori impact statement

30. The proposed plan change is administrative in focus and does not result in any policy or rule changes which affect Māori in a greater way than the general public.

31. The Resource Legislation Amendment Act 2017 made changes to Māori participation within the Act. Schedule 1 of the Act was amended to insert clause 4A which requires councils to provide a copy of a draft proposed plan change prior to public notification and have particular regard to any advice received from iwi before notifying the plan.

32. A memorandum was sent on 6 March 2019 to all 19 iwi authorities that are recorded by council as being associated with the Auckland region. The memorandum provided an explanation of the proposed plan change and advised that draft plan change documents would be made available prior to notification.

33. Any feedback received from iwi authorities will be incorporated into the evaluation report of the proposed plan change.

Ngā ritenga ā-pūtea

Financial implications

34. The costs of the plan change process are within the Plans and Places Department’s operating budget.

Ngā raru tūpono me ngā whakamaurutanga

Risks and mitigations

35. There are risks associated with not addressing the identified technical errors and inconsistencies in the schedule or improving the order of the schedule itself. These issues and anomalies may result in incorrect assumptions about the protection of notable trees and therefore have a negative impact on the functionality and integrity of the Unitary Plan.

36. There are no material risks associated with undertaking the proposed plan changes to the Unitary Plan.

Ngā koringa ā-muri

Next steps

37. If approval is obtained to notify the plan change, it is anticipated that notification will occur in late May 2019.
Proposed plan change to re-order and undertake technical corrections to Schedule 10 – Notable Trees Schedule and the corresponding mapped overlay

Ngā tāpirihanga
Attachments

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<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
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<tbody>
<tr>
<td>A</td>
<td>Section 32 Evaluation report</td>
<td>93</td>
</tr>
<tr>
<td>B</td>
<td>Extract from proposed schedule indicating range of amendments</td>
<td>117</td>
</tr>
<tr>
<td>C</td>
<td>Example of mapped overlay enhancement for Notable Trees overlay</td>
<td>119</td>
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Ngā kaihaina
Signatories

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<th>Name</th>
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<tbody>
<tr>
<td>Author</td>
<td>Ruth Andrews - Principal Planner</td>
</tr>
<tr>
<td>Authorisers</td>
<td>John Duguid - General Manager - Plans and Places</td>
</tr>
<tr>
<td></td>
<td>Megan Tyler - Chief of Strategy</td>
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Proposed Plan Change XX

Amendments to Schedule 10 Notable Trees (re-order, technical errors and amendments to the mapped overlay) in the Auckland Unitary Plan (Operative in part)

SECTION 32
EVALUATION REPORT
15 March 2019
1 Executive Summary

The purpose of this report is to summarise the evaluation undertaken as part of the preparation of Proposed Plan Change XX (PPCXX) to the Auckland Unitary Plan (Operative in part) (AUP), as required by section 32 of the Resource Management Act 1991 (the Act).

The scope of PPCXX is restricted to errors, inconsistencies and anomalies contained in the operative Schedule 10 - Schedule of Notable Trees in Chapter L of the AUP (the Schedule).

The purpose of the plan change is to undertake the following:

- amend technical errors in the Schedule
- update the Schedule to remove listed trees which no longer are present
- improve the legibility of the Schedule by ensuring that the descriptions, addresses and numbering are consistent throughout
- re-organise the Schedule into district and alphabetically by street name to improve usability
- amend the mapped overlay to replace the current central ‘green triangle’ (which indicates the presence of a notable tree or trees), with new symbology denoting the location of notable tree, trees or groups where these locations are known
- amend the Schedule and the corresponding mapped overlay to ensure that the correct address of a notable tree, trees or groups of notable trees is updated where it has changed as a result of subdivision

The following is out of scope of PPCXX:

- addition of new trees or groups of trees to the Schedule
- deletion of existing trees or groups of trees on the Schedule (other than those which have been physically removed from a property and therefore no longer exist)
- amendments to the objectives or policy framework or to the rules relating to Notable trees
- re-visitation of previous plan changes undertaken by legacy councils which developed the schedules of notable trees which were subsequently ‘rolled over’ to the operative Schedule 10 in the AUP.

Additions through nominations, deletions and re-evaluations or amendments to the policy approach for notable trees would be subject to a future plan change. It is not considered appropriate to ‘open up’ the Schedule concurrently with fixing errors and inconsistencies, as this is a separate issue and therefore has not been considered as an option.

In accordance with Part 5 of Schedule 1 to the Act, and section 32, this evaluation report has been prepared to determine the appropriateness, effectiveness, efficiency as well as the costs and benefits of PPCXX. This report determines that a plan change to the AUP is the most appropriate option for correcting these errors, inconsistencies and anomalies, and making corrections to the corresponding viewer/planning maps in the in the AUP, and rearranging the Schedule to make it easier to use. Correcting these technical errors, inconsistencies and anomalies in the Schedule and the corresponding viewer/planning maps together in one plan change to the AUP:
is effective, as it better aligns with the relevant objectives and policies in the AUP and the purpose of the Act;

is efficient, as the potential for users to interpret these provisions incorrectly is reduced; and

is appropriate, as the AUP will function more efficiently and productively with the correction of these errors.

2 Introduction

2.1 Purpose and scope

This report is prepared by Auckland Council (Council) as part of the evaluation required by section 32 of the Act for PPCXX to the AUP.

PPCXX introduces changes to the Schedule and the corresponding AUP maps showing the locations of scheduled trees and groups of trees. The amendments proposed in PPCXX will assist in the management and protection of scheduled trees.

In-scope changes:

The scope of the plan change is narrow and seeks only to amend the Schedule to correct errors, inconsistencies and anomalies regarding the way in which trees and groups of trees are described and recorded in the schedule. The plan change also seeks to reorganise how the Schedule is presented to enable it to be referenced and searched more easily (revised from its current organisation in chronological identification number order to suburb and alphabetical street-name order). PPCXX also proposes to amend the corresponding viewer/planning maps in the AUP to correctly identify the location of each scheduled tree and scheduled group of trees where these are known.

Out of scope changes:

PPCXX does not propose to add any additional trees to the Schedule or to re-evaluate existing trees in the Schedule. Therefore, any inclusions, deletions (aside from those notable trees which have been confirmed as removed) or re-evaluation of any existing notable tree currently listed in the Schedule is out of scope of the proposed plan change.

Further, PPCXX does not seek to alter the outcomes of any of the objectives and policies of the AUP. Nor does it introduce any new objectives, policies, rules or zoning. The policy approach to Notable trees, its purpose and function remains unchanged, and this report does not evaluate these unchanged purposes and functions in any more detail.

Finally, PPCXX does not re-visit the previous plan changes of legacy councils which developed or amended their respective notable tree lists. In some cases the legacy maps of previous councils were consulted to assist with the location of previously-identified listed trees and groups. The focus of PPCXX is on the operative Schedule 10, which contains the
current and accepted list of notable trees, having undergone a schedule one RMA process as part of the development of the AUP.

‘Opening up’ the Schedule to a full review for additions, deletions and re-evaluations would require a significant amount of resources and a timeframe of at least 2-4 years, depending on the number of submissions and further submissions received. In the meantime, the errors and inconsistencies would remain. It is therefore appropriate that an administrative plan change to address the usability and accuracy of the Schedule and a full review of it are treated as two separate issues.

Section 32 of the Act requires that before adopting any objective, policy, rule, or other method, the Council shall have regard to the extent to which each objective is the most appropriate way to achieve the purpose of the Act, and whether the policies and rules or other methods are the most appropriate way of achieving the objectives. A report must be prepared summarising the evaluation and giving reasons for the evaluation.

In accordance with section 32(6) of the Act and for the purposes of this report:

- the ‘proposal’ means PPCXX,
- the ‘schedule’ means the Notable Trees Schedule 10
- the ‘objectives’ means the purpose of the proposal/PPCXX, and
- the ‘provisions’ means the policies, rules or other methods that implement, or give effect, to the objectives of the proposal.

The AUP contains existing objectives, policies, and rules or other methods for the purpose of protecting and managing scheduled trees. PPCXX is not seeking to alter or re-litigate any of these provisions. This evaluation report on PPCXX relates only to the amendment of the existing Schedule to correct the information as it relates to individual trees and groups of trees, reorganisation of the Schedule and amendments to the corresponding GIS viewer/maps within the existing policy framework of the AUP. The policy approach remains unchanged, and this report will not evaluate it in any more detail.

Further, PPCXX is not seeking to add any additional trees to the schedule, nor is it seeking to re-evaluate any existing tree on the schedule.

This section 32 evaluation will continue to be refined in relation to any consultation that occurs, and in relation to any new information that may arise, including through submissions and during hearings.

2.2 Background to the proposed plan change

The AUP contains objectives, policies and rules to protect particular notable individual trees and groups of trees from damage or destruction by inappropriate subdivision, use or development or through inappropriate construction methods. The AUP methods to achieve this protection are primarily focused on the Notable Trees Overlay. Individual trees and groups of trees that have been identified as notable trees are included in the Schedule. The AUP also includes criteria which must be met in order for a tree or group of trees to be included on the Schedule.
Prior to the creation of the AUP, each legacy council had its own schedule of notable trees. These varied in number and extent according to the local area. These legacy schedules of notable trees were “rolled over” into the AUP and there are subsequently almost 3000 individual line items representing several thousand trees or groups of trees regionally. Many of the legacy schedules had not been updated at the time of being incorporated into the AUP.

The presence of a notable tree or group is identified in the GIS viewer/planning maps as a green triangle in the middle of the property parcel which denotes the presence of a notable tree, tree or group but does not usually relate to their locations.

Following the notification of the decision version of the Auckland Unitary Plan in November 2016, a number of errors were identified in the Plan’s text and maps. These were subsequently amended via Plan Change 4 which was an administrative plan change to correct errors, anomalies and technical matters. A small number of those errors related to Schedule 10. However, it was recognised at that time that rather than deal with the Schedule 10 errors as part of Plan Change 4, the Schedule should benefit from a project of its own to systematically address the various known issues within it.

3 The proposed plan change

PPCXX introduces changes to the listings of individual trees and groups of trees identified within the Notable Trees Overlay and included in the Schedule. The changes proposed are amendments to the Schedule to correct errors and update information for almost 3000 line items. PPCXX also proposes reorganising the Schedule to enable it to be referenced and searched more easily. In addition, PPCXX proposes amending the corresponding viewer/planning maps in the AUP to correctly identify the location of each scheduled tree and scheduled group of trees where these are known.

The purpose of the proposed plan change is therefore to amend, update and re-structure the Schedule and the corresponding overlay to improve their legibility and consistency for users.

The scope of the specific amendments to the Schedule and mapped overlay is restricted to the following:

- changes to the property location for some trees/groups of trees where a subdivision may have taken place (thus altering the legal description of the property the tree is located on)
- changes to the property location for some trees/groups of trees where it has been found that those trees have been described in the wrong location
- the deletion of listings where a resource consent has been granted for the removal of a tree, the consent has been given effect to and the tree or trees have been physically removed yet still remain described in the schedule
- the deletion of listings where a tree or trees have been physically removed yet still remain described in the schedule and present in the mapped overlay
- changes required to make the listings consistent with each other (for example, where a tree is located on a road reserve, it is described in a consistent manner with others in the same situation)
- clarification of the number/s of trees on a site and the correct and consistent recording of these in the schedule
- errors in the description of the tree or groups of trees (such as incorrect botanical or common name, typographical or spelling errors) and a consistent method of describing these
- amendment to the preamble to the schedule to describe the way in which it is to be used
- a re-organisation of how the schedule is presented to enable it to be referenced and searched more easily (revised from its current organisation in chronological identification number order to Auckland District and alphabetical street-name order, as well as a separate column to denote suburb)
- amendments to the overlay to position trees/groups of trees in a physically more accurate place than the current default green triangle in the middle of the parcel and where there are groves or groups of trees, these are shown as such with a polygon around their extent (this re-introduces some of the detail that several previous legacy schedules contained)

A central green triangle currently denotes the presence of a notable tree or group of trees. While this meets the requirements of the RMA and is simplistic, it is also somewhat rudimentary and does not offer users much information about the location or number of trees on a particular land parcel.

As part of PPCXX, the mapped overlay has been amended as far as possible using background information, historic data (such as those from legacy plan maps and contained in ‘site pack’ information held on the Council’s database), aerial photography, the knowledge of heritage arborists and a number of site visits. In many cases, however, the exact locations of trees or groups of trees remains unverified given the large number of listings and the unfeasibility of visiting every property as part of PPCXX. In these cases, the central green triangle will remain unchanged and will continue to alert users to the presence of a notable tree or trees on the particular property.

In the case of large groves or groups, a ‘polygon’ around the extent of those groups has been established. This was an approach adopted to various degrees by previous legacy notable tree schedules. The previous North Shore City for example employed the use of polygons to denote contiguous areas of heritage vegetation. The former Auckland City Isthmus plan showed multiple markers for multiple trees on the same parcel.

The plan change documents include:

- marked-up Schedule 10 in its re-structured format indicating the changes made
- proposed amendments to the locations of trees and groups of trees in the GIS viewer/planning maps
4 Reasons for the proposed plan change

An evaluation under section 32 of the Act must examine the extent to which the objectives of PPCXX are the most appropriate way to achieve the purpose of the Act. The objective of PPCXX, or the purpose of the plan change, is to correct errors and, where required, update information for trees and groups of trees listed in the Schedule, reorganise the Schedule to enable it to be referenced and searched more easily and to amend the corresponding viewer/planning maps in the AUP to correctly identify the location of each scheduled tree and scheduled group of trees.

The plan change will assist the Council to carry out its functions in order to achieve the purpose of the Act, being to promote the sustainable management of natural and physical resources.

Natural heritage is identified as an issue of regional significance in the AUP’s Regional Policy Statement (RPS).2

The approach of the AUP is to protect and retain notable trees with significant historical, botanical or amenity values. Trees or groups of trees are evaluated using a set of criteria based on historical association, scientific importance or rarity, contribution to ecosystem services, cultural association or accessibility and intrinsic value. These factors are considered in the context of human health, public safety, property, amenity values and biosecurity.

The AUP methods to achieve this protection are primarily focused on the Schedule, which identifies trees and groups of trees. The Schedule contains approximately 3000 ‘line items’ which were essentially rolled over from legacy plan schedules at the time the AUP was drafted.

The criteria were standardised and amended as part of the AUP and thousands of trees were ‘rolled over’ into the combined AUP schedule from the legacy council lists. These trees were not re-evaluated, given that these trees or groups of trees had previously undergone historical evaluation under accepted criteria at the time. To re-evaluate the trees in the schedule is outside of the scope of PPCXX and would require a vast amount of resources and time. PPCXX also does not add any new trees to the Schedule, including any new trees nominated through the IHP hearings process. Any re-evaluation of existing trees in the Schedule and inclusion of any new trees in the Schedule would require a future plan change.

A number of the listings within the Schedule have known errors. These are wide-ranging in nature. Many of the errors are due to inaccuracies in the previous legacy schedules which were not resolved before being incorporated into the draft AUP. In addition, the Schedule has not been routinely updated following consents for removal of notable trees and has become increasingly out of date. PPCXX seeks to correct these errors and, where appropriate, update information.

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1 RMA s32(1)(a)
2 AUP B1.4 Issues of regional significance
PPCXX also seeks to re-arrange the Schedule to enable it to be referenced more easily. Currently, it is ordered by schedule identification number which is not user-friendly as generally speaking, users will attempt to find an address in the first instance. Although the location of notable trees and groups of trees are mapped in the corresponding overlay, many users choose to refer to the Schedule first.

In addition, PPCXX seeks to amend the notable trees overlay in the GIS viewer/maps by removing the single green triangle that denotes the presence of a notable tree or trees, and replacing it with new symbology to more meaningfully describe the locations of notable trees and groups of trees where these are known. Where they are not known, the green triangle will remain unchanged, denoting the presence of a notable tree or trees on the property.

The amendments proposed to the Schedule and the GIS viewer/maps enable the provisions of the AUP to apply appropriately to notable trees, and will ensure that they are protected and retained. PPCXX is considered to be the most appropriate way to achieve the purpose of the Act, as outlined in the analysis below.

3.1 Development of options

In the preparation of PPCXX, there were two clear options identified:

**Option 1** – do nothing/retain the status quo, and

**Option 2** – a plan change to amend errors and update information within the Notable Trees Overlay.

The assessment of possible options against the selection criteria is outlined in the table below:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Option 1 – Do Nothing</th>
<th>Option 2 – amend errors and update information in the overlay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Achievable/able to be implemented</td>
<td>Requires no change so is easily implemented. There are however implementation issues in terms of the usability and accuracy of the schedule and corresponding mapped overlay.</td>
<td>Requires a plan change. Can be implemented but will take time and resources.</td>
</tr>
<tr>
<td>Acceptable RMA practice</td>
<td>By not maintaining and updating the schedule and corresponding mapped overlay, the information held becomes increasingly out of date. This constitutes poor management of a valued resource.</td>
<td>Majority of New Zealand's District plans have lists of notable/historic/scheduled trees and this is a recognised method of protecting a valued natural and historic resource.</td>
</tr>
<tr>
<td>Timeliness – able to be done</td>
<td>No changes so timeliness is not an issue.</td>
<td>Simple plan changes can take 6-12 months.</td>
</tr>
</tbody>
</table>
Proposed plan change to re-order and undertake technical corrections to Schedule 10 – Notable Trees Schedule and the corresponding mapped overlay

<table>
<thead>
<tr>
<th>Implementation in a timely manner</th>
<th>implemented in a timely manner</th>
<th>not an issue for the ‘do nothing’ option.</th>
<th>implemented in a timely manner</th>
<th>not an issue for the ‘do nothing’ option.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Addresses the RMA issue</td>
<td>Addresses the RMA issue</td>
<td>The ‘do nothing’ option doesn’t directly address the RMA issue. When there are other rules in place to protect some trees and vegetation, the ability to accurately maintain a schedule of trees which have undergone evaluation under certain criteria ensures that this particular resource is recognised and protected.</td>
<td>Addresses the RMA issue</td>
<td>This option addresses the RMA issue by addressing errors and inconsistencies and amending the mapped overlay to ensure the resource is protected and maintained.</td>
</tr>
</tbody>
</table>

Both the options are valid RMA approaches and both have strengths and weaknesses as outlined above.

3.2 Evaluation of options

See following table for a summary of analysis under section 32(2) of the Act.

Table 2: Evaluation of options:
## Proposed plan change to re-order and undertake technical corrections to Schedule 10 – Notable Trees Schedule and the corresponding mapped overlay

### Attachment A

#### Item 10

<table>
<thead>
<tr>
<th>Options</th>
<th>Efficiency and effectiveness of provisions in achieving the objectives(^3)</th>
<th>Benefits</th>
<th>Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Option 1</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do nothing/retain status quo</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do not correct errors, meaning trees would continue to be identified in the Notable Trees Overlay but with incorrect/oultdated information.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Will not achieve the objective of PPCXX, being to correct errors and, where required, update information for almost 3000 separate listings for notable trees or groups of trees.</td>
<td>Short term cost saving to Council, not proceeding with a plan change.</td>
<td>Notable trees may not be appropriately managed and protected, and loss of significant natural heritage values could occur.</td>
</tr>
<tr>
<td></td>
<td>Is not efficient or effective due to increased time and money resulting from using incorrect/oultdated information.</td>
<td></td>
<td>Cost to landowners and plan users in some cases by the schedule containing errors that impose an additional and unnecessary consenting burden.</td>
</tr>
<tr>
<td></td>
<td>No benefit to the owners of notable trees as the use and development of the properties will continue to be affected by the Notable Trees Overlay, albeit using incorrect/oultdated information.</td>
<td></td>
<td>Knowledge that the Schedule and the corresponding GIS viewer/planning maps contain errors is likely to affect the integrity of the Notable Trees Overlay and the AUP and may have a reputational cost to Council.</td>
</tr>
<tr>
<td></td>
<td>The Schedule would remain with errors and anomalies which make its usability difficult. The ongoing potential for incorrect interpretation would remain a risk.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>No improvement to the usability of the mapped overlay would also result in ongoing lack of clarity and risk of mistakes.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Option 2 – plan change</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>The amendment of the notable trees schedule to correct errors and update information means the trees, as well as</td>
<td>Greater certainty to landowners and all users of the schedule, in terms of how the regulatory controls relate to their</td>
<td>Cost to the Council of proceeding with a plan change.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

\(^3\) RMA s32(1)(b)(ii)
<table>
<thead>
<tr>
<th>Options</th>
<th>Efficiency and effectiveness of provisions in achieving the objectives¹</th>
<th>Benefits</th>
<th>Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>their values and significance, are clearly identified. This ensures these trees are protected and managed appropriately through the Notable Trees Overlay. For the Notable Trees Overlay to be efficient and effective, the Schedule and the GIS viewer/planning maps must use correct and up-to-date information.</td>
<td>property being correctly and more clearly set out. Social and cultural benefits through the recognition, protection and appropriate management of notable trees and groups of trees. Integrity of the Notable Trees Overlay and of the AUP is protected. No economic growth or employment benefits anticipated.</td>
<td>Cost to the landowner if there is disagreement with a proposed amendments, through the need to engage with the plan change process. There may be perceived opportunity costs, through particular properties being subject to greater management and protection through the correction of errors, in the application of the Notable Trees Overlay.</td>
</tr>
</tbody>
</table>
3.3 Risk of acting or not acting

Section 32(2)(c) requires this evaluation to assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. There is considered to be sufficient information for PPCXX to proceed.

The section 32 evaluation will continue to be refined in relation to any new information that may arise following notification, including during hearings on PPCXX.

3.4 Reasons for the preferred option

All notable trees or groups of trees proposed to be included in PPCXX are either subject to an error, ambiguity or require updating (both in the Schedule and in the GIS viewer/maps). To ensure these notable trees are identified using correct and up-to-date information, amendments to the Schedule and the GIS viewer/planning maps are required. Therefore, the ‘do nothing’ approach is not considered to be an appropriate option.

The evaluation of options conducted in section 3.2 of this report shows that the preferred option for meeting the objectives of the proposal, and the most efficient and effective option, is a statutory plan change to the AUP to amend details of notable trees within the schedule and the GIS viewer/planning maps to correct errors and update information.

The amendment to errors contained in the Schedule and introduction of a consistent way of setting out addresses, species and numbers of trees means that the readability of the Schedule will be easier and more reliable. The operative Schedule is organised by the chronological order of the identification numbers of the notable tree or trees. This was not an intuitive format for most users. The preferred way of finding if a particular address is affected by the Notable Trees overlay is by searching for that address, so the preferred option of organising the Schedule by Auckland district and then alphabetically by street address is considered a more user-friendly format. It also addresses the issue where there may be multiple streets of the same name in different districts (such as ‘Queen Street’ – a road name which appears across multiple districts of Auckland.)

The operative mapped overlay contains a green triangle in the centre of the land parcel to indicate the presence of a notable tree or trees. The corresponding Schedule preamble explains that the presence of this symbol does not specify the location of the tree or trees, only that the property is affected by the overlay and refers the user back to the schedule for more description of the listed item.

In accordance with section 32(1)(a), the objectives of the proposal are the most appropriate way to achieve the purpose of the Act. No new objective or policy is proposed in PPCXX. PPCXX uses the existing objectives, policies and rule framework for the recognition and protection of notable trees.
4 Resource Management Framework

4.1 Overall evaluation against Part 2 of the Act

Section 5 of the Act describes the purpose of the Act. This is:

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.
(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—
   (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
   (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
   (c) avoiding, remediating, or mitigating any adverse effects of activities on the environment.

The issue addressed by PPCXX relates to the most appropriate method to manage the protection of Auckland’s notable tree stock which are a valuable natural and physical resource.

7 Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

(a) kaitakitanga:
   (aa) the ethic of stewardship;
   (b) the efficient use and development of natural and physical resources:
   (ba) the efficiency of the end use of energy:
   (c) the maintenance and enhancement of amenity values:
   (d) intrinsic values of ecosystems:
   (e) [Repealed]
   (f) maintenance and enhancement of the quality of the environment:
   (g) any finite characteristics of natural and physical resources:
   (h) the protection of the habitat of trout and salmon:
   (i) the effects of climate change:
   (j) the benefits to be derived from the use and development of renewable energy.

The ongoing protection of notable trees will assist in achieving many of the other matters outlined in Section 7. Because the values associated with scheduled trees are wide-ranging, the amendments to and maintenance of the Schedule and GIS viewer/maps proposed as part of PPCXX will achieve and have regard to (in particular):

- kaitakitanga (because of the historical and cultural values of many notable trees)
the efficient use and development of natural and physical resources (the accuracy of the schedule is critical to ensuring that any use and development which may affect notable trees is undertaken with appropriate care)

- the maintenance and enhancement of amenity values (many notable trees contribute exceptionally to local and regional amenity)
- the intrinsic values of ecosystems (particularly in the case of groups of trees, these make a significant contribution to local ecosystem health and viability)
- effects of climate change (trees are recognised as providing vital mitigation to the effects of climate change)

8 Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

The Treaty principles include partnership, reciprocity, active protection, equity and equal treatment.

PPCXX will assist in achieving, in part, the above principles of the Treaty of Waitangi. This is particularly the case where trees or groups of trees have been identified for their historic and cultural significance.

4.2 Other relevant sections of the Act

There are relevant sections of the Act that must be considered in context of the proposed plan change. These are:

- Section 31 – Functions of territorial authorities under this Act
- Section 72 – Purpose of district plans
- Section 73 – Preparation and change of district plans
- Section 74 – Matters to be considered by territorial authority
- Section 75 – Contents of district plans
- Section 76 – District rules
- Section 79 – Review of policy statements and plan
- Section 80 – Combined regional and district document
- Section 86 – When rules in proposed plans have legal effect

Relevance of PPCXX in the context of the above sections:

Section 31(a) of the Act states that a function of the Council is: the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district. It is considered that PPCXX assists the Council to carry out its functions as set out in section 31 of the Act.

Section 74 of the Act sets out the matters to be considered by a territorial authority when preparing or changing its district plan. These matters include any proposed RPS, proposed

4 Waitangi Tribunal website, justice.govt.nz
regional plan, and management plans or strategies prepared under other legislation. The authority must take into account any relevant planning document recognised by an iwi authority to the extent that its content has a bearing on the resource management issues of the district, but must not have regard to trade competition.

Section 80 of the Act sets out the approach to which local authorities may prepare, implement, and administer the combined regional and district documents. Auckland Council has a combined regional and district plan: the AUP. The AUP contains existing objectives, policies, rules and other methods that are of regional and district significance.

When determining the date on which a plan change takes effect the Act provides in section 86B(3) that:

> A rule in a proposed plan has legal effect only once a decision on submissions relating to the rule is made and publicly notified.

The proposed amendments in PPCXX will not have legal effect until the release of the decision notice on PPCXX.

### 4.3 National Policy Statements

National policy statements are instruments issued under section 52(2) of the Act and state objectives and policies for matters of national significance. The AUP is required to give effect to any national policy statements. The only national policy statement that has relevance to PPCXX is the New Zealand Coastal Policy Statement 2010 (NZCPS).

**New Zealand Coastal Policy Statement 2010**

Of the notable trees proposed to be amended through PPCXX, some notable trees or groups of trees are located within the wider coastal environment.

Objective 2 of the NZCPS is relevant to the ongoing protection and recognition of notable trees. The objective seeks to preserve the natural character of the coastal environment and protect natural features and landscape values.

Objective 4 is also relevant because it recognises the public open space qualities and recreational opportunities in the coastal environment and many notable trees are located within open space zones within the wider coastal area.

A number of policies in the NZCPS generally relate to notable trees in the coastal environment. Policy 15 specially relates to the protection of natural features and natural landscapes including by having regard to native and exotic vegetation and to historical and heritage associations, which could reasonably include those notable trees identified for their historic significance within the wider coastal environment.

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5 RMA s67(3) and s75(3)
The PPCXX gives effect to the NZCPs as it assists in the accurate identification, and therefore the recognition and protection, of notable trees within the wider coastal environment from inappropriate subdivision, use and development.

4.4 National Environmental Standards

There are currently six National Environmental Standards in force as regulations, but none of these relate directly to the management and protection of notable trees.

4.5 National Planning Standards

The purpose of the National Planning Standards (Standards) is to improve consistency in plan and policy statement structure, format and content so they are easier to prepare, understand, compare and comply with. The Standards will also support implementation of national policy statements and help people observe the procedural principles of the Act.

The first set of Standards has been formally notified and submissions are currently being reviewed with the revised Standards proposed to be gazetted in February 2019. The Standards are relevant to PPCXX as they seek to make provision for lists of scheduled/notable trees and vegetation.

4.6 Other Acts

Reserves Act 1997

The purpose of the Reserves Act is for the Department of Conservation (DOC) or local authorities (where DOC has delegated responsibility), to administer land for its preservation and management for the benefit and enjoyment of the public. These areas of reserve land possess various values and features, including those that are historic in nature.

A number of notable trees and groups of trees are located within reserves managed by Auckland Council. The proposed amendment of historic heritage places within these reserves supports the historic values of the reserves, and has the potential to enhance the benefit and enjoyment of the public of these places, due to the places and their values being identified correctly.

Waitakere Ranges Heritage Area Act 2008

Of the notable trees subject to PPCXX, many are located within the Waitakere Ranges heritage area.

The purpose of the Waitakere Ranges Heritage Area Act 2008 (WRHA) is to recognise the national, regional and local significance of the Waitakere Ranges heritage area and to promote the protection and enhancement of its heritage features for present and future generations. The heritage features per se inherently include trees and vegetation that has
intrinsic value, are of cultural, scientific or educational interest and contribute to the area’s vistas.

The objectives of establishing and maintaining the heritage area include the protection, restoration, and enhancement of the area and its heritage features, and to ensure that impacts on the area as a whole are considered when decisions are made affecting any part of it.

Of particular relevance are Objective (a):

To protect, restore and enhance the area and its heritage features

and Objective (!):

to protect in perpetuity the natural and historic resources of the Waitakere Ranges Regional Park for their intrinsic worth and for the benefit, use, and enjoyment of the people and communities of the Auckland region and New Zealand.

Amendments to the notable trees schedule will assist in the protection and enhancement of the heritage area in its wider context and give effect to the purpose of the WRHAA and its objectives.

4.7 The Auckland Plan

The Auckland Plan refresh was approved by Auckland Council in June 2018. The Auckland Plan 2050 continues with the same general strategic approach to environment and cultural heritage as the 2012 Auckland Plan.

In particular, the directions and focus areas of the Auckland Plan relevant to PPCXX are as follows:

**Table 3: Auckland Plan Directive and Focus Areas**

<table>
<thead>
<tr>
<th>Outcome</th>
<th>Directives and Focus Areas</th>
<th>Relevance to Amendments to Schedule of Notable Trees Plan Change: how do the proposed amendments assist in achieving the relevant directives and focus areas?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outcome Environment and cultural heritage</td>
<td>Direction 1. Ensure the environment is valued and cared for. Focus area 4. Protect Auckland’s significant natural environments and cultural heritage from further loss.</td>
<td>Ensuring that the schedule is amended and up to date and the overlay maps are more user-friendly will assist in ensuring there is a clear and accurate understanding of the notable trees stock across the region. The proposed changes will also minimise the risk of misinterpretation of the Schedule because of incorrect or outdated data.</td>
</tr>
</tbody>
</table>

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Proposed plan change to re-order and undertake technical corrections to Schedule 10 – Notable Trees Schedule and the corresponding mapped overlay

Page 110
4.8 The Auckland Unitary Plan (Operative in part) Regional Policy Statement (RPS) and District Plan Provisions

When preparing or changing a district plan, Council must give effect to any RPS and have regard to any proposed RPS.

The RPS identifies a number of issues of regional significance and objectives and policies which are relevant to PPCXX, as outlined in the following table:

**Table 7: Auckland Unitary Plan RPS and District Plan Objectives and Policies relevant to the PPC:**

<table>
<thead>
<tr>
<th>RPS Chapter</th>
<th>Relevant issue, objective or policy</th>
<th>Relevance to Amendments to Schedule of Notable Trees plan change - i.e. how do the proposed amendments assist in achieving the RPS and district objectives and policies?</th>
</tr>
</thead>
<tbody>
<tr>
<td>B1.4 Issues of Regional Significance</td>
<td>(4) Natural heritage (landscapes, natural features, volcanic vent shafts and trees)</td>
<td>Trees are clearly identified as part of one of the issues of regional significance. Indigenous and exotic notable trees (along with the other identified elements of natural heritage) create the natural character and environmental quality of Auckland. Therefore the PPC will ensure that the integrity and reliability of information about notable trees across the region is maintained.</td>
</tr>
<tr>
<td>B4.5. Notable Trees</td>
<td>B4.5.1. Objectives (1) Notable trees and groups of trees with significant historical, botanical or amenity values are protected and retained.</td>
<td>The clear objective is to protect and retain notable trees and groups of trees. By addressing errors and anomalies in the schedule and by providing an enhanced mapped overlay, the risk that notable trees are not adequately protected due to misinterpretation of lack of adequate information will be reduced.</td>
</tr>
<tr>
<td></td>
<td>B4.5.2(2)(4) Avoid development that would destroy or significantly adversely affect the identified values of a notable tree or group of trees unless those effects are otherwise appropriately remedied or mitigated.</td>
<td>Ensuring that the relevant data pertaining to the trees and groups of trees listed in the schedule are amended and updated will reduce the risk of adverse effects on these resources.</td>
</tr>
<tr>
<td>B6.3. Recognising Mana Whenua Values</td>
<td>B6.3.2(6) Require resource management decisions to have particular regard to potential impacts on all of the following: (a) the holistic nature of the Mana Whenua world view;</td>
<td>Of particular relevance is this policy which focuses on the importance of recognising the Mana Whenua world view. While notable trees are not specifically referenced in the Mana Whenua RPS provisions, the holistic Mana Whenua world view inherently includes those resources which comprise part of the natural, cultural and physical environment. In particular native trees which make up a large proportion of the notable tree stock are an important component of this.</td>
</tr>
<tr>
<td>D13 Notable Trees Overlay</td>
<td>D13.2. Objective (1) Notable trees and notable groups of trees are retained and protected from inappropriate subdivision, use and development.</td>
<td>It is considered that in order for the objective and relevant policies to be effectively considered, information regarding the region’s stock of notable trees should be as accurate as possible. By implementing the proposed amendments to the Schedule, its</td>
</tr>
</tbody>
</table>

6 RMA s74(2) and s75(3)
5 Development of the Proposed Plan Change

This section outlines the development of PPCXX and the consultation undertaken in preparing the plan change.

5.1 Methodology

Background – how the Schedule of Notable Trees (Schedule 10) was included in the Auckland Unitary Plan (Operative in part)

All legacy district plans contained a schedule of some description which listed heritage/notable trees or groups of trees which were evaluated under a set of criteria at the time they were included in these schedules. These were consolidated as part of the development of the AUP. There was no further evaluation undertaken of the listed trees and they were ‘rolled over’ as they appeared in the legacy schedules. PPCXX does not re-visit legacy schedules in terms of their content given that the legacy schedules underwent a Schedule 1 process to include the trees or groups of trees on the lists. Any errors ‘inherited’ from the legacy schedules which are subject to PPCXX are limited to those described above.

At the time of the Unitary Plan Hearings, a number of submissions were received seeking additions to and deletions from the proposed schedule. As a result of the hearing, there were several trees added to the schedule and several removed but these were minimal in number, due to the requirement for adequate information to satisfy procedural fairness issues. At the time of the hearings, the IHP issued a memorandum to the Auckland Council (Procedural Minute 6) which directed a response to submissions which sought to add or delete site-specific provisions in the Plan, including the schedules. The IHP directed all submitters seeking additions or deletions to provide evidence of which affected landowners had been contacted and also to provide sufficient evidence to support the submission. Few submitters provided enough information to support the addition or deletion of a tree or trees on another person’s property.

The submissions seeking additions remain in a database held by the Heritage team along with nominations for additional trees to the schedule which are received from time to time.

There is no intention as part of PPCXX to re-evaluate the existing scheduled notable trees or groups of trees, nor to revisit the submissions seeking inclusion of additional trees. Neither is there any intention to address any recent nominations to the schedule. The scope of the PPC has a confined snores-based, administrative focus which addresses the issues with the existing Schedule and the corresponding GIS viewer/maps to ensure that their usability and reliability are improved and updated.

Review of trees and groups of trees in the Schedule
Errors within the Schedule were initially identified by Council staff and the public as part of the early period after the AUP was made Operative in Part (November 2016). These were recorded in a central database and were initially intended for correction through Plan Change 4 which was the first plan change to address technical errors and anomalies in the AUP. However, it was recognised that the Schedule could benefit from a wider review given that there had been no opportunity at the time of its development to systematically look at all the line items to ensure their consistency or accuracy.

The subsequent systematic review has since identified further errors and inconsistencies within the Schedule and maps.

To attempt to identify all errors and make the Schedule and corresponding mapped overlay more user-friendly, a system of checking was set up by staff to go through each line item. The process checked for:

- text errors, simple typographical errors in the schedule (such as incorrect species names, missing botanical names etc)
- accuracy of lot and deposited plan descriptions (changes due to subdivision, for example)
- incorrect location of trees
- numbers of trees inaccurately described in the schedule – for example, the number of trees listed not matching the numerical column
- accuracy of location of trees/groups of trees using a variety of desktop tools (most recent aerial photos, Google street view, historic site packs,’ property files and some site visits)
- identification of properties remaining affected by the overlay when the tree/trees had been removed as a result of resource consent or emergency work
- duplicate or multiple entries

In addition, the review took the opportunity to enhance the usability of the schedule by:

- introducing new symbology to replace the central green triangle to improve information about the location of a tree (either single, multiple of groups) where these are known
- amending the schedule’s format to list trees/groups of trees by suburb and then by alphabetical street name
- amending the preamble to the schedule to improve its guidance for users on using both the text Schedule and the corresponding mapped overlay
- amending the descriptions of trees/groups of trees in certain locations to ensure they are consistent, such as when they are located on road reserves or parks
- describing botanical and common names of species to ensure consistency across the region

The overall purpose of the review was to ensure that the text and maps for scheduled trees align, and that the information was correct and up-to-date.

**Mapped overlay**
As part of the review of the Schedule, it has not been physically possible to visit every single site where a notable tree or group of trees is located. Reliance has had to be placed on the historic information contained in council’s database, or on aerial photography, Google street views and other methods of desktop analysis. Furthermore, it is expected that errors will continue to be identified. Addressing these issues will be the subject of a future plan change or Clause 20A process.

Ongoing maintenance

It is recognised that Schedule 10 is one of the more dynamic schedules contained with the AUP, given the large number of properties affected by this particular overlay and that subdivision, development and consents for removal/alteration as well as emergency works affect the description of listings on the Schedule. A programme to ensure the schedule is updated on a regular basis will be developed.

5.2 Consultation undertaken

In accordance with clause 3 of Schedule 1 of the Act, during the preparation of a proposed policy statement or plan, the local authority shall consult with:

a) the Minister for the Environment; and
b) those other Ministers of the Crown who may be affected by the policy statement or plan; and

local authorities who may be so affected; and
d) the tangata whenua of the area who may be so affected, through iwi authorities; and
e) any customary marine title group in the area.

A local authority may consult anyone else during the preparation of a proposed policy statement or plan.

Consultation with iwi authorities

In accordance with clause 3B of Schedule 1 of the Act, for the purposes of clause 3(1)(d), a local authority is to be treated as having consulted with iwi authorities in relation to those whose details are entered in the record kept under section 35A, if the local authority—

(a) considers ways in which it may foster the development of their capacity to respond to an invitation to consult; and
(b) establishes and maintains processes to provide opportunities for those iwi authorities to consult it; and
(c) consults with those iwi authorities; and
(d) enables those iwi authorities to identify resource management issues of concern to them; and
(e) indicates how those issues have been or are to be addressed.

In addition to the above, recent legislation changes to the Act introduced the following sections in relation to iwi authorities:
Section 32(4A):

(4A) If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—

(a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and
(b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.
(c) A summary of all advice received from iwi authorities on the PPC10 (section 32 (4)(a) of the Act).

Schedule 1

4A Further pre-notification requirements concerning iwi authorities

(1) Before notifying a proposed policy statement or plan, a local authority must—

(a) provide a copy of the relevant draft proposed policy statement or plan to the iwi authorities consulted under clause 3(1)(d); and
(b) have particular regard to any advice received on a draft proposed policy statement or plan from those iwi authorities.

(2) When a local authority provides a copy of the relevant draft proposed policy statement or plan in accordance with subclause (1), it must allow adequate time and opportunity for the iwi authorities to consider the draft and provide advice on it.

Letters were sent on 6 March 2019 to all iwi authorities (19) that are recorded by Council as being associated with the Auckland Region. The letters provided an explanation of the proposed plan change and sought their interest on receiving the draft plan change prior to notification.

Consultation with Local Boards

Letters were sent on 6 March 2019 to the Chairs of all Local Boards to inform them of the PPC and the invitation extended for more detailed discussion on the PPC by Council staff.

Consultation with other parties

Council-controlled organisations, Statutory Bodies and internal departments were sent memorandums on 7 March 2019 to inform them of the PPC.

There is no intention to consult any individual property-owners on the PPC prior to notification.
6 Conclusion

The purpose of PPCXX is to correct errors, inconsistencies and anomalies regarding the way in which trees and groups of trees are described and recorded in the Schedule, rearrange the Schedule to make it easier to reference and use and make changes to the corresponding viewer/planning maps in the AUP so as to better identify the location of each scheduled tree and scheduled group of trees.

The main conclusions of the evaluation under Part 2 and Section 32 of the Act are summarised below:

1. PPCXX is consistent with the purpose of sustainable management in Section 5 and the principles within Sections 5, 7, and 8, and within Part 2 of the Act.
2. PPCXX assists the Council in carrying out its functions set out in Sections 30 and 31 of the Act.
3. Pursuant to Section 75(3)(c) of the Act, PPC10 is consistent with the objectives and policies of the Auckland Regional Policy Statement.
4. The evaluation undertaken in accordance with Section 32 concluded:
   - The use of the existing objectives of the AUP would be the most appropriate way to achieve the purpose of the Act.

<table>
<thead>
<tr>
<th>Conclusion</th>
<th>This part of the report concludes that the proposed plan change is the most efficient, effective and appropriate means of addressing the resource management issues identified.</th>
</tr>
</thead>
</table>
The table lists trees that are part of the proposed plan change to re-order and undertake technical corrections to Schedule 10 – Notable Trees Schedule and the corresponding mapped overlay.

<table>
<thead>
<tr>
<th>ID</th>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Auckland district</th>
<th>Number of Trees</th>
<th>Location/Street Address</th>
<th>Suburb</th>
<th>Legal Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1014</td>
<td>Araucaria heterophylla</td>
<td>Norfolk Island Pine</td>
<td>North Shore</td>
<td>1</td>
<td>Aberdeen Road 17, 17 Aberdeen Road, Castor Bay</td>
<td>Castor Bay</td>
<td>Lot 2 DP 45319</td>
</tr>
<tr>
<td>2851</td>
<td>Bellschmidia taraii</td>
<td>Taraii</td>
<td>North Shore</td>
<td>1</td>
<td>Aberdeen Road, 46A</td>
<td>Castor Bay</td>
<td>Lot 2 DP 374419 Lot 2 DP 301479</td>
</tr>
<tr>
<td>1015</td>
<td>Cupressus macrocarpa, Quercus robur</td>
<td>7 Monterey Cypress, 2 English Oak</td>
<td>North Shore</td>
<td>9</td>
<td>Akoranga Drive 58 68 Akoranga Drive, Northcote</td>
<td>Northcote</td>
<td>Allotment 598 PSH OF Taepuna</td>
</tr>
<tr>
<td>1018</td>
<td>Quercus robur</td>
<td>6 English Oak</td>
<td>North Shore</td>
<td>6</td>
<td>Albany Highway (road reserve opposite 357) Albany Highway, Albany</td>
<td>Albany</td>
<td></td>
</tr>
<tr>
<td>1020</td>
<td>Magnolia grandiflora, Quercus robur, Liriodendron tulipifera, Casuarina equisetifolia, Carya illinoinensis, Quercus robusta, Ilex aquifolium</td>
<td>Magnolia, English Oak, American Tulip, Tulip tree, White Spruce, Pecan Nut, Silky Oak, Ilex Wonder tree</td>
<td>North Shore</td>
<td>7</td>
<td>Albany Highway 350 360 Albany Highway, Albany</td>
<td>Albany</td>
<td>Lot 2 DP 102425</td>
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<tr>
<td>1016</td>
<td>Podocarpus totara ('sulcata')</td>
<td>Golden Totara</td>
<td>North Shore</td>
<td>1</td>
<td>Albany Highway 473 (reserve) Albany Highway, Albany</td>
<td>Albany</td>
<td>Section 16 SO 441539</td>
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<tr>
<td>1021</td>
<td>Agathis australis, Dacrydium cupressinum, Podocarpus totara</td>
<td>Kauri, Rimu, Totara</td>
<td>North Shore</td>
<td>5</td>
<td>Albany Highway 536 536 Albany Highway, Albany</td>
<td>Albany</td>
<td>Section 3 SO 417589</td>
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<tr>
<td>1017</td>
<td>Quercus robur</td>
<td>English Oak</td>
<td>North Shore</td>
<td>1</td>
<td>Albany Highway 575 Albany Highway, Albany</td>
<td>Albany</td>
<td>Section 15 SO 456618</td>
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<td>1019</td>
<td>Araucaria heterophylla</td>
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<td>North Shore</td>
<td>1</td>
<td>Albany Highway, Albany</td>
<td>Albany</td>
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<tr>
<td>1022</td>
<td>Magnolia grandiflora</td>
<td>Magnolia</td>
<td>North Shore</td>
<td>1</td>
<td>Albert Road 49 49 Albert Road, Devonport</td>
<td>Devonport</td>
<td>Lot 23 DP 189</td>
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<tr>
<td>1023</td>
<td>Platanes z acerifolia</td>
<td>London Plane</td>
<td>North Shore</td>
<td>group of 17</td>
<td>Alma Street (road reserve) Alma Street, Northcote-Pont</td>
<td>Northcote Punt</td>
<td></td>
</tr>
</tbody>
</table>
Proposed plan change to re-order and undertake technical corrections to Schedule 10 – Notable Trees Schedule and the corresponding mapped overlay.
Proposed Plan Change Amendments to Historic Heritage Schedule 14

File No.: CP2019/01733

Te take mō te pūrongo
Purpose of the report
1. To approve for public notification a plan change to amend the Auckland Unitary Plan (Operative in Part) (AUP) Chapter L, Schedule 14.1 Historic Heritage Schedule, Statements and Maps.

Whakarāpopototanga matua
Executive summary
2. This report considers the notification of a plan change to amend 73 historic heritage places in Schedule 14.1 Schedule of Historic Heritage (Schedule 14.1) to:
   - correct errors and update information and, for some places,
   - amend the Historic Heritage Overlay extent of place shown in the AUP planning maps (plan maps) to correct errors.

3. The amendments proposed include the deletion of 11 places from Schedule 14.1.

4. The reason for these amendments is to ensure Schedule 14.1 is accurate and robust.

5. The errors and outdated information relating to historic heritage places in the AUP have the potential to put Auckland’s significant historic heritage at risk or to impose unnecessary costs to landowners and the council.

6. It is recommended the plan change is notified for submissions.

Ngā tūtohunga
Recommendation/s
That the Planning Committee:

a) approve the notification of the plan change to the Auckland Unitary Plan (Operative in Part) to amend 73 historic heritage places in Schedule 14.1 to correct errors and update information, included as Attachments A and B to the agenda report.

b) endorse the section 32 evaluation report included as Attachment C 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 approve minor amendments to the proposed plan change, if required, in advance of public notification.
Horopaki

Context

7. The AUP contains objectives, policies and rules to protect significant historic heritage from inappropriate subdivision, use and development. The AUP method to achieve this protection is focused on Schedule 14, which identifies and recognises significant historic heritage places, and applies the provisions of the Historic Heritage Overlay¹ to these places.

8. Significant historic heritage places are identified in Schedule 14.1 and the Historic Heritage Overlay extent of place for each place is shown on the plan maps. The extent of place identifies the spatial area for each place where the provisions of the Historic Heritage Overlay apply.

9. Schedule 14.1 contains errors and outdated information for some historic heritage places. The extent of place for some scheduled historic heritage places is not mapped over the correct area or is missing.

10. In 2016, the Governing Body directed staff to initiate a process for relevant plan changes to address any technical matters and property anomalies relating to the AUP.

  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. (Resolution Number GB/2016/201)

11. Following that resolution, the Planning Committee agreed a process to correct administrative errors in the AUP and noted that other plan changes may be required to address matters outside the scope of an administrative plan change.

  That the Planning Committee:
  a) agree to develop the first administrative plan change to correct technical matters and anomalies identified in the Auckland Unitary Plan (Operative in part).
  d) note the possibility that future plan change/s may be required to address matters that are outside the scope of the first administrative plan change to enable the Auckland Unitary Plan (Operative in part) to be effective. (Resolution Number PLA/2017/40)

12. The first administrative plan change (Plan Change 4: Corrections to technical errors and anomalies in the Auckland Unitary Plan Operative in part) was notified in September 2017. This plan change corrected errors and anomalies for 21 historic heritage places in Schedule 14.1.

13. Historic heritage places with errors outside the scope of Plan Change 4 were the subject of Plan Change 10: Historic Heritage Schedule (errors, anomalies and information update). Plan Change 10, which was notified on 25 January 2018, corrected errors, updated information and/or amended the extent of place maps for 145 places in Schedule 14.

14. Not all known errors in the AUP that related to scheduled historic heritage places were corrected in Plan Change 10. Council staff and the public have also identified further errors relating to historic heritage places in the AUP since Plan Change 10 was notified. It is anticipated that errors relating to scheduled historic heritage places in the AUP will continue to be identified over time, and will require correction through future plan change processes. It is also expected that further evaluation of scheduled historic heritage places will result in information in Schedule 14.1 requiring to be updated over time.

¹ AUP Chapter D17 Historic Heritage Overlay
Tātaritanga me ngā tohutohu
Analysis and advice

15. There is an issue with the identification of significant historic heritage places in the AUP, being that for some historic heritage places there are errors and outdated information in Schedule 14.1 and/or the Historic Heritage Overlay extent of place shown in the plan maps.

16. The plan change seeks to correct errors and update information for 73 historic heritage places in the AUP, by amending information in Schedule 14.1 and/or the Historic Heritage Overlay extent of place maps. The errors include:
   - the Historic Heritage Overlay extent of place (shown in the plan maps) is incorrect, or there is no extent of place mapped;
   - the address and/or legal description is incorrect, or the legal description is missing;
   - there is no primary feature identified (the primary feature of a historic heritage place forms the fundamental basis for scheduling a place);
   - the category of the place is not correct, or requires updating to reflect up-to-date information;
   - exclusions are not identified, are incomplete, or are incorrect (exclusions are features that do not contribute to, or detract from, a historic heritage place);
   - a place has duplicate entries in Schedule 14.1; and
   - the place does not meet the criteria and thresholds for scheduling in the AUP and should be deleted from Schedule 14.1.

17. Errors and outdated information in the AUP can lead to the loss of Auckland’s significant historic heritage places, if these places are not accurately identified and described in Schedule 14.1 and/or the extent of place maps. Alternatively, errors and outdated information can also lead to costs being unnecessarily imposed on owners, where consent is required for activities but the historic heritage values of the place do not warrant the protection offered by the objectives, policies and rules in the AUP.

18. The plan change is similar in content to Plan Change 10, which amended 145 historic heritage places in the AUP. However, this plan change content differs from Plan Change 10 as it proposes to delete some historic heritage places from Schedule 14.1.

Deletions

19. The plan change proposes to delete 11 places and one record from Schedule 14.1, including:
   - one place that is a duplicate record
   - two places that were damaged by fire and subsequently demolished via resource consent, and
   - nine places that do not meet the criteria and thresholds in the Regional Policy Statement (RPS) section of the AUP for inclusion in Schedule 14.1\(^2\).

20. The No Deposit Piano Company Building 301-317 Queen Street has been removed from the schedule as it is a duplicate record.

21. The two places damaged by fire and subsequently demolished are:
   - Waiwera Bath House, 37 Waiwera Place Waiwera Beach
   - Residence at 79 Coronation Road, Mangere Bridge

\(^2\) AUP RPS Policy B5.2.2(3)
22. As part of the preparation of this plan change, a number of historic heritage places were reviewed to determine whether they continue to meet the RPS criteria and thresholds for scheduling. These places were identified for review following:
   - council historic heritage monitoring projects,
   - a resource consent application relating to the historic heritage place, or
   - a request by the owner of the property.

23. The following nine historic heritage places were reviewed and were found not to meet the criteria and thresholds in the RPS:
   - Residence 62 Ferry Parade, Herald Island
   - Residence 651 West Coast Road, Oratia
   - Residence 33 Akehurst Avenue, New Lynn
   - Residence 141 Park Estate Road, Hingaia
   - Residence (Porthcurnow East) 14 Muritai Road, Milford
   - Residence 79 Coronation Road, Mangere Bridge
   - Residence 1 Beihlers Road, Weymouth
   - Residence 19 William Avenue, Manurewa
   - Residence 11 Alfriston Road, Manurewa

Options

24. There are two options available to address the issue of errors and outdated information relating to historic heritage places in the AUP: undertake a plan change to the AUP to correct errors and update information for scheduled historic heritage places, or take no action.

25. It is not considered appropriate to take no action and ignore errors and outdated information in Schedule 14.1 and the extent of place maps, due to the potential loss of significant historic heritage and the potential costs to owners and council highlighted above.

26. Correcting errors and updating information will assist Council to carry out its functions in order to achieve the purpose of the Resource Management Act 1991 (Act), being to promote the sustainable management of natural and physical resources.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera

Council group impacts and views

27. Comment has been sought on the plan change from the council group and relevant council-controlled organisations (CCOs) as some of the historic heritage places included in the plan change are located on land owned or managed by the council group and CCOs.

28. The plan change is likely to assist the council group and CCOs with the management of council-owned land and assets because: the plan change will ensure any scheduled historic heritage places located within this land are accurately identified, both within Schedule 14.1 and the Historic Heritage Overlay; the extent of place is mapped on the right location; and the information about each place in Schedule 14.1 is correct.

29. To date, feedback has been received from Panuku Development Auckland (Panuku) in relation to the proposed plan change. Any feedback received from the council group or other CCOs will be considered, and will be incorporated into the evaluation report for the plan change.
Local impacts and local board views

30. The plan change includes scheduled historic heritage places located within 18 local board areas. The identification of significant historic heritage places and their protection from inappropriate subdivision, use and development is of interest to these local boards. Ensuring that the information about the scheduled historic heritage places is correct and up-to-date is anticipated to align with the views of the boards.

31. Relevant local boards were informed about the plan change, with board members provided information about the proposed amendments and any deletions relevant to their local board area. Feedback has been received from some individual local board members, with no issues raised to date.

32. Council staff, along with staff from Panuku, attended a meeting with Henderson-Massey Local Board on 12 February 2019, in order to update the local board about the proposed inclusion of ID 00262 Waitakere Civic Centre.

33. Local boards have a further opportunity to provide their views on the plan change once it is notified. Any views provided by local boards will be considered alongside submissions as part of the hearing and decision process on the plan change.

Māori impact statement

34. The Resource Legislation Amendment Act 2017 made changes to Māori participation within the Act. Schedule 1 of the Act was amended to insert clause 4A which requires councils to provide a copy of a draft proposed plan change prior to public notification and have particular regard to any advice received from iwi before notifying the plan.

35. The draft plan change was provided to iwi authorities on 1 March 2019. No feedback has been received to date. Any feedback received from iwi authorities will be summarised and incorporated in the evaluation report for the plan change.

Financial implications

36. The preparation of a plan change to correct errors and update information in Schedule 14 is provided for in the Plans and Places Department budget, so there are no financial implications for council. The recommendations made in this report do not give rise to any major financial risks.

Risks and mitigations

37. There are no significant risks associated with the recommendations made in this report.
Ngā koringa ā-muri

Next steps

38. If approved for notification, the plan change will be publicly notified in April or May 2019, in line with the processes in the Act. A period of at least 20 working days will be provided for submissions to be lodged on the plan change. Decisions requested in submissions will be summarised and publicly notified for further submissions.

39. Once council has received any submissions and further submissions on the plan change, council officers will prepare a report that includes: a summary of submissions; an analysis of all the submissions; and recommendations about which parts of the plan change should be adopted, removed, or modified.

40. The council will then hold a hearing on the plan change if submitters have indicated they wish to be heard.

Ngā tāpirihanga
Attachments

Due to the size and complexity of Attachment B it has been published separately at the following link: http://infocouncil.aucklandcouncil.govt.nz > Planning Committee > 2 April 2019 > Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
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<tbody>
<tr>
<td>A</td>
<td>Amendments to Schedule 14.1</td>
<td>127</td>
</tr>
<tr>
<td>B</td>
<td>Amendments to Auckland Unitary Plan Maps (128 pages) (Under Separate Cover)</td>
<td></td>
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<tr>
<td>C</td>
<td>Section 32 evaluation report</td>
<td>145</td>
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Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Emma Rush - Senior Advisor Special Projects</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>John Duguid - General Manager - Plans and Places</td>
</tr>
<tr>
<td></td>
<td>Megan Tyler - Chief of Strategy</td>
</tr>
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</table>
Proposed amendments to Chapter L: Schedule 14.1 Historic Heritage

Notes:
1. New text is shown as underlined and deleted text as strikethrough.
2. Only the entries in the schedule that are proposed to be amended are shown.

<table>
<thead>
<tr>
<th>Chapter L: Schedules</th>
<th>Schedule 14.1 Historic Heritage</th>
<th>Various</th>
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<tbody>
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<td>Historic Heritage Place</td>
<td>Proposed change/s:</td>
<td>Amend the entries in the schedule as shown below</td>
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DRAFT
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<thead>
<tr>
<th>ID</th>
<th>Place Name and/or Description</th>
<th>Verified Location</th>
<th>Verified Legal Description</th>
<th>Category</th>
<th>Primary Feature</th>
<th>Heritage Values</th>
<th>Extent of Place</th>
<th>Exclusions</th>
<th>Additional Rules for Archaeological Sites or Features</th>
<th>Place of Maori Interest or Significance</th>
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<tbody>
<tr>
<td>00032</td>
<td>Glen Eden Methodist Church</td>
<td>352 West Coast Road, Glen Eden</td>
<td>Lot 4 DP 122886</td>
<td>B</td>
<td>Church</td>
<td>A,B,F</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); extensions attached to north and west of church</td>
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<tr>
<td>00060</td>
<td>Residence</td>
<td>23 Ferry Parade, Herale Island</td>
<td>Lot 142 DP 31409</td>
<td>B</td>
<td>F</td>
<td></td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
<td></td>
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<tr>
<td>00060</td>
<td>Residence</td>
<td>39 Kopiko Road, Titirangi</td>
<td>Lot 368 DP 25642</td>
<td>B</td>
<td>Residence</td>
<td>A,F</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); carport</td>
<td></td>
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<tr>
<td>00091</td>
<td>Infant Block</td>
<td>Titirangi Primary School, 1-7 Koto Road, Titirangi</td>
<td>PT ALLOT 48 SD 29E WAHMINTI; PT LOT 4 DP 9202</td>
<td>B</td>
<td>Infant Block</td>
<td>A,B,F</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); buildings and structures that are not the primary feature; second-storey extension attached to infant block</td>
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<td>00107</td>
<td>Residence</td>
<td>651 West Coast Road, Oratia</td>
<td>LOT 2 DP 43830</td>
<td>B</td>
<td>A,F</td>
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<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
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<td>00110</td>
<td>Residence - Cottage</td>
<td>587A West Coast Road, Oratia</td>
<td>LOT 2 DP 402262</td>
<td>B</td>
<td>Cottage</td>
<td>A,F</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); buildings and structures that are not the primary feature</td>
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<tr>
<td>00119</td>
<td>Oratia Church/Schoolhouse (former)</td>
<td>1-5 Parker Road, Oratia</td>
<td>ALLOT 238 SD 4195 WAHMINTI</td>
<td>B</td>
<td>Church/schoolhouse</td>
<td>A,B,F</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); 1866 church</td>
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## Attachment A

### Item 11

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<th>ID</th>
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<th>Verified Location</th>
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<th>Category</th>
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<th>Extent of Place</th>
<th>Exclusions</th>
<th>Additional Rules for Archaeological Sites or Features</th>
<th>Place of Maori Interest or Significance</th>
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<td>00138</td>
<td>Police house (former)</td>
<td>1 Edmonton Road,</td>
<td>PT LOT 1 DP 7648 SEC 2 SO</td>
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<td>Residence</td>
<td>A,B,F,G</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); buildings and structures that are not the primary feature</td>
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<td>461122</td>
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<td>00141</td>
<td>Residence</td>
<td>45A-65F Swanson</td>
<td>LOT 3 DP 393571; LOT 24 DP</td>
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<td>Residence</td>
<td>A,G</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
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<td>Road, Henderson</td>
<td>468829, LOT 101 DP 468828</td>
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<td>Residence</td>
<td>33-41 Keha Street,</td>
<td>LOT 14 DP 6234</td>
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<td>A,F</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
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<td></td>
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<td>00262</td>
<td>Waitakere Civic Centre</td>
<td>Waitakere Central,</td>
<td>LOT 2 DP 370256; LOT 1 DP</td>
<td>B</td>
<td>Buildings, including bridge over railway</td>
<td>B,F,G,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); except interior of chamber and associated lobby and interior of central railway public spaces</td>
<td></td>
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<td></td>
<td></td>
<td>6 Henderson Valley</td>
<td>61768; LOT 1664, railway reserve, road reserve</td>
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<td>00427</td>
<td>Coatesville Settlers Hall</td>
<td>4 Mahoenui Valley</td>
<td>ALLOT 34 PSH GE PAREMOREMO</td>
<td>B</td>
<td>Hall</td>
<td>A,B,D,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); buildings and structures that are not the primary feature, including decks</td>
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<td></td>
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<td>Road, Coatesville</td>
<td>SO 28647; ALLOT 33 PSH GE PAREMOREMO SO 28647</td>
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<tr>
<td>00430</td>
<td>Kaukapakapa Hall, hall, and</td>
<td>947 Kaipara Coast</td>
<td>SEC 1 SO 378853</td>
<td>B</td>
<td>Hall; library; war memorial</td>
<td>A,B,D,F,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s), except interior of library; buildings and structures that are not the primary feature; ramps and railings attached to hall and library</td>
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<td></td>
<td>Library-library and war</td>
<td>Highway, Kaukapakapa</td>
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<td>memorial</td>
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<tr>
<td>00447</td>
<td>Dominican convent (former)The</td>
<td>28 McLeod Street,</td>
<td>LOT 3 DP 202971</td>
<td>B</td>
<td>Residence</td>
<td>A,D,F</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); garages, buildings and structures that are not the primary feature, including attached extensions</td>
<td></td>
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<td></td>
<td>Old Convent</td>
<td>Helensville</td>
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<tr>
<td>00449</td>
<td>Kapapa Guest House</td>
<td>2395 State Highway 18, Panmure</td>
<td>LOT 1 DP 153660</td>
<td>B</td>
<td>Residence</td>
<td>A,B,D,F,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); buildings and structures that are not the primary feature; extension including covered deck</td>
<td></td>
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<tr>
<td>00409</td>
<td>Waiauva Bath House</td>
<td>Waiauva Beach, 37 Waiauva Place, Waiauva</td>
<td>LOT 1 DP 46660; LOT 246600</td>
<td>B</td>
<td>A,B,D,F,H</td>
<td>Refer to planning maps</td>
<td></td>
<td>Interior of building(s)</td>
<td></td>
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<tr>
<td>00532</td>
<td>Workers' cottage (former)/Leigh Library</td>
<td>15 Cumberland Street, Leigh</td>
<td>ALLOT 121 LEIGH VILLAGE 60 49892; road reserve</td>
<td>B</td>
<td>Cottage</td>
<td>A,B,D,F,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); accessory building; water tank</td>
<td></td>
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<tr>
<td>00542</td>
<td>Minnisdale Chapel and graveyards</td>
<td>67 Shegadren Road, Wharehine</td>
<td>PT ALLOT 21 PSH OF WHAREHINE SD 924; LOT 1 DP 31496; road reserve</td>
<td>B</td>
<td>Church</td>
<td>A,B,D,E,F,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); water tank including stand</td>
<td></td>
<td></td>
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<tr>
<td>00569</td>
<td>Coombe/Combes/Daldy/Lijna Kins works site</td>
<td>38 Sandspit Road, Warkworth</td>
<td>Pt Lot 51 DP 703; CMA</td>
<td>B</td>
<td>Entire extent of place except quarry pit</td>
<td>A,B,D,E,F,H</td>
<td>To be defined Refer to planning maps</td>
<td>Yes</td>
<td></td>
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<tr>
<td>00616</td>
<td>St Stephen's Anglican Church</td>
<td>3 and 5 Stannmore Bay Road, Manly</td>
<td>PT ALLOT 5190 PSH OF WAIWERA/PP 11236; LOT 35 DP 44732</td>
<td>B</td>
<td>1917 church</td>
<td>A,B,D,F,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); buildings and structures that are not the primary feature; freestanding sign</td>
<td></td>
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<td>00709</td>
<td>Residence</td>
<td>141 Park Estate Road, Hingaia</td>
<td>LOT 1 DP 84768</td>
<td>B</td>
<td>F,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
<td></td>
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<tr>
<td>00711</td>
<td>Vela House</td>
<td>18 Hinu Road, Whangarei</td>
<td>PART LOT 800 DP 386146</td>
<td>B</td>
<td></td>
<td>F,G</td>
<td>Refer to planning maps</td>
<td></td>
<td>Interior of building(s)</td>
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<tr>
<td>00729</td>
<td>Te Mares o Hinslakoa village site, including grave</td>
<td>54 Isla Avenue, Paremoremo</td>
<td>PL Allot 7 Parish of Paremoremo, CMA</td>
<td>B</td>
<td>Entire extent of place</td>
<td>A,B,D</td>
<td>To be defined, Refer to planning maps</td>
<td></td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>00993</td>
<td>Residence</td>
<td>17 Oneroa Road, Northcote</td>
<td>Lot 1 DP 46603</td>
<td>B</td>
<td>Residence</td>
<td>A,F</td>
<td>Refer to planning maps</td>
<td></td>
<td>Interior of building(s), buildings and structures that are not the primary feature except for the basement wall</td>
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<tr>
<td>00998</td>
<td>Residence</td>
<td>48 Princes Street, Northcote Point</td>
<td>LOT 3 DP 19121</td>
<td>B</td>
<td>Residence</td>
<td>A,F</td>
<td>Refer to planning maps</td>
<td></td>
<td>Interior of building(s), double garage and attached extension shed</td>
<td></td>
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<tr>
<td>01006</td>
<td>Te Arotai</td>
<td>17 Queen Street, Northcote Point</td>
<td>Allot 24 Town of WOODSIDE</td>
<td>B</td>
<td>Residence</td>
<td>A,F,G,H</td>
<td>Refer to planning maps</td>
<td></td>
<td>Interior of building(s), garage</td>
<td></td>
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<tr>
<td>01053</td>
<td>Earnoh</td>
<td>184-196 Hurstmere Road, Takapuna</td>
<td>Lot 1 DP 52985</td>
<td>A-F-E</td>
<td>Residence</td>
<td>A,F,G</td>
<td>Refer to planning maps</td>
<td></td>
<td>Interior of building(s), garage, swimming pool</td>
<td></td>
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<tr>
<td>04067</td>
<td>Pontheimoo-East</td>
<td>14 Muritai Road, Melford</td>
<td>Lot 2 DP 66640</td>
<td>B</td>
<td></td>
<td>A,F,G</td>
<td>Refer to planning maps</td>
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<tr>
<td>01077</td>
<td>Halling Homestead (former)</td>
<td>68 Kitchener Road, Milford</td>
<td>Pt Lot 4 DP 657</td>
<td>B</td>
<td>Residence</td>
<td>A,F,G</td>
<td>Refer to planning maps</td>
<td>Indoor of building(s), garage</td>
<td></td>
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</tr>
<tr>
<td>01127</td>
<td>Commercial building</td>
<td>33 and 37-39 Victoria Road, Devonport</td>
<td>Lot 1 DP 61110; LOT 2 DP 61110</td>
<td>A,G</td>
<td>Commercial building</td>
<td>A, B, F, G, H</td>
<td>Refer to planning maps</td>
<td>Indoor of building(s)</td>
<td></td>
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<tr>
<td>01129</td>
<td>Buchanan’s Building</td>
<td>41-42 and 43 Victoria Road, Devonport</td>
<td>PT A LOT 26 SECT 2 PARISH OF TAKAPUNA LOT 2 DP 66285</td>
<td>B</td>
<td>Commercial building</td>
<td>A,B,F,G,H</td>
<td>Refer to planning maps</td>
<td>Indoor of building(s)</td>
<td></td>
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<tr>
<td>01172</td>
<td>Residence Skelton House</td>
<td>13 Barrie Street, Belmont</td>
<td>Lot 4 DP 38731; LOT 1 DP 461726</td>
<td>B</td>
<td>Residence</td>
<td>A,F,G</td>
<td>Refer to planning maps</td>
<td>Interior of building(s), garage</td>
<td></td>
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<td>ID</td>
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<td>Verified Legal Description</td>
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<tr>
<td>01270</td>
<td>Mill site R11_1633, site of water-powered mill, including water race and dam</td>
<td>Botanic Gardens Regional Park, 140-142 Hill Road, The Gardens</td>
<td>Lot 3 DP 59551</td>
<td>B</td>
<td>Entire extent of place</td>
<td>A, D, HE</td>
<td>Refer to planning maps</td>
<td>Yes</td>
<td></td>
<td>Yes</td>
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<tr>
<td>01330</td>
<td>Meadowbrook Meadowbrook</td>
<td>320-Twilight 1 Kiripani Road, Brookby</td>
<td>LOT 2 DP 369073, LOT 1 DP 388073</td>
<td>A/B</td>
<td>Residence Homestead</td>
<td>A, B, F, G, H</td>
<td>Refer to planning maps</td>
<td>Yes</td>
<td></td>
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<tr>
<td>01350</td>
<td>Guy Homestead</td>
<td>Guy's Reserve, Ti Raiu Drive and 47C Huntington Drive, East Tamaki</td>
<td>LOT 1 DP 474573, LOT 3 DP 474573, LOT 3 DP 474673, LOT 4 DP 423673</td>
<td>B</td>
<td>Residence</td>
<td>A, B, F, G, H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); buildings and structures that are not the primary feature</td>
<td></td>
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<tr>
<td>01351</td>
<td>Baverstock Road Schoolteacher’s residence (former)</td>
<td>Murphys Bush Reserve, 180 R Murphys Road, Flat Bush</td>
<td>PT Lot 1 DP 66802</td>
<td>B</td>
<td>Building</td>
<td>A, B, G</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
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<td>ID</td>
<td>Place Name and/or Description</td>
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<td>Heritage Values</td>
<td>Extent of Place</td>
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<td>01354</td>
<td>Flat Bush School House (former) and Murphy’s Homestead/teacher’s residence (former)</td>
<td>Murphys Bush Reserve, 157R Flat Bush School Road and 160R Murphys Road, Flat Bush</td>
<td>LOT 500 DP 452465; PTLLOT PT LOT 1 DP 09592</td>
<td>B</td>
<td>School building: homestead/residence</td>
<td>A,B,F,G,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); interior of Murphy’s homestead/teacher’s residence; rear extension to Murphy’s homestead/teacher’s residence</td>
<td></td>
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<tr>
<td>01432</td>
<td>Residence - Shenstone Cottage</td>
<td>65 Mountain Road, Mangere Bridge</td>
<td>Lot 1 DP 133525</td>
<td>B</td>
<td>Cottage</td>
<td>A,F,G</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); garage</td>
<td></td>
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<tr>
<td>01436</td>
<td>Residence</td>
<td>2 Gray Avenue, Mangere East</td>
<td>PT LOT 7 DP 2089; PT LOT 18 DP 20742; PT LOT 19 DP 20742</td>
<td>B</td>
<td>Residence</td>
<td>A,B,F,G</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); outbuildings</td>
<td></td>
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<tr>
<td>01437</td>
<td>Residence</td>
<td>72 Coronation Road, Mangere Bridge</td>
<td>LOT 1 DP 310924; road/reserve</td>
<td>B</td>
<td>G,F</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
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<td>Heritage Values</td>
<td>Extent of Place</td>
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<td>01444</td>
<td>Metro Theatre (former)/Mangere East Hall</td>
<td>Walter Massey Park, 382 and 372R Massey Road, Mangere East</td>
<td>PT LOT 8 DEEDS PLAN 65; PT LOT 6 DEEDS BLUE 66</td>
<td>B</td>
<td>Hall</td>
<td>A,B,G</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
<td></td>
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<tr>
<td>01447</td>
<td>Nathan Homestead and gardens</td>
<td>David Nathan Park, 68R Hill Road, Hill Park</td>
<td>Lot 148 DP 51561</td>
<td>A/8</td>
<td>Homestead gardens; water tower</td>
<td>A,B,D,F,G,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); at buildings and structures constructed after 1981</td>
<td></td>
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<tr>
<td>01453</td>
<td>Dutch prefabricated house</td>
<td>56 Gloucester Road, Manurewa</td>
<td>Lot 1 DP 391150</td>
<td>A/8</td>
<td>Residence</td>
<td>A,G,F</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
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<tr>
<td>01456</td>
<td>Orford Lodge</td>
<td>8 and 10 Earls Court, Hill Park</td>
<td>LOT 2 DP 185045; LOT 14 DP 61236</td>
<td>B</td>
<td>Residence</td>
<td>A,B,G,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
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<td>ID</td>
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<td>Heritage Values</td>
<td>Extent of Place</td>
<td>Exclusions</td>
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<td>01460</td>
<td>Farmhouse (former) Clandon Park Community House</td>
<td>Finlayson Community House Reserve, 60R Finlayson Avenue, Manurewa</td>
<td>PART LOT 210 DP 85570</td>
<td>B</td>
<td>Residence</td>
<td>A, B, F, G, H</td>
<td>Refer to planning maps</td>
<td></td>
<td>Interior of building(s); childcare building</td>
<td></td>
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<tr>
<td>01461</td>
<td>Residence</td>
<td>1 Seihara Road, Weymouth</td>
<td>LOT 1 DP 66423; LOT 6 DP 66423</td>
<td>B</td>
<td></td>
<td>A, B, F, G</td>
<td>Refer to planning maps</td>
<td></td>
<td>Interior of building(s)</td>
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<td>01462</td>
<td>Residence</td>
<td>18 William Avenue, Manurewa</td>
<td>LOT 223 DP 48616</td>
<td>B</td>
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<td>A, B, F, G</td>
<td>Refer to planning maps</td>
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<td>Interior of building(s)</td>
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<tr>
<td>01463</td>
<td>Residence</td>
<td>11 Albigstein Road, Manurewa</td>
<td>LOT 1 DP 37737</td>
<td>B</td>
<td></td>
<td>F, G</td>
<td>Refer to planning maps</td>
<td></td>
<td>Interior of building(s)</td>
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<td>ID</td>
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<td>01466</td>
<td>St Saviour’s Chapel and Papatoetoe Orphan’s Home and School (former)</td>
<td>80 Wyllie Road, Papatoetoe</td>
<td>LOT 1 DP 148864 A</td>
<td>A,A</td>
<td>Chapel; home/school</td>
<td>A,B,D,F,G,H</td>
<td>Refer to planning maps</td>
<td>All buildings, structures and features built after 1962</td>
<td></td>
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<tr>
<td>01476</td>
<td>Residence</td>
<td>87-88 and 88A Kolmar Road, Papatoetoe</td>
<td>LOT 1 DP 480623; LOT 2 DP 480623 B</td>
<td>Residence</td>
<td>F,G</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
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<tr>
<td>01481</td>
<td>Dilkusha House</td>
<td>5 Scott Road, Papatoetoe</td>
<td>LOT 3 DP 58145 B</td>
<td>Residence</td>
<td>A,B,G,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); garage, garden shed, detached rear flat</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>01587</td>
<td>Te Kīpua Kei a Hirai/Parnure Basin, including Mokota pa site, terraces/incised, and middens Medien R11 98, R11 1266, R11 1377, R11 1384, R11 1386, R11 2158 R11 2263, R11 2264, R11 2265, R11 2288</td>
<td>LOT 13 DP 103106, LOT 3 DP 39831; LOT 16 DP 32687; LOT 1 DP 183046, LOT 4 DP 39831; LOT 11 DP 32687; LOT 1 DP 63153; LOT 26 DP 187862; LOT 1 DP 183061; LOT 1 DP 138102; LOT 126 DP 23141; LOT 129 DP 18348; LOT 1 DP 18016; LOT 2 DP 18016; LOT 3 DP 18018; Pt LOT 4 DP 18016; Pt ALLOT</td>
<td>Entire extent of place</td>
<td>A,C,D</td>
<td>Refer to planning maps</td>
<td>All buildings and structures</td>
<td>Yes</td>
<td>Yes</td>
<td></td>
<td></td>
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<tr>
<td>ID</td>
<td>Place Name and/or Description</td>
<td>Verified Location</td>
<td>Verified Legal Description</td>
<td>Category</td>
<td>Primary Feature</td>
<td>Heritage Values</td>
<td>Extent of Place</td>
<td>Exclusions</td>
<td>Additional Rules for Archaeological Sites or Features</td>
<td>Place of Maori Interest or Significance</td>
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<tr>
<td>01597</td>
<td>Stoneleigh (former)/Epworth (former)</td>
<td>4 Alexis Avenue, Mount Albert</td>
<td>LOT 1 DP 481269</td>
<td>B</td>
<td>Residence</td>
<td>F.G.</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); buildings and structures that are not the primary feature</td>
<td></td>
<td></td>
</tr>
<tr>
<td>01603</td>
<td>St Aidan’s Church</td>
<td>3-9 Ascot Avenue, Remuera</td>
<td>Lot 13 DP 278, Pt Lot 449279, Lot 21 DP 15262, Pt Lot 22 DP 15262, Lot 16 DP 15262, Lot 16 DP 15262</td>
<td>B</td>
<td>1905 church, lunch gate, war memorial</td>
<td>A,B,F</td>
<td>Refer to planning maps</td>
<td>Interior of the hall; post-1956 additions and modifications to the interior of the church</td>
<td></td>
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<tr>
<td>ID</td>
<td>Place Name and/or Description</td>
<td>Verified Location</td>
<td>Verified Legal Description</td>
<td>Category</td>
<td>Primary Feature</td>
<td>Heritage Values</td>
<td>Extent of Place</td>
<td>Exclusions</td>
<td>Additional Rules for Archaeological Sites or Features</td>
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<tr>
<td>01812</td>
<td>Green Bay Mission Hall(former)/Blockhouse Bay Baptist Church</td>
<td>504-506 Blockhouse Bay Road, Blockhouse Bay</td>
<td>LOT 2 DP 61718; LOT 730 DP 73 DP 41822; LOT 74 DP41822 DP 41822; LOT 75 DP 41822 road reserve</td>
<td>B</td>
<td>Hall</td>
<td>A,G,G</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); buildings and structures that are not the primary feature</td>
<td></td>
<td></td>
</tr>
<tr>
<td>01819</td>
<td>Residence</td>
<td>2 Castle Drive, Epsom</td>
<td>LOT 2 DP 50252</td>
<td>B</td>
<td>Residence</td>
<td>A,F,G</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); buildings and structures that are not the primary feature</td>
<td></td>
<td></td>
</tr>
<tr>
<td>01827</td>
<td>Suffolk Suffolk Hotel(former)/Cavalier Tavern</td>
<td>68 College Hill, Freemans Bay</td>
<td>Lot 16 DEEDS BLUE K LOT 14 ALLOT 19 SEC 9 SUBURBS AUCKLAND, LOT 16 ALLOT 19 SEC 9 SUBURBS AUCKLAND road reserve</td>
<td>B</td>
<td>Building</td>
<td>A,G</td>
<td>Refer to planning maps</td>
<td>Interior of building(s); modern covered deck/extension; window sashings; garage</td>
<td></td>
<td></td>
</tr>
<tr>
<td>01834</td>
<td>Dilworth Terrace Houses</td>
<td>1-6 Dilworth Terrace, Parnell</td>
<td>LOT 1 DP 97009</td>
<td>BA</td>
<td>Each of the eight terrace houses</td>
<td>A,F,G,H</td>
<td>Refer to planning maps</td>
<td>Carports and garages, gate posts on driveway entrance to Dilworth Terrace; modern straightlights; French doors in rear elevation entrances of 2 and 3 Dilworth Terrace; and the following interior spaces: Interiors of rear-lane extensions and interiors of all bathrooms and kitchens</td>
<td></td>
<td></td>
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<tr>
<td>ID</td>
<td>Place Name and/or Description</td>
<td>Verified Location</td>
<td>Verified Legal Description</td>
<td>Category</td>
<td>Primary Feature</td>
<td>Heritage Values</td>
<td>Extent of Place</td>
<td>Exclusions</td>
<td>Additional Rules for Archaeological Sites or Features</td>
<td>Place of Maori Interest or Significance</td>
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<tr>
<td>01642</td>
<td>Dominion Road Methodist Church</td>
<td>426 Dominion Road, Mount Eden</td>
<td>PT LOT 1 DP 1699; PT LOT 9 DP 4290; PT LOT 10 DP 4293</td>
<td>B</td>
<td>Church</td>
<td>A,F,G,H</td>
<td>Refer to planning maps</td>
<td></td>
<td>Buildings and structures that are not the primary feature</td>
<td></td>
</tr>
<tr>
<td>01664</td>
<td>Melville Park stone walls, posts and steps</td>
<td>Melville Park, 249-259 Gilles Avenue, Epsom</td>
<td>ALLOT 192 SEC 10 SUBURB AUCKLAND</td>
<td>B</td>
<td>Stone walls, stone posts and pillars, stone steps</td>
<td>A,F</td>
<td>Refer to planning maps</td>
<td></td>
<td>Buildings and structures that are not the primary feature</td>
<td></td>
</tr>
<tr>
<td>01728</td>
<td>Rahui/Caughey House (former)/Auckland Renal Hospital (former)</td>
<td>Hebron Christian College, 1-3 McLean Street, Mount Albert</td>
<td>LOT 1 DP 95136</td>
<td>B</td>
<td>Residence</td>
<td>A,F,G</td>
<td>Refer to planning maps</td>
<td></td>
<td>Interior of building(s); buildings and structures that are not the primary feature</td>
<td></td>
</tr>
<tr>
<td>01747</td>
<td>Crystal Palace Theatre</td>
<td>537 Mount Eden Road, Mount Eden</td>
<td>Lot 8 DP 21614; road reserve</td>
<td>B</td>
<td>Theatre</td>
<td>A,F</td>
<td>Refer to planning maps</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>01810</td>
<td>Shops</td>
<td>258-262 Ponsonby Road, Ponsonby</td>
<td>ALLOT 69 SEC 8 SUBURB AUCKLAND, road reserve</td>
<td>B</td>
<td>Original shop buildings</td>
<td>F,H</td>
<td>Refer to planning maps</td>
<td></td>
<td>Interior of building(s); buildings and structures that are not the primary feature</td>
<td></td>
</tr>
<tr>
<td>01974</td>
<td>Thomas Doo Building</td>
<td>184-188 Hobson Street, Auckland Central</td>
<td>LOT 1 DP 348651</td>
<td>B</td>
<td>1885 commercial building</td>
<td>A,F</td>
<td>Refer to planning maps</td>
<td></td>
<td>Buildings and structures that are not the primary feature</td>
<td></td>
</tr>
<tr>
<td>ID</td>
<td>Place Name and/or Description</td>
<td>Verified Location</td>
<td>Verified Legal Description</td>
<td>Category</td>
<td>Primary Feature</td>
<td>Heritage Values</td>
<td>Extent of Place</td>
<td>Exclusions</td>
<td>Additional Rules for Archaeological Sites or Features</td>
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<tr>
<td>01979</td>
<td>George Court's Department Store (former)</td>
<td>238 Karangahape Road, Newton</td>
<td>LOT 1 DP 174920</td>
<td>A</td>
<td>Building</td>
<td>A,F,G,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s) except for the stairwell and associated oak paneling</td>
<td></td>
<td></td>
</tr>
<tr>
<td>01997</td>
<td>Central Fire Station</td>
<td>50-60 Pitt Street, Auckland Central</td>
<td>Lot 1 DP 102872</td>
<td>B</td>
<td>Fire Station</td>
<td>A,B,E,F</td>
<td>Refer to planning maps</td>
<td>Interior of building(s) except the fire engine house</td>
<td></td>
<td></td>
</tr>
<tr>
<td>02494</td>
<td>Mann House</td>
<td>10 Violet Street, Mount Albert</td>
<td>Lot 2 DP 73576</td>
<td>B</td>
<td>Residence</td>
<td>A,B,D,C,E,F,G,H</td>
<td>Refer to planning maps</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>02495</td>
<td>Lush House</td>
<td>10 Scherff Road, Ramuera</td>
<td>PT LOT 1 DP 41369</td>
<td>B</td>
<td>Residence</td>
<td>A,B,D,C,E,F,G,H</td>
<td>Refer to planning maps</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>02575</td>
<td>Progressive Buildings</td>
<td>423-433 Great South Road, Chahunu</td>
<td>PART Lot 3 DP 41443, road reserve</td>
<td>B</td>
<td>Buildings</td>
<td>A,F,G,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ID</td>
<td>Place Name and/or Description</td>
<td>Verified Location</td>
<td>Verified Legal Description</td>
<td>Category</td>
<td>Primary Feature</td>
<td>Heritage Values</td>
<td>Extent of Place</td>
<td>Exclusions</td>
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<tr>
<td>02578</td>
<td>Railway signal box</td>
<td>Otahuhu Railway Station, 1 Walmesley Road, Otahuhu</td>
<td>Railway reserve SECT 1 SO 510423</td>
<td>B</td>
<td>Building</td>
<td>A,B,E,F,G,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>02728</td>
<td>Citizens Advice Bureau - No Deposit Piano Company (former)</td>
<td>301-347 315 and 317 Queen Street, Auckland Central</td>
<td>Lot 14 DP 18506; PT LOT IS ALLOT 1, 2, 3, 4 &amp; 5 CITY AUCKLAND AT Lot 56A &amp; 60; PART ALLOT 4 SEC 29 AUCKLAND CITY; road reserve</td>
<td>B</td>
<td>Building</td>
<td>F,H</td>
<td>Refer to planning maps</td>
<td>Interior of building(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>02735</td>
<td>Queens Wharf</td>
<td>Quay Street, Auckland Central</td>
<td>Pt Lot 37 DP 131568</td>
<td>B</td>
<td>Substructure and deck, including shed platforms; Shed G (also known as Shed 10); ferry shelter; electricity substation building; railway tracks, crane rails, weighbridge</td>
<td>A,B,D,E,F,H</td>
<td>Refer to planning maps</td>
<td></td>
<td>1. Pandering 2. Cast iron bollards 3. Any works associated with repair and maintenance to ensure the integrity of the wharf structure for port purposes. The repair and maintenance methodology for piles 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 patching with concrete or mortar. The repair and maintenance</td>
<td></td>
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<tr>
<td>ID</td>
<td>Place Name and/or Description</td>
<td>Verified Location</td>
<td>Verified Legal Description</td>
<td>Category</td>
<td>Primary Feature</td>
<td>Heritage Values</td>
<td>Extent of Place</td>
<td>Exclusions</td>
<td>Additional Rules for Archaeological Sites or Features</td>
<td>Place of Maori Interest or Significance</td>
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<tr>
<td>02746</td>
<td>No Deposit Piano-Company Building</td>
<td>301-317 Queen Street, Auckland Central</td>
<td>Lot 14 DP 18606; Part Lot 16 A 80</td>
<td>B</td>
<td>A,F,G,H</td>
<td>Refer to planning maps</td>
<td>interior of building(s)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Additional information: methodology for pavements involves excavation and repair of the cement stabilised asphalt surfaced pavements.
Proposed Plan Change X

Amendments to Schedule 14 Historic Heritage Schedule, Statements and Maps in the Auckland Unitary Plan (Operative in part)

SECTION 32
EVALUATION REPORT
DRAFT FOR CONSULTATION
FEBRUARY 2019
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**Attachment C**

**Item 11**
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1 Introduction

1.1 Scope and purpose of this report

This report is prepared by Auckland Council (Council) to fulfil the statutory requirements of section 32 of the Resource Management Act 1991 (the Act) for proposed Plan Change X (PPCX) to the Auckland Unitary Plan (Operative in Part) (AUP).

PPCX introduces changes to Chapter L Schedules, Schedule 14.1 Historic Heritage Schedule (Schedule 14.1) and the Plan maps of the AUP. Schedule 14.1 includes information for each scheduled historic heritage place in the AUP, including an identification number (also shown on the Plan maps), a description of each scheduled place, the verified location and legal description, and information about the heritage values of the place.

The plan change seeks to amend information for 73 historic heritage places identified in Schedule 14.1 and, for some of these places, to add or amend the ‘extent of place’ map shown in the Plan maps for the place.

The amendments will correct errors and, where appropriate, update information for the historic heritage places included in PPCX. The amendments enable the provisions of the AUP to apply appropriately to these historic heritage places, and will assist in their management and protection.

Section 32 of the Act requires that before adopting any objective, policy, and rule or other method, the Council shall have regard to the extent to which each objective is the most appropriate way to achieve the purpose of the Act, and whether the policies and rules or other methods are the most appropriate way of achieving the objectives. A report must be prepared summarising the evaluation and giving reasons for the evaluation.

In accordance with section 32(6) of the Act and for the purposes of this report:

- the ‘proposal’ means PPCX,
- the ‘objectives’ means the purpose of the proposal/PPCX, and
- the ‘provisions’ means the policies and rules or other methods that implement, or give effect to the objectives of the proposal.

The AUP contains existing objectives, policies, and rules or other methods for the purpose of managing historic heritage places. PPCX is not altering or re-litigating any of these provisions. This evaluation report on PPCX relates only to the amendment of the 73 identified historic heritage places in Schedule 14.1 within the existing policy framework of the AUP. The policy approach remains unchanged, and this report will not evaluate it in any more detail.

---

1 The ‘extent of place’ of a scheduled historic heritage place defines the location and physical extent of the place and shows the area that contains the historic heritage values of the place and, where appropriate, any area relevant to an understanding of the function, meaning, and relationships of the historic heritage values (AUP B5.2.2(2))

2 AUP B5 Ilgā rawa tuku iho me te Awha - Historic heritage and special character and D17 Historic Heritage Overlay
This section 32 evaluation will continue to be refined in relation to any consultation that occurs, and in relation to any new information that may arise, including through submissions on PPCX and during hearings.

1.2 Background to the proposed plan change

The AUP contains objectives, policies and rules to protect significant historic heritage from inappropriate subdivision, use, and development. The AUP methods to achieve this protection are primarily focused on the Historic Heritage Overlay. Schedule 14.1 identifies the historic heritage places that are subject to the Historic Heritage Overlay.

Each historic heritage place identified in Schedule 14.1 was either “rolled over” from a legacy plan or introduced through the Proposed Auckland Unitary Plan (PAUP). Schedule 14.1 contains over 2,200 scheduled historic heritage places. These are identified in Schedule 14.1 and shown spatially in the Plan maps (by an extent of place). A limited number of these places have additional information shown in Schedule 14.3 Historic Heritage Place maps (Schedule 14.3). All places are subject to the objectives, policies and rules of the Historic Heritage Overlay³.

A number of places in Schedule 14.1 are subject to errors and/or require information to be updated, for example charges to align with the Council’s property information (including updating legal descriptions and street addresses). In some cases, the error identified is that the place does not have sufficient historic heritage value to meet the criteria and thresholds for scheduling in the AUP’s Regional Policy Statement (RPS). Some places also require amendments to ensure there is consistency with how similar places are identified within Schedule 14.1.

All the historic heritage places included in PPCX have been included within Schedule 14.1 primarily for their built heritage values, with the exception of four places⁴. These places are included in Schedule 14.1 for their archaeological values, and three of the four places are also identified in Schedule 14.1 as being of Māori interest or significance.

PPCX is the second dedicated plan change to correct errors and update information for scheduled historic heritage places. The Council notified Proposed Plan Change 10: Historic Heritage Schedule (errors, anomalies and information update) (PPC10) to the AUP on 25 January 2018. PPC10 proposed amendments to the identification of 145 historic heritage places, both in Schedule 14.1 and in the Plan maps. A decision is expected to be issued on PPC10 in March 2019.

³ AUP D17 Historic Heritage Overlay
⁴ ID 00569 Combes/Dalby lime works site R08_2240; ID 00729 Te Marae o Hinekakea village site, including grave R10_163; ID 01270 Mill site R11_1633, site of water-powered mill, including water race and dam; ID 01587 Te Kopu Pa a Hiku/Pamumu Basin, including Mokoia pa site, terrace/midden, and middens Midden R11_98, R11_1255, R11_1377, R11_1384, R11_1385, R11_2158 R11_2263, R11_2264, R11_2265, R11_2266
2 The proposed plan change

PPCX introduces changes to 73 historic heritage places in Schedule 14.1. The changes proposed are amendments to Schedule 14.1 and/or to the Plan maps to correct errors and update information.

The plan change documents for PPCX show:

- proposed amendments to Schedule 14.1, and
- proposed amendments to the extent of place mapping within the Plan maps.

An index forms part of the plan change documentation. The index lists the historic heritage places subject to PPCX and identifies if an amendment is proposed to Schedule 14.1 and/or to the Plan maps for each place.

3 Reasons for the proposed plan change

An evaluation under section 32 of the Act must examine the extent to which the objectives of PPCX are the most appropriate way to achieve the purpose of the Act. The objective of PPCX, or the purpose of the plan change, is to correct errors and, where required, update information for 73 historic heritage places in Schedule 14.1 of the AUP and in the Plan maps.

The plan change will assist the Council to carry out its functions in order to achieve the purpose of the Act, being to promote the sustainable management of natural and physical resources.

Built heritage and character is identified as an issue of regional significance in the AUP’s RPS. Chapter B5.1 of the RPS states following issues:

1. Auckland’s distinctive historic heritage is integral to the region’s identity and important for economic, social, and cultural well-being.

2. Historic heritage needs active stewardship to protect it from inappropriate subdivision, use and development.

The approach of the AUP is to protect significant historic heritage from inappropriate subdivision, use, and development, in the context of the identified values of each historic heritage place. The AUP methods to achieve this protection are primarily focused on Schedule 14.1, which identifies and recognises historic heritage places. The provisions of the AUP’s Historic Heritage Overlay apply to scheduled historic heritage places on land and in the coastal marine area. These places are identified in Schedule 14.1 and shown on the Plan maps.

A number of historic heritage places identified in Schedule 14.1 are known to contain errors, either in Schedule 14.1 or mapping errors in the Plan maps. PPCX seeks to correct these

---

5 RMA s32(1)(a)

6 AUP B1.4 Issues of regional significance (Note: the name of this issue has been amended in AUP B5 to Historic heritage and special character but the name of the issue in B1.4 has not yet been updated)
errors and, where appropriate, update information for these places. For some places included in PPCX, the error is that the place does not have significant historic heritage value. These places have been re-evaluated and it has been found that they do not meet the criteria and thresholds outlined in the RPS to be eligible for inclusion in Schedule 14.1. If this is the case, PPCX proposes to delete the historic heritage place from Schedule 14.1 and the Plan maps.

The amendments in PPCX enable the provisions of the AUP to apply appropriately to these historic heritage places, and will ensure that they are protected from inappropriate subdivision, use, and development. The amendments will also ensure that places in Schedule 14.1 that do not contain significant historic heritage values are not subject to the provisions of the Historic Heritage Overlay. PPCX is considered to be the most appropriate way to achieve the purpose of the Act, as outlined in the analysis below.

3.1 Development of options

In the preparation of PPCX, the following options have been identified:

Option 1 – do nothing/retain the status quo

Option 2 – correct errors at the next AUP review

Option 3 – a plan change to amend errors, including by deleting places from Schedule 14.1, and update information in Schedule 14.1.

3.2 Evaluation of options

See following table for a summary of analysis under section 32(2) of the Act.

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7 Places proposed for deletion are likely to have historic heritage values, but not to the extent that subdivision, use and development is broadly inappropriate.
## Item 11

### Proposed Plan Change

Amendments to Historic Heritage Schedule 14

| Options                          | Efficiency and effectiveness of provisions in achieving the objectives
|----------------------------------|------------------------------------------------------------------------
| **Option 1** Do nothing/retain status quo | Will not achieve the objective of PPCX, being to correct errors and, where required, update information for the identified historic heritage places in Schedule 14.1. Is not efficient or effective due to increased time and money to assess resource consent applications for historic heritage places when the information about them is incorrect and/or outdated. Is not efficient to owners of the historic heritage places identified for inclusion in the plan change, as the use and development allowed by the AUP for each of those places may not be appropriate to each place |
| Benefits                         | There is no cost to Council to undertake a public plan change, an economic benefit. |
| Costs                            | Historic heritage places may not be appropriately managed and protected due to errors in Schedule 14.1 and the Plan maps. These errors could cause the loss of significant historic heritage values through inappropriate subdivision, use and, development. Costs may be imposed on owners of historic heritage places because the errors and outdated information in Schedule 14.1 may impose an additional and unnecessary consenting burden, when the historic heritage values of a place do not warrant the scheduling of the place. The known errors and inaccuracies in Schedule 14.1 and the Plan maps may affect the integrity of the Historic Heritage Overlay and the AUP, and cause a reputational cost to Council. |

### Option 2 – wait for AUP review

Will not achieve the objective of PPCX, being to correct errors and, where required, update information for the identified historic heritage places in Schedule 14.1. Is not efficient or effective due to increased time and money to assess resource consent applications for historic heritage places when the information about them is incorrect and/or outdated. Is not efficient to owners of the historic heritage places identified for inclusion in the plan change, as the use and development allowed by the AUP for each of those places may not be appropriate to each place.

There is no cost at present to Council to undertake a public plan change, an economic benefit.

Historic heritage places may not be appropriately managed and protected due to errors in Schedule 14.1 and the Plan maps. These errors could cause the loss of significant historic heritage values through inappropriate subdivision, use and, development. Costs may be imposed on owners of historic heritage places because the errors and outdated information in Schedule 14.1 may impose an additional and unnecessary consenting burden, when the historic heritage values of a place do not warrant the scheduling of the place. The known errors and inaccuracies in Schedule 14.1 and the Plan maps may affect the integrity of the Historic Heritage Overlay and the AUP, and cause a reputational cost to Council.

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8 RMA s32(1)(b)(ii)
<table>
<thead>
<tr>
<th>Options</th>
<th>Efficiency and effectiveness of provisions in achieving the objectives 8</th>
<th>Benefits</th>
<th>Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>because of the incorrect and/or outdated information in Schedule 14.1 for these places.</td>
<td>The plan change will give greater certainty to owners of historic heritage places, as the correction of errors will ensure the regulatory controls relating to their property are correctly and more clearly set out. There are social and cultural benefits through the recognition, protection and appropriate management of significant historic heritage places. The integrity of the Historic Heritage Overlay, including Schedule 14.1 and Plan maps, and of the AUP is protected. There is no economic growth or employment benefits anticipated.</td>
<td>reputational cost to Council.</td>
</tr>
<tr>
<td>Option 3 – plan change</td>
<td>The amendment of historic heritage places to correct errors and update information means the places, as well as their values and significance, are clearly identified. This will ensure these places are protected and managed appropriately through the provisions of the Historic Heritage Overlay. For the Historic Heritage Overlay to be efficient and effective, Schedule 14.1 and the Plan maps must use correct and up-to-date information.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
3.3 Risk of acting or not acting

Section 32(2)(c) of the Act requires this evaluation to assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. There is considered to be sufficient information about the historic heritage places included in PPCX for the plan change to proceed.

The section 32 evaluation will continue to be refined in relation to any new information that may arise following notification, including information arising from submissions on PPCX and during hearings on PPCX.

3.4 Reasons for the preferred option

All places proposed to be included in PPCX are known to be subject to an error either in the way they are identified in Schedule 14.1 and/or relating to the mapping of the Historic Heritage Overlay in the Plan maps (extent of place). To ensure these historic heritage places are identified using correct and up-to-date information, amendments to Schedule 14.1 and the Plan maps are required. Therefore, the ‘do nothing’ approach is not considered to be an appropriate option.

The evaluation of options in section 3.2 of this report shows that the preferred option for meeting the objectives of the proposal, and the most efficient and effective option, is a plan change to the AUP to amend individual historic heritage places within Schedule 14.1 and the Plan maps to correct errors and update information.

In accordance with section 32(1)(a) of the Act, the objectives of the proposal are the most appropriate way to achieve the purpose of the Act. No new objective or policy is proposed in PPCX. PPCX uses the existing objectives, policies and rule framework for the recognition and protection of historic heritage.

4 Resource Management Framework

4.1 Part 2 of the Act

The purpose of the Act is to promote the sustainable management of natural and physical resources, as defined in section 5(2) of the Act. Part 2 matters in the Act relevant to significant historic heritage as provided for in the AUP include:

- Section 6(f) the protection of historic heritage from inappropriate subdivision, use and development.

Historic heritage is also relevant to sections 7 and 8 of the Act:

- section 7(aa) the ethic of stewardship,
- section 7(c) the maintenance and enhancement of amenity values,
- section 7(f) the maintenance and enhancement of the quality of the environment;
- section 7(g) finite characteristics of natural and physical resources, and
- section 8 the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).
PPCX is consistent with Part 2 of the Act, and in particular with the purpose of the Act, as it seeks to provide for the sustainable management of Auckland's historic heritage resources.

The amendment of historic heritage places in Schedule 14.1 and the Plan maps will continue to provide for the use, development, and protection of these physical resources and for them to be managed in a way, or at a rate which enables people and communities to provide for their social, economic, and cultural well-being, and for their health and safety.

The management and protection of historic heritage is a core responsibility of the Council’s role in exercising its powers and functions under the Act. The scheduling of historic heritage places is an appropriate method for assisting the management of significant historic heritage resources in Auckland. This relies on the use of correct and up-to-date information to identify historic heritage places, both within Schedule 14.1 and the Plan maps.

4.2 Other relevant sections of the Act

Section 31(a) of the Act states that a function of the Council is: the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district. It is considered that PPCX assists the Council to carry out its functions as set out in section 31 of the Act.

Section 74 of the Act sets out the matters to be considered by a territorial authority when preparing or changing its district plan. These matters include any proposed RPS, proposed regional plan, and management plans or strategies prepared under other legislation, relevant entries in the New Zealand Heritage List/Rarangi Korero (NZHL/RK), to the extent that these are relevant to the resource management issues of the district. The authority must take into account any relevant planning document recognised by an iwi authority to the extent that its content has a bearing on the resource management issues of the district, but must not have regard to trade competition.

When determining the date on which a plan change takes effect the Act provides in section 86B(3) that:

A rule in a proposed plan has legal effect only once a decision on submissions relating to the rule is made and publicly notified.

Exceptions are provided in section 86B(3) of the Act, but are not considered relevant in relation to PPCX.

4.3 National Policy Statements

National policy statements are instruments issued under section 52(2) of the Act and state objectives and policies for matters of national significance. The AUP is required to give effect to any national policy statements9. The only national policy statement that is relevant to the proposed plan change is the New Zealand Coastal Policy Statement (NZCPS).

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9 RMA s67(3) and s75(3)
New Zealand Coastal Policy Statement

Of the historic heritage places proposed to be amended through PPCX, three are located within the coastal marine area. Other places are located within the wider coastal environment.

Objective 6 of the NZCPS is relevant to historic heritage. This objective seeks to enable people and communities to provide for their social, economic and cultural wellbeing and their health and safety, through subdivision, use and development, recognising that historic heritage in the coastal environment is extensive but not fully known, and is vulnerable to loss or damage from inappropriate subdivision, use and development.

A number of policies in the NZCPS generally relate to historic heritage in the coastal environment. Policy 17 specially relates to the identification and protection of historic heritage in the coastal environment from inappropriate subdivision, use and development.

PPCX gives effect to the NZCPS as it assists in the identification of historic heritage, and therefore the recognition and protection of historic heritage places from inappropriate subdivision, use and development.

4.4 National Environmental Standards

There are currently five National Environmental Standards in force as regulations, but none of these relate to the management and protection of historic heritage.

4.5 National Planning Standards

The purpose of the National Planning Standards (standards) is to improve consistency in plan and policy statement structure, format and content so they are easier to prepare, understand, compare, and comply with. The standards will also support implementation of national policy statements and help people observe the procedural principles of the Act.

The standards, which were introduced as part of the 2017 amendments to the Act, are currently under development. The first set of standards was released for public consultation in June 2018. The Minister for the Environment must approve the first set of standards by April 2019, after which time Councils will be required to amend their plans to incorporate the standards. As the first set of standards has not yet been approved, they are not yet relevant to PPCX.

4.6 Other Acts

Heritage New Zealand Pouhere Taonga Act 2014

Heritage New Zealand Pouhere Taonga (Heritage NZ) is the principal agency operating under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA). Heritage NZ

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11 ID 00568 Combes/Dalby lime kilns work site; ID 0720 Te Mara a o Hinekaeka village site, including grave, ID 01587 Te Kōpurū Kai a Hiku/Panmure Basin, including Mokoia pa site, terrace/midden, and middens Midden R11_158, R11_1255, R11_1377, R11_1384, R11_1385, R11_2196 R11_2203, R11_2264, R11_2265, R11_2266
maintains the NZHL/RK\textsuperscript{11} for the purposes of providing information to the public and landowners, and to promote and assist in the protection of these places. The NZHL/RK is primarily an advocacy tool and the inclusion of a place on the NZHL/RK does not in itself protect the place.

Protection of some heritage places is also achieved through the regulatory provisions of the HNZPTA. Part 3 of the HNZPTA requires any person wishing to undertake work that may damage, modify or destroy an archaeological site to obtain an authority from Heritage NZ for that work.

Thirteen places proposed to be amended in PPCX are included in the NZHL/RK\textsuperscript{12}. Amending these places is compatible with the NZHL/RK and the HNZPTA, as the amendments sought are to correct errors and update information about the historic heritage places subject to the plan change.

**Hauraki Gulf Marine Park Act 2000**

The Hauraki Gulf Marine Park Act 2000 (HGMPA) was established to promote the integrated management and the protection and enhancement of the Hauraki Gulf, its islands, and its catchments. In order to achieve the purpose of the HGMPA, all persons exercising powers or carrying out functions for the Hauraki Gulf under any Act specified in Schedule 1 must, in addition to any other requirement specified in those Acts for the exercise of that power or the carrying out of that function, have particular regard to the provisions of sections 7 and 8.

Section 7 of the HGMPA recognises the national significance of the Hauraki Gulf. Section 8 of the HGMPA seeks to protect and enhance the Hauraki Gulf's resources, including its historic resources.

The Hauraki Gulf Marine Park includes all the coast and coastal marine area from Mangawhai in the north and to an area beyond the Auckland region in the south. The catchment area of the park extends inland to the first ridgeline. A number of historic heritage places proposed to be included in PPCX are therefore within the park’s boundaries.

The amendment of historic heritage places within the Hauraki Gulf Island Marine Park has particular regard to sections 7 and 8 of the HGMPA as it will assist in the protection and enhancement of these places and is therefore compatible with the HGMPA.

**Reserves Act 1997**

The purpose of the Reserves Act is for the Department of Conservation (DOC) or local authorities (where DOC has delegated responsibility), to administer land for its preservation

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\textsuperscript{11} The NZHL/RK includes historic places, historic areas, waahi tapu and waahi tapu areas.

\textsuperscript{12} ID 00452 Minna Road Villa; ID 01350 Guy Homestead; ID 01354 Flat Bush School House (former); Murphy Homestead; ID 01444 Metro Theatre (former); Mangere East Hall; ID 01466 St Saviour’s Chapel and Papatoetoe Orphan’s Home and School (former); ID 01579 Stoneleigh (former); Epworth (former); ID 01634 Dilworth Terrace Houses; ID 01642 Dominion Road Methodist Church; ID 01747 Crystal Palace Theatre; ID 01979 George Court Department Store (former); ID 02726 Citizens Advice Bureau (former); ID 02735 Queens Wharf; ID 02745 No Deposit Piano Company Building (note that ID 02728 and ID 02745 are the same place)
and management for the benefit and enjoyment of the public. These areas of reserve land possess various values and features, including those that are historic in nature.

Some of the historic heritage places subject to PPCX are located within reserves managed by Auckland Council. The proposed amendment of historic heritage places within these reserves supports the historic values of the reserves, and has the potential to enhance the benefit and enjoyment of the public of these places, due to the places and their values being identified correctly.

**Waitakere Ranges Heritage Area Act 2008**

Of the historic heritage places proposed to be amended through PPCX, four are located with the Waitakere Ranges heritage area.

The purpose of the Waitakere Ranges Heritage Area Act 2008 (WRHAA) is to recognise the national, regional and local significance of the Waitakere Ranges heritage area and to promote the protection and enhancement of its heritage features for present and future generations. The objectives of establishing and maintaining the heritage area include the protection, restoration, and enhancement of the area and its heritage features, and to ensure that impacts on the area as a whole are considered when decisions are made affecting any part of it.

Amendments to the scheduling of the places within the Waitakere Ranges Heritage Area will assist in the protection and enhancement of the historic heritage features within the heritage area. PPCX therefore gives effect to the purpose of the WRHAA and its objectives, as the information in the AUP for these places will be correct.

### 4.7 The Auckland Plan

The Auckland Plan includes the following direction: “Ensure Auckland’s natural environment and cultural heritage is valued and cared for.” The Auckland Plan states that we must actively seek opportunities to protect and enhance these values [including cultural heritage values] through our short and long-term decisions.

PPCX will assist with the protection and enhancement of Auckland’s historic heritage, and will help value and care for this heritage, through using correct and up-to-date information to identify these places.

### 4.8 The Auckland Unitary Plan

When preparing or changing a district plan, Council must give effect to any RPS and have regard to any proposed RPS. The RPS identifies a number of issues of regional significance, including:

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11. ID 00060 Residence; ID 00091 Infant Block; ID 00107 Residence; ID 00119 Church
12. Auckland Plan, Direction 1
13. RMA s74(2) and s75(3)
B5 Ngā rawa tuku iho me te āhua - Historic heritage and special character

Chapter B5 contains two objectives:

(1) Significant historic heritage places are identified and protected from inappropriate subdivision, use and development.

(2) Significant historic heritage places are used appropriately and their protection, management and conservation are encouraged, including retention, maintenance and adaptation.

These objectives are supported by policies B5.2.2 (1) to (9). The objective of PPCX aligns with these objectives and policies as it seeks to identify historic heritage places by using correct and up-to-date information and to ensure the places in Schedule 14.1 contain sufficient historic heritage value to be included in the schedule. This will assist the historic heritage places to be protected from inappropriate subdivision, use and development.

B6 Mana Whenua

The objectives and policies in B6.3 Recognising Mana Whenua values are relevant to PPCX. Council has sent the draft plan change to the iwi authorities of Auckland. Feedback has not yet been received, but will be outlined in section 5.2 below. [insert details of feedback when received]

B8 Toitū te taiwhenua – Coastal environment

This chapter contains objectives and policies relating to the natural character of the coastal environment; subdivision, use and development of the coastal environment; public access and open space; and managing the Hauraki Gulf.

Three historic heritage places in PPCX are located in the coastal marine area, with other places are located within the wider coastal environment. The objective of the plan change aligns with B8 as it seeks to correctly identify these places and therefore assist in ensuring any subdivision, use and development of historic heritage places is appropriate to their values.

5 Development of the Proposed Plan Change

This section outlines the development of PPCX and the consultation undertaken in preparing the plan change.

5.1 Methodology

Background

Each historic heritage place included in PPCX has, as part of a previous plan process, been evaluated for its historic heritage significance. Schedule 14.1 contains over 2,200 historic heritage places, most of which were “rolled over” from legacy regional and district plans into a single historic heritage schedule in the PAUP. In addition, Schedule 14.1 contains historic
heritage places added through the PAUP, and places added through Plan Change 7 to the AUP\textsuperscript{14}.

The amalgamation of places from the legacy plan schedules into the PAUP Historic Heritage Schedule was undertaken in 2012 by Heritage Unit staff, assisted by external planning and heritage consultants. This rollover process involved a number of steps to produce a single schedule containing all legacy places and new places. Considerable work went into identifying the criteria in the PAUP that related to each legacy historic heritage place that was to be amalgamated into the PAUP Schedule.

All the historic heritage places included in the PAUP Historic Heritage Schedule were assumed to have considerable or outstanding value in relation to one or more of the RPS evaluation criteria, and have considerable or outstanding overall significance to their locality or a greater geographic area\textsuperscript{17}. For this reason, these places were identified in the historic heritage schedule and the Plan maps.

The identification of historic heritage places within Schedule 14.1 is required to be in accordance with:

- RPS Policy B5.2.2; and
- the Methodology for Evaluating Historic Heritage Significance (Methodology)\textsuperscript{18}.

Schedule 14.1 is known to contain errors. While many legacy errors were corrected through the AUP process and the creation of Schedule 14.1, some legacy errors not corrected in the rollover, and some new errors were inadvertently introduced during the PAUP process. In addition, research on some scheduled historic heritage places has provided additional information, which now needs to be reflected in Schedule 14.1.

In addition to the errors, some places require amendments to align with the Council’s property information, including legal descriptions and street addresses. Some places also require amendments to ensure there is consistency with how similar places are identified in Schedule 14.1.

Nearly all places included in PPCX have been included within the Historic Heritage Overlay primarily for their built heritage values. There are however, four places included in the plan change that were scheduled for their archaeological values. These places are:

- ID 00569 Combes/Dalby lime works site R09_2240;
- ID 00729 Te Mara o Hirekakea village site, including grave R10_163;
- ID 01270 Mill site R11_1633, site of water-powered mill, including water race and dam; and

\textsuperscript{14} Plan Change 7, which was notified on 16 November 2017, proposed to add 49 new historic heritage places to Schedule 14.1. The decision on Plan Change 7 was publicly notified on 21 March 2019.

\textsuperscript{17} AUP Policy B5.2.2(3)

\textsuperscript{18} The Methodology is a non-regulatory method of achieving the objectives and policies of the AUP. It provides guidance on the process of evaluating the significance of historic heritage places against the criteria set out in the RPS.

In general, places identified predominantly for their archaeological or Māori heritage values are subject to a different work programme within the Heritage Unit and will be included in future plan change processes, where appropriate. However, for these four places, there is considered to be either significant risk posed to the place and/or implementation issues arising from the errors known to exist in Schedule 14.1 relating to the place.

Review of historic heritage places

Schedule 14.1 contains a number of known errors. Many of these were identified through a systematic review of Schedule 14.1 and the Plan maps undertaken by Heritage Unit staff. The purpose of the review was to ensure that the text and maps for scheduled historic heritage places align, and that the information for each place was correct and up-to-date. During the review period, additional research has been undertaken for some places, in particular places that are category A+. The outcome of this research has also resulted in some information needing to be updated in Schedule 14.1.

Some errors in Schedule 14.1 and the Plan maps have been identified by other Council staff on an ad hoc basis, for example when staff are undertaking site visits to provide advice on resource consent applications relating to scheduled historic heritage places.

For a limited number of places included in PPCX, the owner has contacted Council to advise that there may be an error in Schedule 14.1 or the Plan maps for their property, or has asked Council to review the scheduled historic heritage place to determine whether it meets the criteria and thresholds for inclusion in Schedule 14.1.

The errors and inconsistencies that have been identified include:

• the extent of place (mapped in the Plan maps) is incorrect, or there is no extent of place mapped in the Plan maps;
• the name of the place is not historically correct;
• the address and/or legal description is incorrect;
• there is no primary feature identified;
• exclusions in Schedule 14.1 are not identified or are incorrect;
• a place has duplicate entries within the schedule;
• the place may not meet the RPS criteria and thresholds for scheduling; and
• minor amendments are required for grammar, sense and consistency.

As part of this review, a principle of “refining management” was introduced. This is defined as ensuring the management of a historic heritage place is appropriate to the values and significance of that place.

To refine management, once a place was identified as containing an error, the place was then subject to further review. This is specific to each place, but has involved:
for category A+ places, a review to determine whether a place is category A or category B;
for places suspected of not having significant historic heritage values, a review to determine whether the place meets the criteria and thresholds for scheduling in the RPS (i.e. whether the place has sufficient historic heritage value to be included Schedule 14.1);
identification of a primary feature;
correction/updating of any other column, including name, legal description, exclusions, and heritage values, as required; and/or
amending or, where required, defining the mapped extent of place.

Where possible, errors were corrected through the clause 20A process under the Act\(^3\). The majority of Clause 20A errors were corrected through an update to the AUP on 20 June 2017. If errors did not meet the Clause 20A test they were considered for inclusion within a plan change. Errors relating to 145 historic heritage places were amended through PPC10. Errors that were not addressed through that process, and errors that have been identified since, were considered for inclusion in PPCX.

Places subject to errors not included within PPCX

Not all places with known errors are included within PPCX. These errors will be reviewed and a future plan change may be notified in order to correct these errors. Furthermore, it is expected that errors will continue to be identified. If so, these places are also likely to be the subject of a future plan change.

5.2 Consultation undertaken

In accordance with clause 3 of Schedule 1 of the Act, during the preparation of a proposed policy statement or plan, the local authority shall consult with:

a) the Minister for the Environment and
b) those other Ministers of the Crown who may be affected by the policy statement or plan, and
c) local authorities who may be so affected; and
d) the tangata whenua of the area who may be so affected, through iwi authorities; and
e) any customary marine title group in the area.

A local authority may consult anyone else during the preparation of a proposed policy statement or plan. A letter was sent on 4 March 2019 to the Minister for the Environment, Minister of Conservation, local authorities whose jurisdiction adjoins Auckland Council, and Heritage New Zealand. [insert details of responses received].

\(^3\) Clause 20A of Schedule 1 of the Act allows Council to amend, without using the process in the schedule, an operative policy statement or plan to correct any minor errors
Consultation with iwi authorities

In accordance with clause 3B of Schedule 1 of the Act, for the purposes of clause 3(1)(d), a local authority is to be treated as having consulted with iwi authorities in relation to those whose details are entered in the record kept under section 35A, if the local authority—

(a) considers ways in which it may foster the development of their capacity to respond to
an invitation to consult; and
(b) establishes and maintains processes to provide opportunities for those iwi authorities
to consult it; and
(c) consults with those iwi authorities; and
(d) enables those iwi authorities to identify resource management issues of concern to
them; and
(e) indicates how those issues have been or are to be addressed.

In addition to the above, recent legislation changes to the Act introduced the following sections in relation to iwi authorities:

Section 32(4A):

(4A) if the proposal is a proposed policy statement, plan, or change prepared in accordance
with any of the processes provided for in Schedule 1, the evaluation report must—

(a) summarise all advice concerning the proposal received from iwi authorities under the
relevant provisions of Schedule 1; and
(b) summarise the response to the advice, including any provisions of the proposal that
are intended to give effect to the advice.

Schedule 1

4A Further pre-notification requirements concerning iwi authorities

(1) Before notifying a proposed policy statement or plan, a local authority must—

(a) provide a copy of the relevant draft proposed policy statement or plan to the iwi
authorities consulted under clause 3(1)(d); and

(b) have particular regard to any advice received on a draft proposed policy statement or
plan from those iwi authorities.

(2) When a local authority provides a copy of the relevant draft proposed policy statement or
plan in accordance with subclause (1), it must allow adequate time and opportunity for the
iwi authorities to consider the draft and provide advice on it.

In accordance with Schedule 1 clause 4A, a draft of the plan change and draft section 32
report was sent to all iwi authorities of the Auckland region on 1 March 2019. (insert details
of any feedback received)
Consultation with Local Boards

Memos were sent to the relevant local boards on 11 March 2019 to inform them of PPCX. The letters provided an explanation of the proposed plan change and included a list of historic heritage places proposed to be amended by the plan change relevant to each local board area. The letters also provided specific information about the deletion of any scheduled historic heritage places proposed for each local board area.

Council staff, along with staff from Panuku, attended a meeting with Henderson-Massey Local Board on 12 February 2019, in order to update the local board about the proposed inclusion of ID 00262 Waitakere Civic Centre in PPCX. [insert details of any feedback received]

Consultation with other parties

The Heritage Advisory Panel was advised of PPCX at its 26 February 2019 meeting. No feedback was received on the plan change.

On 5 March 2019, emails were sent to the following Auckland Council groups or organisations: Parks, Community Facilities, Community Services, Auckland Transport and Panuku, to advise them of the proposed plan change, and identify places subject to PPCX that are in their ownership or management. [insert details of any feedback received]

Ministry of Education

On 11 March 2019, letters were sent to the owners of the xx properties proposed to be deleted from Schedule 14.1 as part of the PPCX. The letters advised the owners that their property was proposed for inclusion in the plan change, and what the process for involvement in the plan change is, should it be approved for notification. The letters also advised that specific places may not be included in PPCX, should the Planning Committee wish to remove them.

Engagement with other owners and/or occupiers has occurred where they have identified a potential error and/or as part of liaison with owners to access properties for site visits. In some instances this has resulted in ongoing communication between Council staff and the particular owners/occupiers.

6 Evaluation of provisions

This part of the report evaluates the provisions contained within PPCX, being an overview of the proposed amendments.

6.1 Overview of the amendments

Schedule 14.1 contains the following columns, which include information about each scheduled historic heritage place:

- ID
- Place Name and/or Description
• Verified Location
• Verified Legal Description
• Category
• Primary Feature
• Heritage Values
• Extent of Place
• Exclusions
• Additional Rules for Archaeological Sites or Features
• Place of Māori Interest or Significance

The inclusion of a historic heritage place in Schedule 14.1 means the provisions of the Historic Heritage Overlay apply to that place. This is also known as the scheduling of a place.

The Historic Heritage Overlay is based on a proportionate management approach, whereby activities anticipated to have a greater effect on a historic heritage place in Schedule 14.1 are subject to more rigorous management. The identification of an extent of place, primary feature(s), and exclusions is the basis of this management approach, ensuring the management of a historic heritage place is specific to its features, and therefore to the values and significance of that particular place.

The identification of information for each column in Schedule 14.1 for a historic heritage place requires correct and up-to-date information. It is reasonable to expect that the information held by Council on places may increase/change over time, along with the understanding of places and how they should be protected and managed.

The process of refining management (as outlined in section 5.1) responds to these changes in information and in understanding. It aims to ensure that unnecessary consent activity is not generated, and that a property can be subject to reasonable use, while also continuing to protect historic heritage places from inappropriate subdivision, use, and development.

6.2 Amendments to Schedule 14.1

There are no amendments proposed to the column ‘ID’.

6.2.1 Amendments to ‘Place Name and/or Description’ column

PPCX proposes amendments to the names of 25 places. These amendments are predominantly to make the name of the place more historically correct. In some cases the proposed amendment is to ensure the name of a place is more consistent with the identification of similar places in Schedule 14.1. Some of the amendments proposed to this column are to correct spelling and grammatical errors.

6.2.2 Amendments to ‘Verified Location’ and ‘Verified Legal Description’ columns

PPCX proposes amendments to the address (known as the ‘Verified Location’ in Schedule 14.1) for 12 places. Amendments to the ‘Verified Legal Description’ are proposed for 31 places.
Amendments to the address and/or legal description of a historic heritage place are predominantly for two reasons:

- to ensure the address and legal description align with the extent of place identified within the Plan maps; and
- to ensure the address and legal description aligns with the Council’s property information, and therefore this information is searchable within the Council’s systems, for both landowners and Council staff.

Some of the amendments to the Verified Legal Description column are to add the legal description for a place in Schedule 14.1, because the schedule does not include one.

6.2.3 Amendments to ‘Category’ column, including A*

PPCX proposes amendments to the ‘Category’ column for seven places. Schedule 14.1 identifies the category of significance for historic heritage places. Chapter B5 of the AUP outlines the three categories of historic heritage place in Schedule 14.1:

- Category A: historic heritage places that are of outstanding significance well beyond their immediate environs;
- Category A*: historic heritage places identified in previous district plans which are yet to be evaluated and assessed for their significance; and
- Category B: historic heritage places that are of considerable significance to a locality or beyond.

PPCX includes six category A* places. The AUP makes it clear that category A* is an interim category until each place can be reviewed. As part of the preparation of the plan change, these places have been reviewed to assess their significance. The review of category A* places undertaken as part of PPCX have resulted in the following proposed categories:

Category A

- ID 01447 Nathan Homestead and gardens; and
- ID 01466 St Saviour’s Chapel and Papatoetoe Orphan’s Home and School (former).

Category B

- ID 01053 Earnoch;
- ID 01127 Commercial building;
- ID 01330 Meadowbrook; and
- ID 01463 Dutch prefabricated house.

Dilworth Terrace Houses

There is one other place in PPCX where the category is proposed to be changed. The amendment of the category for Dilworth Terrace Houses (ID 01634) from B to A is the result of this place having an historic heritage evaluation prepared in 2018 as part of Council’s

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(20) AUP B5.2.2(4)
(21) Chapter D17.1 Background
response to an appeal relating to the Dillworth Terraces Houses viewshaft. The viewshaft was included in the PAUP for the purpose of managing the scale of development to protect the view of the Dillworth Terrace houses from the eastern end of Quay Street. Strand Holdings Limited lodged an appeal to the High Court for a judicial review of the Independent Hearing Panel's recommendation and the Council's decision to relocate the viewpoint of theDillworth Terrace Houses Viewshaft from Quay Street to The Strand. An appeal on the viewshaft by Strand Holdings resulted in Council reconsidering the most appropriate location for the viewshaft.

Advice on how to proceed with the appeal and the possible alternative location of the viewshaft was reported to Council's Planning Committee in February 2018. One of the resolutions arising from that meeting was that the Planning Committee agrees to investigate changing the status of the Dillworth Terrace Houses from category B to category A in the Historic Heritage Schedule.

Council staff have reviewed the 2016 historic heritage evaluation for the terrace houses and agrees that the category for this place should be amended from category B to category A, in conjunction with the identification of an appropriate primary feature and exclusions for the place in Schedule 14.1.

6.2.4 Amendments to 'Primary Feature' column

The primary feature forms the fundamental basis for scheduling a historic heritage place and Schedule 14.1 includes a column for the identification of the primary feature or features. PPCX proposes the identification or amendment of primary features for 55 places.

Of these, 52 are for category B places. The identification of a primary feature for a category B place was introduced during the PAUP hearings. For this reason, most category B places do not yet have a primary feature identified in Schedule 14.1. The provisions of the Historic Heritage Overlay require that if the primary features of a category B place is not identified, all features within the extent of place are considered primary when implementing the rules.

PPCX proposes to amend the primary feature column for two category A places, as a result of the review of these places. These reviews have resulted in additional information about the places which is considered to require the amendment of the primary feature column.

PPCX also proposes to add a primary feature for ID 01634 Dillworth Terrace Houses as this place does not currently have a primary feature identified. As outlined in section 6.2.3 above, this category B place is proposed to be amended to category A.

The identification of a primary feature is a key part of the proportionate management approach of the Historic Heritage Overlay.

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22 Dillworth Terrace Houses Historic Heritage Evaluation prepared for Auckland Council by Plan Heritage, 16 February 2018
23 PLA/2018/10
24 D17 Introduction
25 AUP D17.1 Background
6.2.5 Amendments to ‘Heritage Values’ column

Heritage values, also known in the AUP as ‘criteria’, are the identified values for a place, and are included in Schedule 14.1 where they have been evaluated to be considerable or greater. The values are identified for each historic heritage place in Schedule 14.1 and are referenced with the following letters: A: historical; B: social; C: Mana Whenua; D: knowledge; E: technology; F: physical attributes; G: aesthetic; H: context.

PPCX proposes amendments to the ‘Heritage Values’ column for 12 places. For six of these places, the amendments are the result of the A+ review that has been undertaken for the place. For four of these places, the amendments to the heritage values are to reflect the historic values identified in recent historic heritage evaluations or identified from recent research about the place. For the remaining two places, the amendments to the heritage values are to correct errors introduced when the places were added to the PAUP.

6.2.6 Amendments to ‘Extent of Place’ column

Policy B5.2.2(2) of the RPS requires the location and physical extent of each historic heritage place to be identified. This area, known as the ‘extent of place’, contains the historic heritage values of the place and, where appropriate, any area that is relevant to an understanding of the function, meaning and relationships of the historic heritage values of the place.

PPCX proposes amendments to the extent of place in the Plan maps for 48 places (see section 6.3 below).

PPCX proposes amendments to the ‘Extent of Place’ column in Schedule 14.1 for two places. For these places, no extent of place has been mapped for the place in the Plan maps but PPCX is proposing to add an extent of place. For places in Schedule 14.1 that do not have an extent of place mapped in the Plan maps, the Extent of Place column usually includes the following: ‘To be defined’. The # links to the provisions of AUP D17 Historic Heritage Overlay, and provides for the rules in Tables D17.4.1 and D17.4.2 to apply to all land and water within 50m of the feature annotated with #. This reference is proposed to be amended to ‘Refer to planning maps’ in Schedule 14.1 for the two places, as PPCX is proposing to map the extent of place for each place in the Plan maps.

6.2.7 Amendments to ‘Exclusions’ column

Some historic heritage places have identified exclusions in Schedule 14.1, for example the interiors of buildings or accessory buildings. Features listed as exclusions do not contribute to, or may detract from, the values for which the historic heritage place has been scheduled or, particularly with the interiors of buildings, may not have been evaluated. Activities affecting features identified as exclusions in Schedule are either permitted, or require

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25 AUP B5.2.2(1)
27 ID 00729 Te Marae o Hinekakea village site, including grave R10_163; ID 01270 Mill site R11_163; ID 01587 Wai Makoa, including pa site and middens R11_2158; and ID 01634 Dilworth Terrace Houses
29 ID 02494 Mann House and ID 02495 Lush House
29 AUP D17.1 Background

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consent as controlled activities, in order to manage the affect such activities may have on the historic heritage values of the place overall.\textsuperscript{30}

PPX proposes amendments to exclusions for 40 places, which consist of:

- amendments to add exclusions, where other features that do not contribute to the heritage values of the place or detract from these values have been identified;
- changes to the wording of existing exclusions, including where the exclusion is incorrect, unclear, or is inconsistent with how similar features have been identified in Schedule 14.1; and
- the deletion of specific exclusions, including where an amended extent of place no longer covers the identified exclusion, or where the interior has been assessed as having heritage value.

The identification of exclusions is a key part of the proportionate management approach of the Historic Heritage Overlay.

6.2.8 Amendments to ‘Additional Rules for Archaeological Sites or Features’ column

Scheduled historic heritage places that are archaeological sites, or contain archaeological sites or features that contribute to the significance of the place, are identified in Schedule 14.1 by the inclusion of the word ‘Yes’ in the ‘Additional Rules for Archaeological Sites or Features’ column.\textsuperscript{31} Places identified in this column are subject to additional rules to manage activities that have the potential to adversely affect archaeological values, such as land disturbance.

PPX proposes amendments to exclusions for one place; ID 01330 Meadowbrook, as the A* review of this place identified that the place, which was constructed around 1880, has two wells, from which artefacts have already been extracted.

6.2.9 Amendments to ‘Place of Māori Interest or Significance’ column

Schedule 14.1 identifies scheduled historic heritage places that are sites or places of significance to Mana Whenua (by the inclusion of ‘Yes’ in the ‘Place of Māori Interest or Significance’ column). These places may also be subject to D21 Sites and Places of Significance to Mana Whenua Overlay.

As outlined above, in general places identified predominantly for their archaeological or Māori heritage values are subject to a different work programme within the Heritage Unit and will be the subject of other future plan change processes. However, PPX proposes a change to the ‘Place of Māori Interest or Significance’ column in Schedule 14.1 for one place: Mill site R11_1633 at the Botanic Gardens Regional Park (ID 01270), due to an error during the rollover of the place from the legacy district plan to the PAUP. This error resulted in the place being wrongly identified as a place of Māori interest or significance. A review of the information relating to this place has confirmed it is a European-era mill site, and is not known to be a place of interest or significance to Māori.

\textsuperscript{30} AUP Table D17.4.1, Table D17.4.2, and Table D17.4.3

\textsuperscript{31} AUP D17.1 Background
6.3 Amendments to the Plan maps (extent of place)

A number of mapping errors were introduced through the creation of Schedule 14.1 during the PAUP process. These errors include the extents of place in the Plan maps for some places that are too big, too small, or are located on the wrong property. In some cases, no extent of place was mapped in the Plan maps and the scheduled historic heritage place was not marked at all or marked by a dot only. Mapping errors can reduce the protection and management of historic heritage places, or result in the application of the Historic Heritage Overlay rules where they are not required (i.e. outside the area containing the historic heritage values of a place), resulting in the generation of unnecessary consenting activity.

Amendments have been made in the Plan maps for 48 places in Schedule 14.1.

The identification of an extent of place is a key part of the proportionate management approach of the Historic Heritage Overlay.

6.4 Amendments to delete places

Council’s Heritage Unit Strategic Vision identifies reviewing Schedule 14.1 as a priority, aligned with the 10-year target of ensuring Schedule 14.1 is robust. PPCX proposes to delete 11 places from Schedule 14.1, including:

- two places that were damaged by fire and subsequently demolished via resource consent; and
- nine places that do not have sufficient historic heritage value to be included in Schedule 14.1.

Places that have been demolished

Two of the places proposed for deletion no longer exist. These are:

- ID 00499 Waikanae Bath House, which was damaged by fire and demolished via a resource consent, which was issued on 11 May 2016, and
- ID 01437 Residence at 79 Coronation Road, Mangere Bridge, which was damaged by fire and subsequently demolished by authority of a resource consent issued on 22 May 2001. Resource consent to relocate the existing dwelling onto 79 Coronation Road was issued in 2006.

Places that do not have sufficient historic heritage value

As outlined earlier in this report, each historic heritage place included in Schedule 14.1 has, as part of a previous process, been evaluated for its historic heritage significance in accordance with the criteria and thresholds in B5.2.2(3) of the AUP RPS:

(3) Include a place with historic heritage value in Schedule 14.1 Schedule of Historic heritage if:
   a. the place has considerable or outstanding value in relation to one or more of the evaluation criteria in Policy B5.2.2(1); and
   b. the place has considerable or outstanding overall significance to the locality or greater geographic area.

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As part of the preparation of PPCX, 11 historic heritage places were reviewed to determine whether they continue to meet the RPS criteria and thresholds for scheduling. These places were identified for review following:

- historic heritage monitoring projects;
- a resource consent application relating to the historic heritage place; or
- a request from the owner of the property.

Nine of the historic heritage places that were reviewed were found not to meet the criteria and thresholds in the RPS. These places are:

- ID 00050 Residence, 62 Ferry Parade, Herald Island;
- ID 00107 Residence, 651 West Coast Road, Orakei;
- ID 00176 Residence, 33 Akehurst Avenue, New Lynn;
- ID 00709 Residence, 141 Park Estate Road, Hingaia;
- ID 00711 Vela House, 10 Hinau Road, Hingaia;
- ID 01057 Porthcurnow East, 14 Muritai Road, Milford;
- ID 01461 Residence, 1 Beihlers Road, Weymouth;
- ID 01462 Residence, 19 William Avenue, Manurewa; and
- ID 01463 Residence, 11 Affriaton Road, Manurewa.

Duplicate place

In addition to the 11 places proposed for deletion in PPCX, it is proposed to remove one place from Schedule 14.1 because it is a duplicate. This place, ID 02745 No Deposit Piano Company Building, is currently included in Schedule 14.1 twice, as both ID 02745 and as ID 02728 Citizens Advice Bureau (former). This error was introduced during the PAUP. To correct this error, PPCX proposes to remove ID 02745 from Schedule 14.1 and delete the associated extent of place from the Plan maps. Amendments are proposed to ID 02728 to ensure the information in Schedule 14.1 for the place is correct, including the amendment of the name to ‘No Deposit Piano Company Building’.

7 Conclusion

PPCX seeks to amend 73 historic heritage places in Schedule 14.1 of the AUP. The purpose of the proposed plan change is to ensure the historic heritage places in Schedule 14.1 are identified with correct and up-to-date information. This in turn will ensure the provisions of the AUP Historic Heritage Overlay apply appropriately to these places and therefore assist in their protection and management.

The main conclusions of the evaluation under Part 2 and Section 32 of the Act are summarised below:

1. PPCX is consistent with the purpose of sustainable management in Section 5 and the principles within Sections 6, 7, and 8, and within Part 2 of the Act.
2. PPCX assists the Council in carrying out its functions set out in Sections 30 and 31 of the Act.

3. Pursuant to Section 75(3)(c) of the Act, PPCX is consistent with the objectives and policies of the Auckland Regional Policy Statement.

4. The evaluation undertaken in accordance with Section 32 concluded:
   
   i. The use of the existing objectives of the AUP would be the most appropriate way to achieve the purpose of the Act.
   
   ii. The amendment of 73 historic heritage places identified in Schedule 14.1 is the most appropriate means of achieving the objectives identified in section 3 of this report.

| Conclusion | This part of the report concludes that the proposed plan change is the most efficient, effective and appropriate means of addressing the resource management issues identified. |
Receipt of Notice of Appeal to the decision on Orakei Point Private Plan Change (Covering report)

File No.: CP2019/04456

Te take mō te pūrongo
Purpose of the report
1. This is a late covering report for the above item. The comprehensive agenda report was not available when the agenda went to print and will be provided prior to the 02 April 2019 Planning Committee meeting.

Ngā tūtohunga
Recommendation/s
The recommendations will be provided in the comprehensive agenda report.
Summary of Planning Committee information memos and briefings - 2 April 2019

File No.: CP2019/03493

Te take mō te pūrongo
Purpose of the report
1. To receive a summary and provide a public record of memos or briefing papers that have been distributed to committee members.

Whakarāpopototanga matua
Executive summary
2. This is a regular information-only report which aims to provide greater visibility of information circulated to committee members via memo/briefing or other means, where no decisions are required.

3. The following information items are attached:
   - Planning Committee workshop schedule April 2019 (Attachment A)
   - Auckland Monthly Housing Update March 2019 (Attachment B)

4. The following memos are attached:
   - 28 February 2019 – Decision-making under clause 25, Schedule 1 to the RMA (Attachment C)
   - 7 March 2019 – Update on the New Zealand Infrastructure Commission – Te Waihanga (Attachment D)

5. The following letters are attached:
   - 4 March 2019 – Auckland’s Draft Venue Development Strategy (Attachment E)
   - 21 March 2019 – Black Carbon Levels Queen Street (Attachment F)

6. The following workshop information is attached:
   - 20 February 2019 – Marina principles (Attachment G)
   - 6 March 2019 – Changes to the Unitary Plan, Private Plan Change Process and Converting Unformed Legal Roads and Pedestrian Accessways to Open Space (Attachment H)

7. Note that staff will not be present to answer questions about the items referred to in this summary. Committee members should direct any questions to the authors.

8. The attachments for this report have been published separately at the following link: http://infocouncil.aucklandcouncil.govt.nz > Planning Committee > 2 April 2019 > Extra Attachments

Ngā tūtohunga
Recommendation/s
That the Planning Committee:

a) receive the Summary of Planning Committee information memos and briefings – 2 April 2019.
### Ngā tāpirihanga

#### Attachments

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<th>No.</th>
<th>Title</th>
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<tr>
<td>A</td>
<td>Planning Committee workshop schedule April 2019 <em>(Under Separate Cover)</em></td>
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<td>B</td>
<td>Auckland Monthly Housing Update March 2019 <em>(Under Separate Cover)</em></td>
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<tr>
<td>C</td>
<td>Memo on Decision-making under clause 25, Schedule 1 to the RMA <em>(Under Separate Cover)</em></td>
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<td>D</td>
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<td>E</td>
<td>4 March letter to stakeholders about Auckland’s Draft Venue Development Strategy <em>(Under Separate Cover)</em></td>
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<td>F</td>
<td>21 March letter from Auckland Transport about black carbon levels on Queen Street <em>(Under Separate Cover)</em></td>
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<td>G</td>
<td>Marina Principles workshop minutes <em>(Under Separate Cover)</em></td>
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<td>H</td>
<td>Changes to the Unitary Plan, Private Plan Change Process and Converting Unformed Legal Roads and Pedestrian Accessways to Open Space workshop minutes <em>(Under Separate Cover)</em></td>
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### Ngā kaihaina

#### Signatories

<table>
<thead>
<tr>
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<th>Kalinda Gopal - Senior Governance Advisor</th>
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<tr>
<td>Author</td>
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<tr>
<td>Authoriser</td>
<td>Megan Tyler - Chief of Strategy</td>
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Exclusion of the Public: Local Government Official Information and Meetings Act 1987

That the Planning Committee

a) exclude the public from the following part(s) of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

C1 Orakei Point Private Plan Change – Notice of Appeal (Covering report)

<table>
<thead>
<tr>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Particular interest(s) protected (where applicable)</th>
<th>Ground(s) under section 48(1) for the passing of this resolution</th>
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<tr>
<td>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</td>
<td>s7(2)(c)(ii) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to damage the public interest. s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege. In particular, the report contains recommendations on legal and financial matters concerning an appeal to the Environment Court under the Resource Management Act.</td>
<td>s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</td>
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