

Memo

Date 19 December 2024

To: Celia Davison - Manager Planning – Central South
 From: Nicholas Lau – Senior Policy Planner

Subject: **Plan Modification: Clause 16 amendment to a proposed plan change
 Plan Change 90: 8 Sparky Road, Ōtara
 Auckland Unitary Plan (Operative in Part 2016)**

I seek your approval to make an amendment to a proposed policy statement or plan pursuant to clause 16, Schedule 1, Resource Management Act 1991 (RMA). Clause 16(2) provides that:

A local authority may make an amendment, without using the process in this schedule, to its proposed policy statement or plan to alter any information, where such an alteration is of minor effect, or may correct any minor errors.

The RMA defines *proposed plan* at section 43AAC as follows:



- (1) *In this Act, unless the context otherwise requires, **proposed plan**—*
 - (a) *means a proposed plan, a variation to a proposed plan or change, or a change to a plan proposed by a local authority that has been notified under [clause 5](#) of Schedule 1 or given limited notification under [clause 5A](#) of that schedule, but has not become operative in terms of [clause 20](#) of that schedule; and*
 - (b) *includes—*
 - (i) *a proposed plan or a change to a plan proposed by a person under [Part 2](#) of Schedule 1 that has been adopted by the local authority under [clause 25\(2\)\(a\)](#) of Schedule 1:*
 - (ii) *an IPI notified in accordance with [section 80F\(1\) or \(2\)](#).*

Plan Change 90 is a plan change to the Auckland Unitary Plan that has been notified but has not yet been approved under clause 17, Schedule 1, or become operative.

You have delegated authority, as a Tier 4 manager, to make a decision to amend the plan change under clause 16 where the alteration is of minor effect or to correct any minor errors. Schedule 2A of the Auckland Council Combined Chief Executives Delegation Register authorises all powers, functions, and duties under RMA’s first schedule (except clause 17 which cannot be delegated) to tier four positions.

Provision in Plan Change	Proposed Auckland Unitary Plan Chapter I457 Highbrook Precinct
Subject site and legal description (if applicable)	8 Sparky Road, Ōtara (Lot 2 DP 209362)
Nature of error or alteration	Editorial and formatting changes. Several minor editorial and formatting errors were included in the Plan Change 90 Decision approving the Proposed Highbrook Precinct provisions.
Effect of change	The amendments required are to correct minor editorial and formatting errors contained in the Plan Change 90 Decision approving the Proposed Highbrook Precinct provisions. Correcting these minor errors is neutral in effect and will not adversely affect the rights of anyone.

Changes required to be made (text)	<p>Amend Proposed Auckland Unitary Plan Chapter I457 Highbrook Precinct as follows:</p> <ul style="list-style-type: none"> • Rule I457.6.10. Outdoor Living Space - correct letter reference for last listed provision in standard from (d) to (e), with the reference to (d) being erroneous as preceding provision has this letter reference. <p><u>(e)</u>(d) is free of buildings, parking spaces, and servicing and manoeuvring areas.</p> <ul style="list-style-type: none"> • Rule I457.9.1 Matters of discretion - correct numerical references for last two listed matters of discretion from (2) and (3) to (3) and (4), with the current numerical references being erroneous as the third listed matter of discretion is incorrectly referred to as (2) rather than (3), resulting in the last listed matter of discretion being incorrectly referred to as (3) rather than (4). <p><u>(3)</u>(2)—Transport infrastructure requirements</p> <p><u>(4)</u>(3) Non-compliance with Standards ...</p> <ul style="list-style-type: none"> • I457.11 Precinct plans and I457.11.1 - correct numerical references for Precinct Plans and Highbrook 1 Precinct Plan 1 headers from I4.2. and I4.2.1. to I457.11. and I457.11.1. <p><u>I4.2. I457.11. Precinct plans</u></p> <p><u>I4.2.1. I457.11.1. Highbrook Precinct Plan 1</u></p>
---	---

Prepared by: Nicholas Lau Senior Policy Planner	Reviewed by: Marc Dendale Team Leader
Signature: 	Signature: 
Decision: I agree/disagree to make an amendment of minor effect or correct the error under clause 16, schedule 1, RMA 1991 using my delegated authority Celia Davison Manager Planning – Central South Date: 19 December 2024	
Signature: 