

Memo

Date 3/7/2024

To: Phill Reid, Auckland-wide Manager
From: David Bade, Specialist – Built Heritage

Subject: **Plan Modification: Clause 16 amendment to 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 \(2\)](#).*

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.

<p>Provision in AUP or HGI District Plan</p>	<p>Schedule 15 Special Character (Special Character Areas Overlay – Residential: Isthmus B)</p>
<p>Subject site and legal description (if applicable)</p>	<p>8-13 Glen Esk Place, Remuera LOT 1 DP 108080, LOT 2 DP 108080</p>
<p>Nature of error or alteration</p>	<p>A Clause 16 mapping change is required to correct the Special Character Areas Overlay for Residential: Isthmus B in the Auckland Unitary Plan (AUP) maps (also known as Auckland Council Geomaps).</p> <p>Discussion A sliver (less than one metre) of the Special Character Areas Overlay for Residential: Isthmus B encroaches on to 8-13 Glen Esk Place, Remuera. See map and explanation below:</p>  <p><i>The 8-13 Glen Esk Place, Remuera, property is shown with a light blue outline. The surrounding Special Character Areas Overlay is shown with the blue dotted area. The sliver runs along the western boundary (shown with the red arrow) and is so small that it cannot be seen clearly.</i></p> <p>This sliver is an error, as the property at 58-13 Glen Esk Place, Remuera, should not be within the Special Character Areas Overlay, as shown in a detail of the planning map below (from Schedule 15 of the AUP):</p>

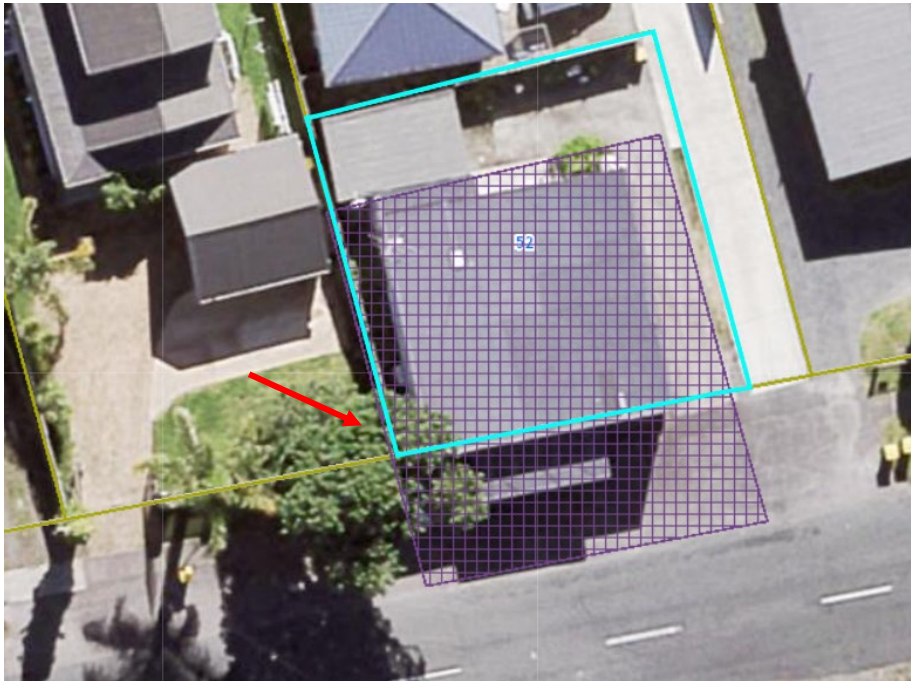
	 <p>The red circle above shows 8-13 Glen Esk Place, Remuera, which is not covered by the Special Character Areas Overlay in the Schedule 15 planning maps.</p> <p>The boundary of the Special Character Areas Overlay should follow the property boundary of 8-13 Glen Esk Place, Remuera.</p>
<p>Effect of change</p>	<p>Updating and correcting the Special Character Areas Overlay, as described, is assessed to be neutral as it will not affect the values which this overlay, being specifically Residential: Isthmus B, is in place to protect. The mapping change is also very minor in nature (less than one metre from where it is presently).</p> <p>As the special character values will not be affected, this Clause 16 amendment will not affect any persons. Furthermore, this amendment will not have a material effect on any people or the environment to the extent that they would have wished to have made a submission.</p>
<p>Changes required to be made (text and/or in-text diagrams)</p>	<p>N/A</p>
<p>Changes required to be made (AUP or HGI maps)</p>	<p>Amend the Special Character Areas Overlay for Residential: Isthmus B in the AUP maps (also known as Auckland Council Geomaps) so that it does not extend erroneously on to 8-13 Glen Esk Place, Remuera.</p>
<p>Attachments</p>	<p>N/A</p>

Provision in AUP or HGI District Plan	Schedule 14.1 Schedule of Historic Heritage
Subject site and legal description (if applicable)	ID 00002 Clark Pottery and Brickworks/Robert Holland Pottery and Brickworks R11_1508 Wiseley Esplanade Reserve, 4 Scott Road, 2 Brickworks Bay Road, and Bannings Way, Hobsonville Lot 1 DP 71841; Lot 2 DP 71841; Lot 102 DP 468595; Lot 101 DP 468595; CMA; road reserve
Nature of error or alteration	<p>A Clause 16 mapping change is required to correct the Historic Heritage Overlay Extent of Place (EOP) for ID 00002 Clark Pottery and Brickworks/Robert Holland Pottery and Brickworks R11_1508 (the Brickworks).</p> <p>Discussion</p> <p>A sliver (less than one metre) of the EOP for the Brickworks encroaches on to the neighbouring property at 6 Brickworks Bay Road, Hobsonville. See image below:</p>  <p><i>The property boundary is shown by a light blue line and the historic heritage EOP is shown with purple hatching. The red arrow shows where the historic heritage EOP for the Brickworks erroneously encroaches on to the neighbouring property.</i></p> <p>This sliver is an error, as the property at 6 Brickworks Bay Road, Hobsonville, does not contain historic heritage values related to the Brickworks, and needs to be removed. The EOP should be along the property boundary of at 6 Brickworks Bay Road.</p>
Effect of change	<p>Updating and correcting the extent of place for this historic heritage place, as described, is assessed to be neutral.</p> <p>Amending the extent of place is considered neutral as it will not affect the historic heritage place the Brickworks which this overlay is in place to protect. The mapping change is also very minor in nature</p>


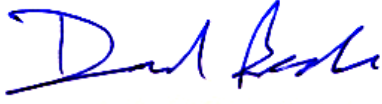

	<p>(less than one metre from where it is presently).</p> <p>As the historic heritage place will not be affected, this Clause 16 amendment will not affect any persons. Furthermore, this amendment will not have a material effect on any people or the environment to the extent that they would have wished to have made a submission.</p>
Changes required to be made (text and/or in-text diagrams)	N/A
Changes required to be made (AUP or HGI maps)	Amend the Historic Heritage Overlay EOP for the Brickworks so it does not extend on to 6 Brickworks Bay Road, Hobsonville.
Attachments	N/A

<p>Provision in AUP or HGI District Plan</p>	<p>Schedule 14.1 Schedule of Historic Heritage</p>
<p>Subject site and legal description (if applicable)</p>	<p>ID 00031 Whenuapai Village Hall 41-43 Waimarie Road Whenuapai 0618 SECT 1 SO 548747, SECT 2 SO 548747</p>
<p>Nature of error or alteration</p>	<p>A Clause 16 mapping change is required to correct the Historic Heritage Overlay Extent of Place (EOP) for ID 00031 Whenuapai Village Hall (the Hall).</p> <p>Discussion Two slivers (less than one metre) of the EOP for the Hall encroach on to the neighbouring properties at 39 and 45 Waimarie Road, Whenuapai. See images below:</p>   <p><i>The property boundary is shown by a light blue line and the historic heritage EOP for the Hall is shown with purple hatching. The red arrows show where the historic heritage EOP erroneously encroaches on to the neighbouring properties.</i></p>

	<p>These slivers are errors, as the properties at 39 and 45 Waimarie Road do not contain historic heritage values related to the Hall, and needs to be removed. The EOP should be along the property boundary of 41-43 Waimarie Road.</p>
Effect of change	<p>Updating and correcting the extent of place for this historic heritage place, as described, is assessed to be neutral.</p> <p>Amending the extent of place is considered neutral as it will not affect the historic heritage place (the Hall) which this overlay is in place to protect. The mapping changes are also very minor in nature (less than one metre from where it is presently).</p> <p>As the historic heritage place will not be affected, this Clause 16 amendment will not affect any persons. Furthermore, this amendment will not have a material effect on any people or the environment to the extent that they would have wished to have made a submission.</p>
Changes required to be made (text and/or in-text diagrams)	N/A
Changes required to be made (AUP or HGI maps)	Amend the Historic Heritage Overlay EOP for the Hall so it does not extend on to 39 and 45 Waimarie Road, Whenuapai.
Attachments	N/A

Provision in AUP or HGI District Plan	Schedule 14.1 Schedule of Historic Heritage
Subject site and legal description (if applicable)	ID 00046 Commercial building 52 Ferry Parade, Herald Island LOT 125 DP 31409; road reserve
Nature of error or alteration	<p>A Clause 16 mapping change is required to correct the Historic Heritage Overlay Extent of Place (EOP) for ID 00046 Commercial building.</p> <p>Discussion</p> <p>A sliver (less than one metre) of the EOP for the Commercial building encroaches on to the neighbouring property at 50 Ferry Parade, Herald Island. See image below:</p>  <p><i>The property boundary is shown by a light blue line and the historic heritage EOP for the Commercial building is shown with purple hatching. The red arrow shows where the historic heritage EOP erroneously encroaches on to the neighbouring property.</i></p> <p>This sliver is an error, as the property at 50 Ferry Parade, Herald Island, does not contain historic heritage values related to the Commercial building, and needs to be removed. The EOP should be along the property boundary of at 52 Ferry Parade.</p>
Effect of change	<p>Updating and correcting the extent of place for this historic heritage place, as described, is assessed to be neutral.</p> <p>Amending the extent of place is considered neutral as it will not affect the historic heritage place (Commercial building) which this overlay is in place to protect. The mapping change is also very minor in nature (less than one metre from where it is presently).</p> <p>As the historic heritage place will not be affected, this Clause 16</p>

	amendment will not affect any persons. Furthermore, this amendment will not have a material effect on any people or the environment to the extent that they would have wished to have made a submission.
Changes required to be made (text and/or in-text diagrams)	N/A
Changes required to be made (AUP or HGI maps)	Amend the Historic Heritage Overlay EOP for the Commercial building so it does not extend on to 50 Marine Parade, Herald Island.
Attachments	N/A

Maps prepared by: Danica Torres Geospatial Specialist	Text Entered by: n/a Planning Technician
Signature: 	Signature:
Prepared by: David Bade Specialist - Built Heritage	Reviewed by: Megan Patrick Team Leader Heritage Policy
Signature: 	Signature: 
Decision: I agree to make an amendment of minor effect or correct the error under clause 16, schedule 1, RMA 1991 using my delegated authority Phill Reid Manager Auckland wide Planning Date: 5 July 2024	
Signature: 