

Memo

Date 19 August 2024

To: Phill Reid – Manager Auckland wide
From: Emma Rush – Senior Advisor Special Projects – Heritage

Subject: **Dual plan modification: Clause 16 amendment to a proposed plan change
Plan Change: Plan Change 78 Intensification
Clause 20A correction to Auckland Unitary Plan (Operative in Part 2016)**

I seek your approval to make an amendment to or correct an error in a proposed plan change provision and to correct an error in the equivalent provision in the AUP.

Clause 16(2)¹ 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 78 is a council-initiated 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.

I also seek your approval to correct an error pursuant to clause 20A²:

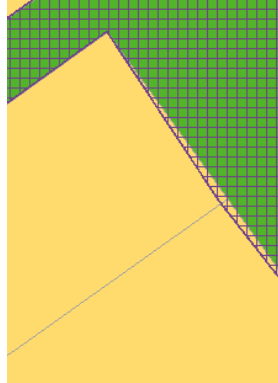
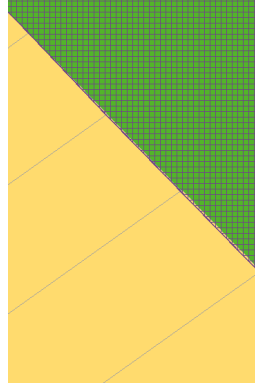
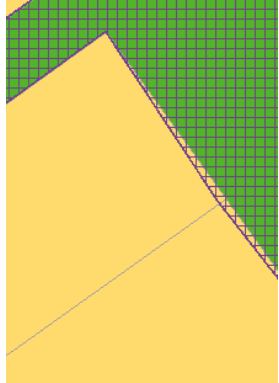
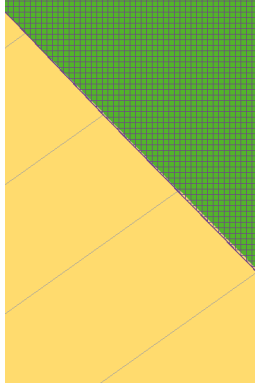
A local authority may amend, without using the process in this schedule, an operative policy statement or plan to correct any minor errors.

Decisions are required under both clauses as the plan change includes and relies on the same planning provisions as the AUP. Correcting only one of the two relevant planning provisions would be ineffective as the error would be perpetuated when data is imported back to the AUP, following decision-making on the plan change.




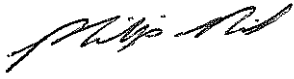
Schedule 2A of the Auckland Council Combined Chief Executives Delegation Register authorises all powers, functions, and duties under RMA's first schedule (except clause 17 which cannot be delegated) to tier four positions. You have delegated authority, as a Tier 4 manager, to make a decision under clause 16 and clause 20A.

¹ clause 16, schedule 1, Resource Management Act 1991 (RMA).

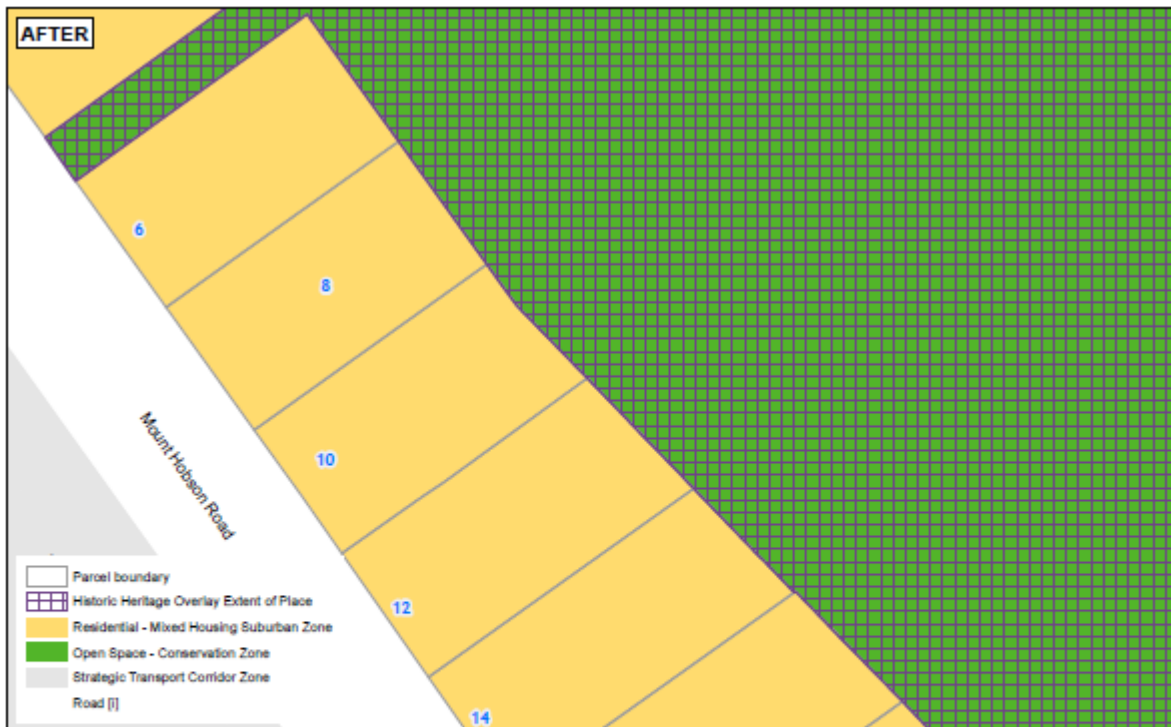
² clause 20A, schedule 1, Resource Management Act 1991.

	Plan Change 78	AUP				
Provision	NA (mapping error only)	NA (mapping error only)				
Subject site and legal description (if applicable)	6 Mount Hobson Road (Lot 22 Deeds Reg 409) 8 Mount Hobson Road (LOT 1 DP 499753) 12 Mount Hobson Road (Lot 25 Deeds Reg 409) 14 Mount Hobson Road (Lot 1 DP 467776) 16 Mount Hobson Road (LOT 1 DP 553481) 18 Mount Hobson Road (Lot 28 Deeds Reg 409)	6 Mount Hobson Road (Lot 22 Deeds Reg 409) 8 Mount Hobson Road (LOT 1 DP 499753) 12 Mount Hobson Road (Lot 25 Deeds Reg 409) 14 Mount Hobson Road (Lot 1 DP 467776) 16 Mount Hobson Road (LOT 1 DP 553481) 18 Mount Hobson Road (Lot 28 Deeds Reg 409)				
Nature of error	<p>There is an error in the planning maps in relation to the Historic Heritage Overlay Extent of Place (EOP) for ID 01578 Mount Hobson/Remuera R11_16, located at 181 Remuera Road, Remuera. A sliver of the EOP extends onto six adjoining properties on Mount Hobson Road (as shown below).</p> <div style="display: flex; justify-content: space-around;">   </div> <table border="1" style="width: 100%; text-align: center;"> <tr> <td style="width: 50%;">6 and 8 Mount Hobson Road</td> <td style="width: 50%;">12, 14, 16 & 18 Mount Hobson Road</td> </tr> </table> <p>The current mapping of the EOP is an error as the properties at 6, 8, 10, 12, 14, 16 & 18 Mount Hobson Road do not have historic heritage values associated with scheduled extent of Mount Hobson/Remuera. The fact that a sliver of the EOP extends onto these properties means the rules in Chapter D17 Historic Heritage Overlay are triggered when development activity is proposed for these properties. This is onerous and unnecessary, given the lack of historic heritage values on that property.</p>	6 and 8 Mount Hobson Road	12, 14, 16 & 18 Mount Hobson Road	<p>There is an error in the planning maps in relation to the Historic Heritage Overlay Extent of Place (EOP) for ID 01578 Mount Hobson/Remuera R11_16, located at 181 Remuera Road, Remuera. A sliver of the EOP extends onto six adjoining properties on Mount Hobson Road (as shown below).</p> <div style="display: flex; justify-content: space-around;">   </div> <table border="1" style="width: 100%; text-align: center;"> <tr> <td style="width: 50%;">6 and 8 Mount Hobson Road</td> <td style="width: 50%;">12, 14, 16 & 18 Mount Hobson Road</td> </tr> </table> <p>The current mapping of the EOP is an error as the properties at 6, 8, 10, 12, 14, 16 & 18 Mount Hobson Road do not have historic heritage values associated with scheduled extent of Mount Hobson/Remuera. The fact that a sliver of the EOP extends onto these properties means the rules in Chapter D17 Historic Heritage Overlay are triggered when development activity is proposed for these properties. This is onerous and unnecessary, given the lack of historic heritage values on that property.</p>	6 and 8 Mount Hobson Road	12, 14, 16 & 18 Mount Hobson Road
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Effect of change	The proposed change corrects a minor error, where the mapping of the EOP has not followed exactly the boundary between 181 Remuera Road and 6, 8, 10, 12, 14, 16 & 18	The proposed change corrects a minor error, where the mapping of the EOP has not followed exactly the boundary between 181 Remuera Road and 6, 8, 10, 12, 14, 16 & 18				

	Plan Change 78	AUP
	<p>Mount Hobson Road. Correcting the EOP for this historic heritage place is neutral. The proposed change will not affect the historic heritage place, which the EOP is in place to protect. The mapping change is also very minor in nature (less than one metre from where it is presently). As the historic heritage place will not be affected, the minor 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>Mount Hobson Road. Correcting the EOP for this historic heritage place is neutral. The proposed change will not affect the historic heritage place, which the EOP is in place to protect. The mapping change is also very minor in nature (less than one metre from where it is presently). As the historic heritage place will not be affected, the minor 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)	NA	NA
Changes required to be made (mapping or viewer)	Amend the EOP for ID 01578 Mount Hobson/Remuera in the PC78 maps.	Amend the EOP for ID 01578 Mount Hobson/Remuera in the AUP maps.
Attachments	Attachment 1: Proposed amendment to Historic Heritage Overlay Extent of Place in AUP maps and PC78 maps	Attachment 1: Proposed amendment to Historic Heritage Overlay Extent of Place in AUP maps and PC78 maps

<p>Maps prepared by: Dean Thompson Lead Geospatial Specialist</p>	<p>Text Entered by: XXX Planning Technician</p>
<p>Signature:</p> 	<p>Signature:</p>
<p>Prepared by: Emma Rush Planner</p>	<p>Reviewed by: Megan Patrick Team Leader Heritage Policy</p>
<p>Signature:</p> 	<p>Signature:</p> 
<p>Decision: I agree to make an amendment of minor effect or correct the error under clause 16 and clause 20A schedule 1, RMA 1991 using my delegated authority</p> <p>Phill Reid Manager Planning – Auckland-wide Planning Date: 20 August 2024</p>	
<p>Signature:</p> 	

Attachment 1: Proposed amendment to Historic Heritage Overlay Extent of Place in AUP maps



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Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and completeness of any information on this mapplan and accepts no liability for any error, omission or use of the information. Date: 14/06/2024

**Historic Heritage Extent of Place
Clause 20A
6,8,12,14,16,18 Mount Hobson Road**

Auckland Council
Te Kaunihera o Tāmaki Makaurau

