

Memo

Date 11 January 2017

To: Phill Reid, Auckland-wide Manager
From: Rebecca Sanders, Principal Planner – Auckland-wide

Subject: **Plan Modification: Clause 20A Amendment to Chapter H Zones of the Auckland Unitary Plan (AUP) Operative in part (15 November 2016).**

Delegated authority to T4 manager through Schedule 2A of the Auckland Council Combined Chief Executives Delegation Register (Updated May 2017).

This plan modification requires decision-making pursuant to clause 20A of the First Schedule to the Resource Management Act 1991, as corrections are required to the Auckland Unitary Plan (Operative in Part).

Rule or Section of Unitary Plan	Chapter H Zones <ul style="list-style-type: none"> • H4 Residential – Mixed Housing Suburban Zone • H5 Residential – Mixed Housing Urban Zone • H6 Residential – Terrace housing and Apartment Buildings Zone
Subject Site (if applicable)	N/A
Legal Description (if applicable)	N/A
Nature of change	The consent order for the appeals ENV-2016-AKL-000230 and ENV-2016-AKL-000235 dated 21 st December 2017 contain a number of minor errors which will not be carried over into the Auckland Unitary Plan Operative in part.
Effect of change	The changes are minor in nature. They do not change the application or intent of the provisions.
Changes required to be made	<p>The consent order instructs amendments to Table H4.4.1 Activity table however makes an incorrect reference to (A31) in the eighth line item. The correct reference is shown below in red:</p> <p>(A31) Accessory buildings (A31) (A32) Additions to an existing dwelling</p> <p>In the consent order, the following text was shown as agreed to for H4.5 Notification:</p> <p>.....</p> <p>(c) New buildings and additions to buildings which do not comply with H5.6.5 Height in relation to boundary, but comply with H5.6.6</p>

Alternative height in relation to boundary;

.....

However the strike through and underline should have been shown:

.....

(c) ~~development~~ New buildings and additions to buildings which does not comply with ~~H5.6.5~~ H4.6.5 Height in relation to boundary, but comply ~~complies~~ with ~~H5.6.6~~ H4.6.6 Alternative height in relation to boundary;

.....

In the consent order, the following was shown as agreed to for H4.8.1.5:

....

(5) For new buildings and additions to buildings which do not comply with H4.6.5. Height in relation to boundary, but comply with H4.6.6 Alternative height in relation to boundary:

....

However the strike through and underline should have been shown:

....

(5) For new buildings and additions to buildings which do not comply with H4.6.5. Height in relation to boundary, but comply with that use the Standard H4.6.6 Alternative height in relation to boundary:

....

The consent order erroneously indicates the provision for height in relation to boundary adjoining lower intensity zones under H4.8.2 in new paragraph (4). This provision is not required in the Mixed Housing Suburban Zone. The correcting numbering is shown below:

.....

(8) for yards:

....

(9) for maximum impervious areas:

....

(10) for building coverage:

....

(11) for landscaped area:

....

(12) for outlook space:

....

(13) for daylight:

.....

(14) for outdoor living space:

...

(15) for front, side and rear fences and walls:

...

(16) for minimum dwelling size:

.....

The consent order erroneously references an amendment to H6.5.
The correct reference is to H5.5 as below:

b) Amend ~~H6.5~~ H5.5 Notification as follows:

In the consent order, the following was shown as agreed to for H5.5:

...

(c) New buildings and additions to buildings which do not comply with H5.6.5 Height in relation to boundary, but comply with H5.6.6 Alternative height in relation to boundary;

...

However the strike through and underline should have been:

(c) ~~development~~ New buildings and additions to buildings which does not comply with H5.6.5 Height in relation to boundary, but comply ~~complies~~ with H5.6.6 Alternative height in relation to boundary;

In the consent order, the following was shown as agreed to for H5.8.2.5:

.....

(5) For new buildings and additions to buildings which do not comply with H5.6.5. Height in relation to boundary, but comply with H5.6.6 Alternative height in relation to boundary:

.....

However the strike through and underline should have been:

(5) For new buildings and additions to buildings which do not comply with H5.6.5. Height in relation to boundary, but comply with that use the Standard H5.6.6 Alternative height in relation to boundary:

.....

The consent order erroneously references an amendment to H5.7.
The correct reference is to H5.8 as below:

d) Amend paragraph (5) at ~~5.7~~ 5.8 Assessment – restricted discretionary activities as follows:

The consent order instructs the renumbering of H5.8.2. The instruction to renumber point (4) to point (5) is erroneous as point (5) has been replaced with new text. The numbering after the new point (5) is to be changed to follow consecutively. Therefore no change is required to the numbering of point (4).

The consent order contain 2 identical numbering errors in H4.8.2 Assessment Criteria and H5.8.2 Assessment Criteria in that the numbers are not consecutive. The correct number is shown below in red:

(~~14~~15) for outdoor living space:

....

(~~15~~16) for front, side and rear fences and walls:

.....

(~~17~~18) (17) For minimum dwelling size:

....

In the consent order, the following was shown as agreed to for H6.5:

....

(c) New buildings and additions to buildings which do not comply with H6.6.6 Height in relation to boundary, but comply with H5.6.7 Alternative height in relation to boundary;

....

However the strike through and underline should have been:

...

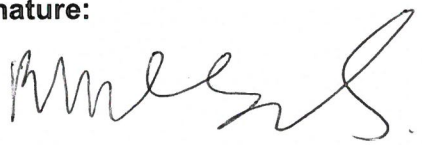
(c) ~~development~~ New buildings and additions to buildings which does not comply with H6.6.6 Height in relation to boundary, but comply complies with H5.6.7 Alternative height in relation to boundary;

.....

There is a grammatical error in the consent order for the change to H6.8.1 Matters of Discretion. Correction shown below in red:

(5) For nNew buildings and additions to buildings.....

Prepared by:
Rebecca Sanders
Principal planner – Auckland-wide
Signature:



Approved by:
Phill Reid
Manager Planning – Auckland-wide
Signature:

