

Memo

Date 21/10/2022

To: Warren MacLennan, Manager, Planning – Regional, North, West and Islands
 From: Ben Willis – Policy Planner – Regional, North, West and Islands

Subject: **Plan Modification: Clause 20A modification to Auckland Unitary Plan**

Corrections are required to the Auckland Unitary Plan (Operative in Part) 2016 (the AUP).

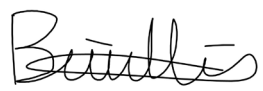
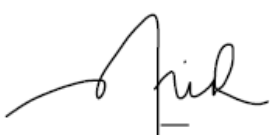

I seek your approval of this plan modification pursuant to clause 20A, first schedule, Resource Management Act 1991.

You have delegated authority, as a tier four manager, to make a decision to correct an error to an operative plan under clause 20A. Schedule 2A of the Auckland Council Combined Chief Executives Delegation Register¹ authorises all powers, functions, and duties under RMA's first schedule (except clause 17 which cannot be delegated) to tier four positions.

Rule or Section of Unitary Plan	GIS Viewer
Subject Site (if applicable)	Falls Road, Warkworth 0984
Legal Description (if applicable)	LOT 3 DP 537212, LOT 5 DP 52263
Nature of change	<p>A Clause 20A modification is required to correct zoning in the AUP.</p> <p>Discussion</p> <p>Plan Change 25 (Private): Warkworth North sought to rezone approximately 99 hectares of Future Urban zoned land to a mix of business and residential zones including a new Local centre of 3,000m². The plan change was subject to submissions and a decision of independent commissioners on the plan change was publicly notified on 26 March 2020, approving PC 25 with modifications to the zoning and precinct provisions. Appeals by the private plan change requestor GP (Turnstone Capital) Limited, and other parties (Robert White, Atlas Concrete Limited and Middle Hill) were filed with the Environment Court and these have all been settled, with the exception of the Middle Hill appeal, where the Environment Court has issued a decision in Councils favour, but the final wording of the provisions has still to be ratified by the Court. The Middle Hill appeal does not address the land subject to this application.</p> <p>The commissioner's decision on plan change 25 (Private) and discussion made within the decision clearly support that the portion of the site identified for a centre was to be rezoned as Business - Local centre and not a Town Centre. However the maps accompanying the decision showed the portion of the site to be developed as a centre as a Town Centre and not a Local Centre as it should have done. The</p>

¹ updated May 2022 and available on Kotahi at [Delegation Register](#)

	zoning and most of Plan Change 25 has been made operative so this clause 20A process is necessary to amend the centre zoning to Local Centre. Note that PC 78, the Councils IPI, notified in August 2022 covers this land so a related clause 16 amendment is also being processed to address this contemporaneously.
Effect of change	This is to correct a minor error and will be a neutral change as the extent of the business area is already recorded on the planning maps and the change was at the request of the land owners applicant. The zoning change proposed will not affect the extent and has been agreed as part of PC25.
Changes required to be made (text/in-text diagrams)	N/A
Changes required to be made (maps)	Amend the zoning of the site in the GIS Viewer where Business – Town Centre is shown (Attachment 1) and replace this with Business – Local Centre as agreed to in PC25 (Attachment 2).
Attachments	Attachment 1: Current zoning Attachment 2: Corrected zoning Attachment 3: Updated GIS Viewer

Prepared by: Ben Willis Planner - Plans and Places - Regional, North, West & Islands	Text Entered by: N/A Planning Technician
Signature: 	Signature:
Maps prepared by: Natalia Liana Geospatial Analyst	Reviewed by: Peter Vari Team Leader Planning – Regional, North, West and Islands
Signature: 	Signature: 

Decision:

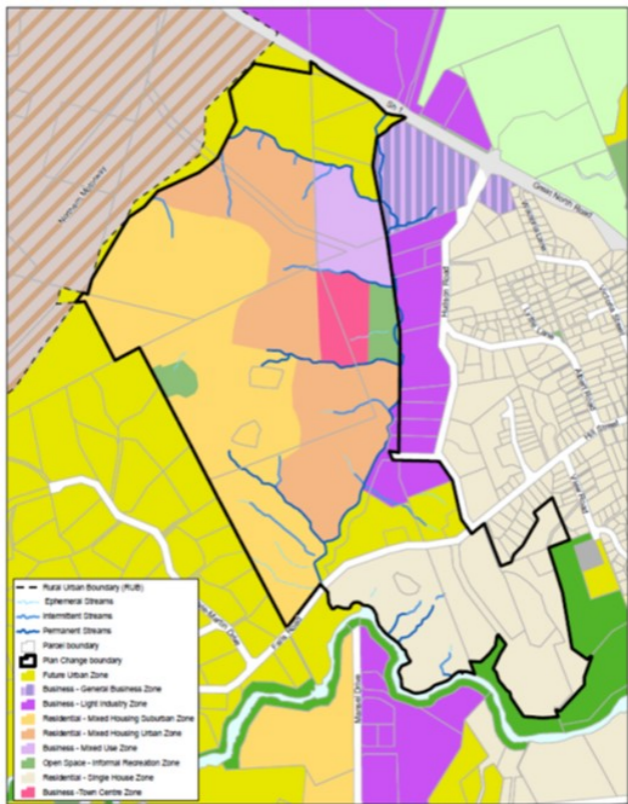
I agree/disagree to authorise the Clause 20A
modification using my delegated authority

Warren MacLennan
Manager Planning – Plans and Places -
Regional, North, West & Islands
Date:

Signature:

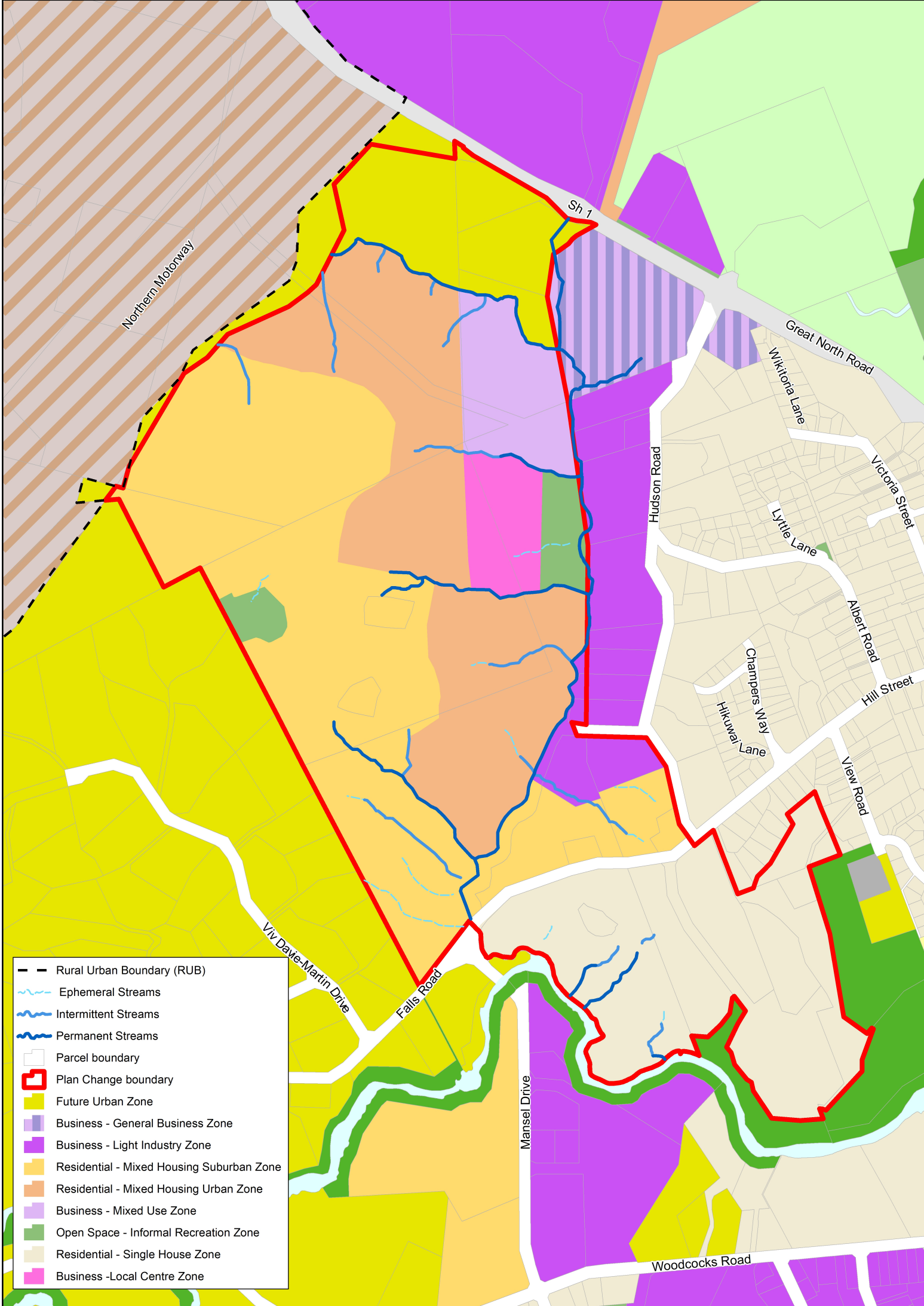


Attachment 1: Current zoning



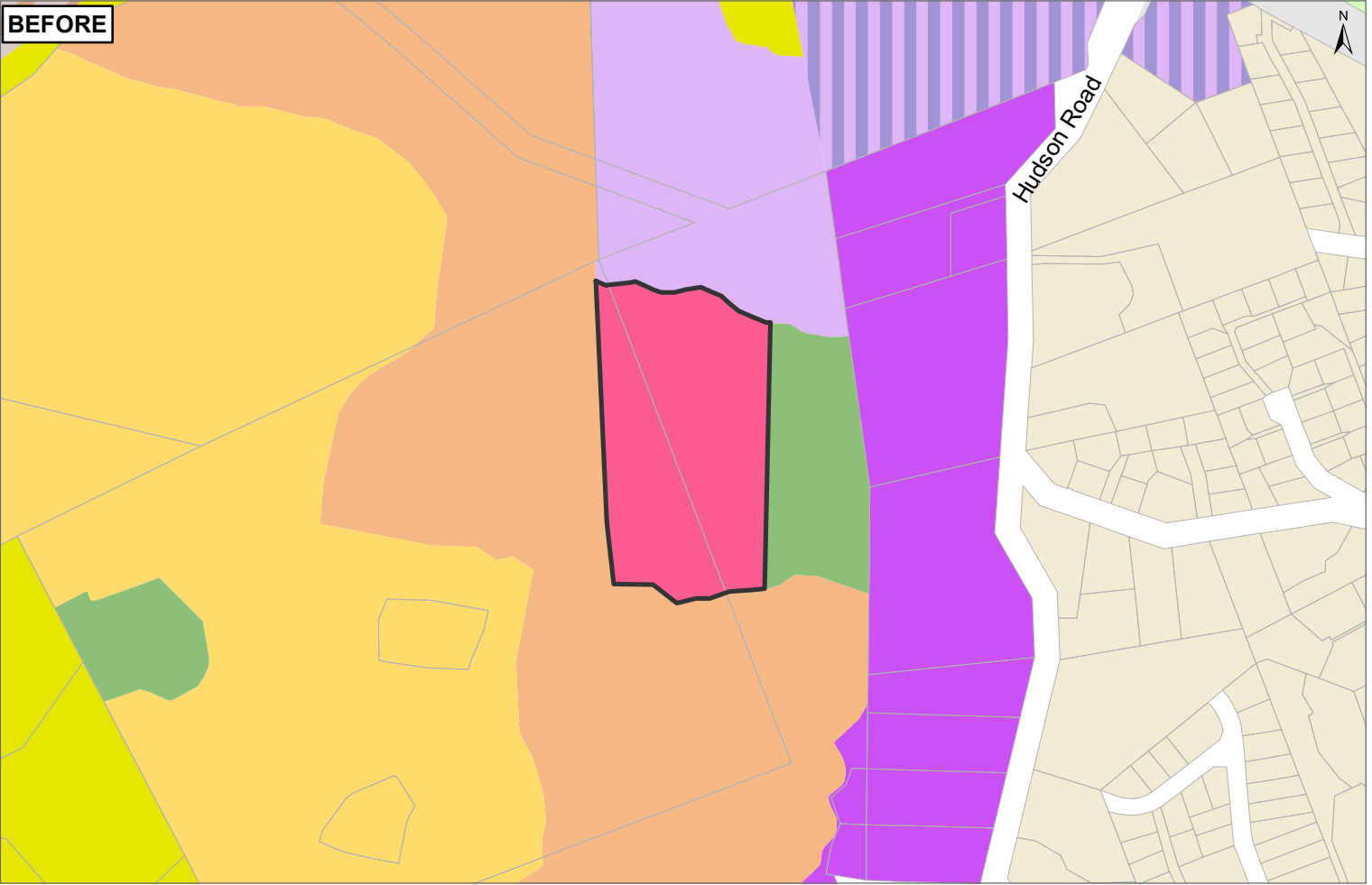
Warkworth North Plan Change Plan 1 - Zoning Map

Attachment 2: Corrected zoning

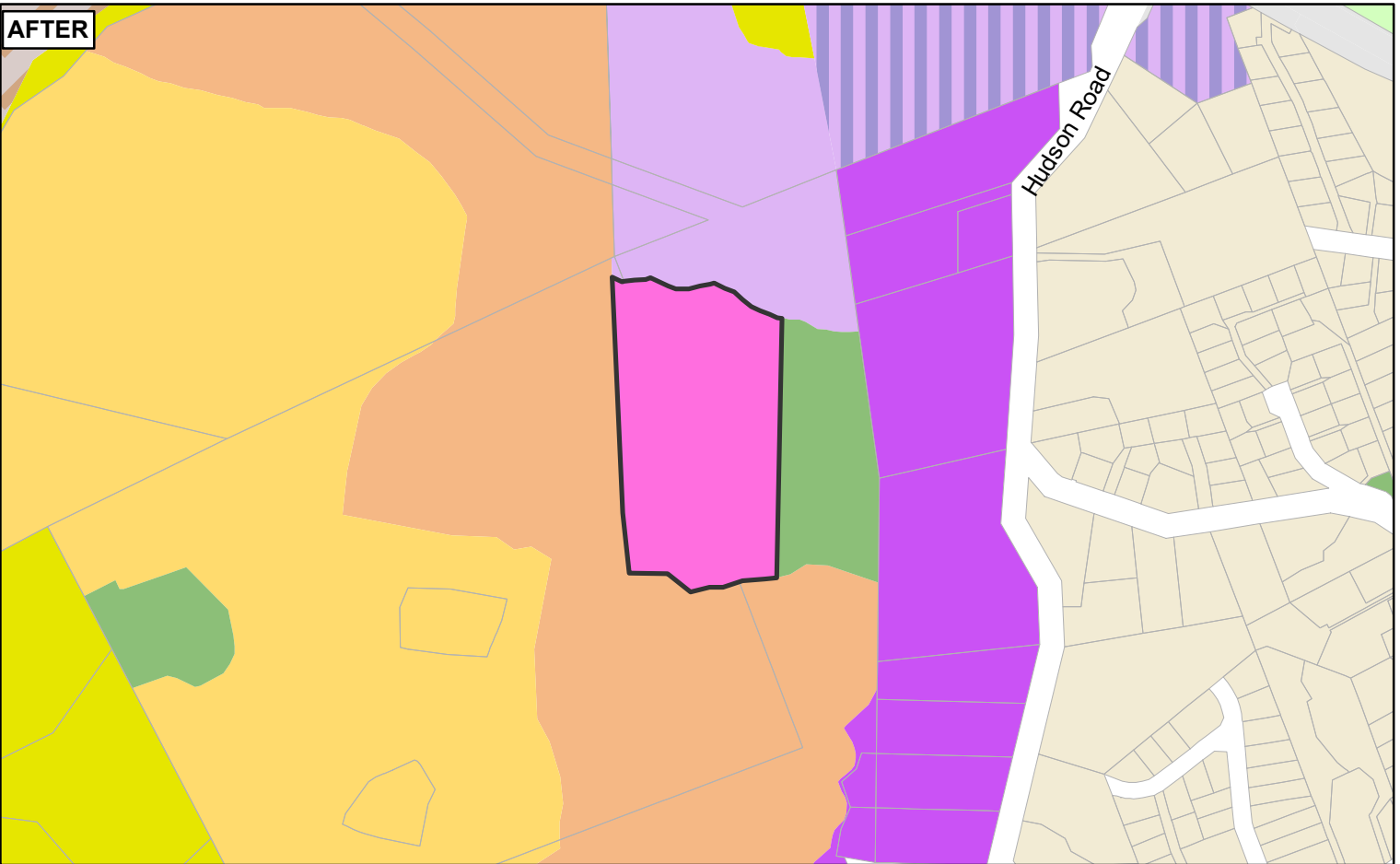


Attachment 3: Updated GIS Viewer

BEFORE



AFTER



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

Date: 7/11/2022

Clause 20a
Falls Road, Warkworth 0984
Rezoning of Business - Town Centre
to Business - Local Centre