

UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Warren MacLennan, Manager Regional, North, West and Islands Planning

FROM Jo Hart, Senior Policy Planner, Regional, North, West and Islands Planning

DATE 6 December 2021



SUBJECT **Removal of Designation in accordance with section 182(2) of the Resource Management Act in the Auckland Unitary Plan(AUP) Operative in part (15 November 2016)**

This memorandum requests an update to Auckland Unitary Plan Operative in part

Chapter	AUP(OIP) GIS viewer – Unitary Plan layer - Designations Chapter K – Schedules and designations – Auckland Transport
Section	Schedules and Designations – Auckland Transport AUP(OIP) GIS Viewer
Designation only	
Designation # 1436	Carpark – Edmonton Road
Locations:	331 Great North Road, and 4-6 and 14-20 Edmonton Road, Henderson
Lapse Date	Given effect to (i.e. no lapse date)
Purpose	Public car parking purposes.
Changes to text (shown in underline and strikethrough)	Chapter K – delete Designation 1436 from Schedules and designations – Auckland Transport Refer to attachment D
Changes to diagrams	N/A
Changes to spatial data	Removal of Designation 1436 from AUP GIS viewer – Unitary Plan Layer – Designations Refer to attachment C and E
Attachments	Attachment A – Section 182 request Attachment B – Section 182 report and approval Attachment C: Designation 1436 GIS viewer map (to be removed) Attachment D: Updated text D1436 (Strikethrough and underlined) Attachment E – Updated GIS Viewer

Prepared by: Jo Hart Senior Policy Planner Regional, North, West and Islands Planning	Text Entered by: Maninder Kaur Planning Technician
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Signature: 	Signature: 
Maps prepared by: Aching Konyak Geospatial Specialist	Reviewed by: Eryn Shields Team Leader Regional, North, West and Islands Planning
Signature: 	Signature: 
Signed off by: Warren MacLennan Manager Planning – Regional, North, West and Islands.	
Signature: 	

Attachment A – Section 182 request

**NOTICE OF REMOVAL OF DESIGNATION
UNDER SECTION 182 OF THE RESOURCE MANAGEMENT ACT 1991**

To: Auckland Council
C/o
Jo Hart
Jo.Hart@aucklandcouncil.govt.nz
Senior Policy Planner
Plans and Places

Auckland Council
135 Albert Street
Auckland

From: Auckland Transport
Private Bag 92250
Auckland 1010

27 October 2021

Removal of Designation 1436 for public carparking (Henderson) from the Auckland Unitary Plan (Operative in Part) 2016

Auckland Transport gives notice to Auckland Council under section 182(1) of the Resource Management Act 1991 that Auckland Transport no longer requires the following designation under the Auckland Unitary Plan (Operative in Part) 2016:

- **Designation 1436, for public carparking purposes, Auckland Transport**

The uplifting of Designation 1436 relates to the street addresses and legal descriptions shown in Table 1 below. The extent of removal of Designation 1436 is illustrated at **Attachment 1**.

Table 1 – Land to which the designation relates

Street address	Legal description	Owner	Type of designation removal
331 Great North Road	LOT 1A DP 7645	Auckland Council	Full removal
4 Edmonton Road	LOT 2 DP 21809	Auckland Council	Full removal
6 Edmonton Road	PT LOT 1 DP 21809	Auckland Council	Full removal
8 Edmonton Road	PT LOT 3A DP 7645	Auckland Council	Full removal
10 Edmonton Road	PT LOT 3A DP 7645	Auckland Council	Full removal
14 Edmonton Road	LOT 1 DP 24633	Auckland Council	Full removal
16 Edmonton Road	LOT 2 DP 24633	Auckland Council	Full removal
18 Edmonton Road	LOT 3 DP 24633	Auckland Council	Full removal
20 Edmonton Road	LOT 4 DP 24633, LOT 5 DP 24633	Auckland Council	Full removal

The details of the existing designation set out in Chapter K of the Auckland Unitary Plan are reproduced in Table 2 below.

Table 2 – Details of Designation 1436

Designation number	1436
Requiring authority	Auckland Transport
Purpose	Public carparking purposes
Location	331 Great North Road, and 4-6 and 14-20 Edmonton Road, Henderson
Legacy reference	Designation CP1, Auckland Council District Plan (Waitakere Section) 2003
Conditions	No conditions
Attachments	No attachments

Reasons for removal of designation

Auckland Transport is seeking the full removal of Designation 1436 for the following reasons:

- Eke Panuku has requested that Auckland Transport remove the designation; and
- The original purpose of the designation has been fulfilled.

Relevant statutory provisions

Section 182(1) of the Resource Management Act 1991 enables a requiring authority to remove a designation, or part of a designation, if it no longer wants the designation. Section 182(2) requires that as soon as reasonably practicable after receiving a notice under section 182(1) the territorial authority shall, without using the Schedule 1 process set out in the Act, amend its district plan accordingly.

Summary

Auckland Transport requests that Auckland Council amend the Auckland Unitary Plan (Operative in Part) to remove Designation 1436, as required by section 182 of the Resource Management Act 1991.

Yours sincerely,



Jane Small

Group Manager Property and Planning
Integrated Networks
Auckland Transport

Attachment 1- Full removal of Auckland Transport Designation 1436

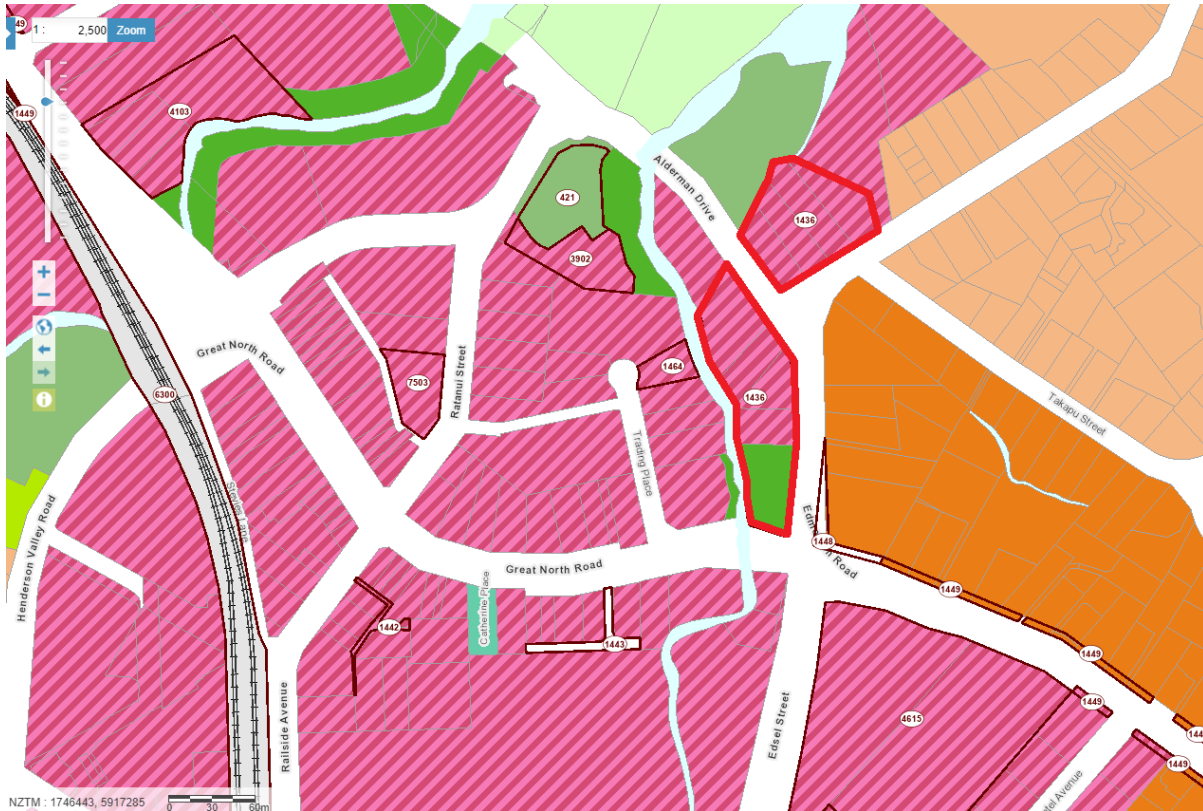


Figure 1 – Designation 1436 outlined in red

Source – Auckland Council GeoMaps

Attachment 2 – Auckland Transport Designation 1436

Except from Chapter K of Auckland Unitary Plan (Operative in Part)

1436 Car Park - Edmonton Road

Designation Number	1436
Requiring Authority	Auckland Transport
Location	331 Great North Road, and 4-6 and 14-20 Edmonton Road, Henderson
Rollover Designation	Yes
Legacy Reference	Designation CP1, Auckland Council District Plan (Waitakere Section) 2003
Lapse Date	Given effect to (i.e. no lapse date)

Purpose

Public car parking purposes.

Conditions

No conditions.

Attachments

No attachments.

Attachment B – Section 182 report and approval

Removal of a designation under section 182 of the Resource Management Act 1991



To: Eryn Shields, Team Leader – Regional, North, West and Islands Planning
From: Jo Hart, Senior Policy Planner – Regional, North, West and Islands Planning
Date: 6 December 2021
Subject:

Removal of Designation 1463: Car Park – Edmonton Road in the Auckland Unitary Plan (Operative in Part).

Summary

Auckland Council has received a request from Auckland Transport under section 182 of the Resource Management Act 1991 (RMA), dated 27 October 2021 to remove in full Designation 1463: Car Park – Edmonton Road.

A section 182(1) request is required to uplift the existing designation in full from land which has been deemed to be 'no longer required' by Auckland Transport.

Auckland Council, as the territorial authority, is required to amend its district plan, without using the process in Schedule 1, as soon as reasonably practicable after receiving a Section 182 request unless it considers that the effect of the removal of part of the designation on the remaining designation is more than minor.

It is recommended that the removal of Designation 1436: Car Park – Edmonton Road be accepted.

Recommendation

1. That the section 182 request from Auckland Transport for the removal of Designation 1436: Car Park – Edmonton Road in the Auckland Unitary Plan be **accepted** for the following reasons:
 - the original purpose of the designation has been fulfilled i.e. been given effect to
 - Auckland Transport no longer requires the designation.
2. That Designation 1436: Car Park – Edmonton Road be removed as soon as reasonably practicable, in the GIS viewer map designation layer and Chapter K Designations in the Auckland Unitary Plan.

1. Description

1.1. References

Designation number:	1436: Car Park – Edmonton Road
Lodgement date:	27 October 2021
Requiring authority:	Auckland Transport
Reporting officer:	Jo Hart, Senior Policy Planner – Regional, North, West and Islands Planning
Site address:	331 Great North Road, 4-6 and 14-20 Edmonton Road, Henderson
UP Zoning:	Business – Metropolitan Zone (14-20 Edmonton Road, 4-6 and 14-20 Edmonton Road, Henderson) Open Space – Conservation Zone (331 Great North Road, Henderson)

2.0 Background

2.1 Details of designation

Designation 1436 Carpark – Edmonton Road was rolled over from the legacy Auckland Council District Plan (Waitākere Section) 2003 into the Auckland Unitary Plan.

1.2 Land affected by removal

The designation is currently shown in the AUP maps as follows:

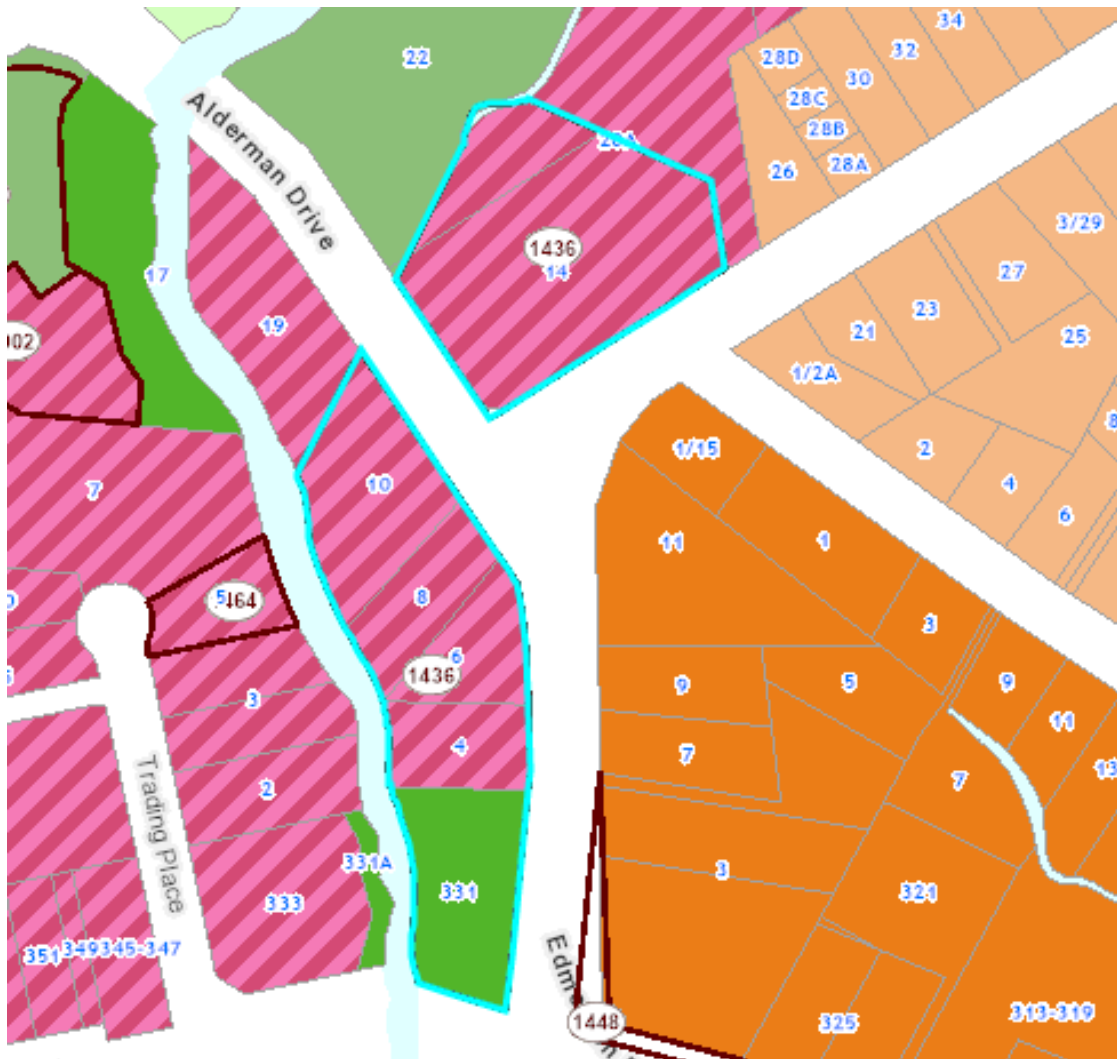


Figure 1: AUP(OP) GIS Viewer map of Designation 1436 (outlined in blue)

Auckland Transport has provided a site plan showing the extent of the designation which is to be removed (refer to **Attachment A**).

Eke Panuku has requested that Auckland Transport remove the designation. Auckland Transport has agreed to the removal as the designation is no longer required.

The Falls car park at 331 Great North Road, Henderson is located within the designation boundary. The Falls car park is identified as a site with development potential in Unlock Henderson, a high level project plan for the development of Henderson. Unlock Henderson identifies the measures that Eke Panuku will follow before any urban development can occur on identified sites including 'the lifting of parking designations, where they occur'.

Part of the land within the designation boundary, known as Neweys Reserve, is currently zoned Open Space – Conservation Zone. Recreation activities and development in this zone are limited in the scale and intensity. Buildings and activities provided for in this zone relate to conservation, land management, recreation, education, park management and visitor information. The site would need to be rezoned before development, not related to a permitted activity within the Open Space – Conservation Zone, could occur on the site without being assessed as a non-complying activity.

Designation 1463 is located within the Henderson-Massey Local Board area. Eke Panuku provides regular updates on its projects including those relating to Unlock Henderson.

1.3 Delegated authority to consider alterations to designations

The Team Leader - Regional, North, West and Islands Planning (Plans and Places Tier 5) has delegated authority, in accordance with Schedule 2A of the Auckland Council Delegations: Chief Executive Officer (updated February 2021), to exercise the Council's functions, powers, duties and discretions under the Resource Management Act 1991 in relation to Section 182 to approve a removal of a designation.

The section 182 request to remove the designation can therefore be considered by the Team Leader – Regional, North, West and Islands Planning (Plans and Places Tier 5) and accepted or declined.

1.4 Relevant Statutory Provisions

Section 182 of the RMA allows a requiring authority to remove a designation or part of a designation if it no longer wants it. This section also applies to a notice by a territorial authority, to withdraw its own designation or part of a designation within its own district.

If a requiring authority no longer wants a designation, it shall give notice in the prescribed form to:

- the territorial authority concerned
- every person who is known by the requiring authority to be the owner and occupier of any land to which the designation relates
- every other person, who in the opinion of the requiring authority, is likely to be affected by the designation.

Section 182(2) states that as soon as reasonably practicable the territorial authority shall, without using the process in Schedule 1, amend its district plan accordingly. If the territorial authority considers that the effect of the removal of part of a designation on the remaining designation is more than minor, it may, within 20 working days of receipt of a section 182 notice, decline to remove that part of the designation (s182(5)).

The removal of a designation is an administrative process. The statutory requirement is for the requiring authority to give notice that it no longer wants a designation. An information memo was sent to the Henderson-Massey Local Board on 6 December 2021 advising of the section 182 notice to remove Designation 1463.

Auckland Transport has requested the full removal of Designation 1463. Therefore section 182(5) does not apply.

It is considered that Auckland Transport has provided sufficient justification for the removal of Designation 1463: Car Park – Edmonton Road for the following reasons:

- the original purpose of the designation has been fulfilled i.e. been given effect to
- Auckland Transport no longer requires the designation.

2.0 Recommendation

That pursuant to Section 182 of the Resource Management Act 1991 that the removal of Designation 1436: Car Park – Edmonton Road be **accepted** and the Auckland Unitary Plan (Operative in part) designation layer and text in Chapter K Designations be amended accordingly.

Prepared by: Jo Hart
Senior Policy Planner
Regional, North, West and Islands Planning

Signature:



Accepted by: Eryn Shields
Team Leader
Regional, North, West and Islands Planning

Signature:



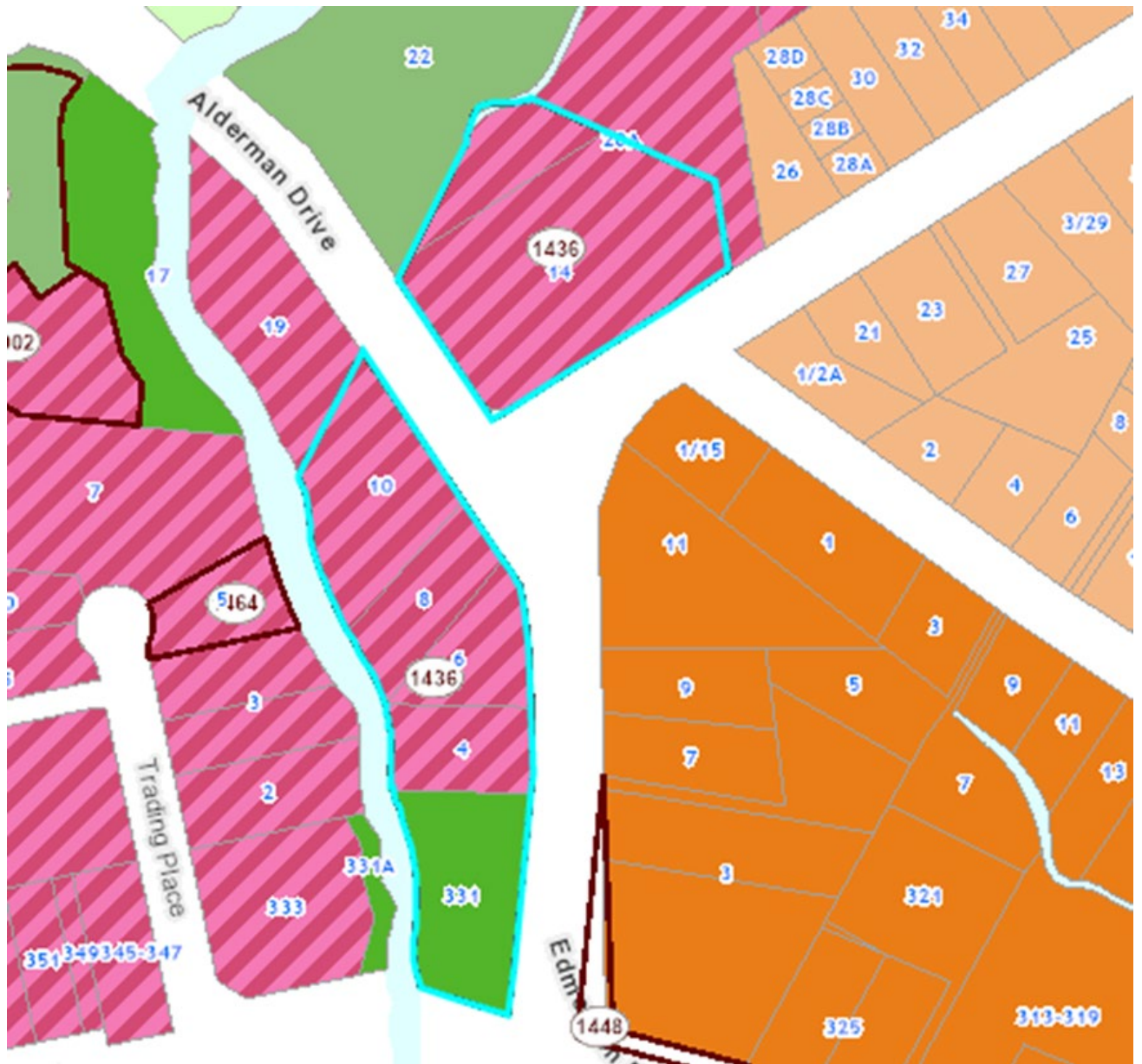
Date: 6 December 2021

SCHEDULE OF ATTACHMENTS:

Attachment A: Auckland Transport s182 Notice of Removal

Attachment C: Designation 1436 GIS
viewer map (to be removed)

Attachment C – section 182 full removal of Designation 1436 AUP(OP)(outlined in blue)



Attachment D: Updated text D1436
(Strikethrough and underlined)

Designation Schedule - Auckland Transport (1/3)

North and West

Number	Purpose	Location
1400	Service lane and car park	Leal Place, Manly
1401	Road	Hauti Drive to Blue Gum Drive, Warkworth
1402-	Weiti Crossing	East Coast Road, Redvale (crossing Weiti River) to corner Whangaparaoa Road and Cedar Road, Whangaparaoa Transferred to New Zealand Transport Agency (NZTA) on 30 October 2020
1403	Lapsed	
1404	Road widening	470, 473-475, 504-522A, 529-549, 540, 585-587, 593-597, 601, 609-611, 618, 637, 640-644A, 663, 720-728, 736-752, 756-760 and 770A-776 Whangaparaoa Road, 2 Cedar Terrace, 1 Brightside Road, 1 Penton Road, 1 Tower Hill, 2 Homestead Road and 2 Ladies Mile, Whangaparaoa
1406	Car park	Wharf Street, Warkworth
1407	Road widening	Corner of Hudson Road and State Highway 1, Warkworth
1408	Public car park	7A Rawene Road and 204 Hinemoa Street, Birkenhead
1409	Public car park	21 Sunnyhaven Avenue, Beach Haven
1410	Public car park	29 Anzac Road, Browns Bays
1411	Public car park	5 Bute Road, Browns Bay
1412	Public car park	472 Beach Road, Murrays Bay
1413	Public car park	3 Montrose Terrace, Mairangi Bay
1414	Public car park	115 Lake Road and 49-51 Pearn Terrace, Northcote Commercial Centre
1415	Public car park	1A Jutland Road, Hauraki
1416	Public car park	14 Huron Street and 15 Northcroft Street, Takapuna
1417	Public car park	40 Anzac Street, Takapuna
1418	Public car park	139 Kitchener Street, Milford
1419	Public car park	3-5 Fleet Street, Devonport
1420	Constellation Bus Station	62 Parkway Drive, Albany
1421	Albany Bus Station	A250 Oteha Valley Road and 125 McClymonts Road, Albany
1422	Intersection upgrade to provide priority access to the North Shore Busway for buses/high occupancy vehicles	Onewa Road and Sylvan Avenue, Northcote
1423	Akoranga Station	20 Takapuna Landing, Takapuna
1424	Akoranga Station link road	Takapuna Landing, Takapuna
1425	Akoranga Pedestrian Overbridge	20 Takapuna Landing (Akoranga Station), Takapuna (over State Highway 1) to 72 Akoranga Drive (Akoranga Campus), Northcote
1426	Westlake Station	Shakespeare Road (adjoins No. 78 Taharoto Road), Takapuna
1427	Sunnynook Station	168Z Sunnynook Road, Sunnynook
1428	Constellation Drive Station	62 Parkway Drive, Rosedale
1429	Wairau Road / Taharoto Road	7-15 Wairau Road and 78Z Taharoto Road, Milford

	transport corridor widening and associated works	
1430	Public off-street parking ...	23-27 Sir Peter Blake Parade, Bayswater
1431	Road widening	107 Chivalry Road, Glenfield
1432	Road widening	43, 47-51, 55, 59, 65, 69 and 106 Anzac Street, Takapuna
1433	Transport corridor	Fred Taylor Drive, Massey/Whenuapai
1434	Road widening purposes	125A Metcalfe Road to 46 Ranui Station Road, Ranui
1435	Road widening purposes	Waitemata Drive (over Birdwood Park) to Waitemata Drive West, Ranui
1436	Public car parking purposes	331 Great North Road, and 4-6 and 14-20 Edmonton Road, Henderson
1437	Transport corridor	Hobsonville Road, Hobsonville
1438	Public car parking purposes	16 Delta Avenue, New Lynn
1439	Road widening access purposes	7 Fairbanks Place, Glendene
1441	Road widening access purposes	35 Ranui Station Road, Ranui
1442	Service lane	342-344 Great North Road (Henderson Square A), Henderson
1443	Service lane	2 Railside Avenue (Henderson Square B), Henderson
1444	Service lane	McNaughton Way to 11 High Brown Drive, New Lynn
1445	Service lane	60 James Laurie Street to 240C-D Great North Road, Henderson
1446	Lapsed	
1447	Road widening purposes	2-16, 24-26, 28-30 Clark Street, New Lynn
1448	Road widening purposes	1-3 Edmonton Road, Henderson
1449	Road widening purposes	267-287, 290-300, 295-297A, 301-309, 304-318A, 311-325, 429-447, 450, 4004-4012, 4007-4035, 4018, 4022-4024, 4040-4048, 4052-4054, 4070, 4087-4131, 4092-4094, 4098 and 4104-4118A Great North Road, 1-3 West Coast Road, 1 and 2 Montel Avenue, 2 Blacklock Avenue and 1 Buscomb Avenue, Henderson to Te Atatu
1450	Lapsed	
1452	Road widening purposes	241-275, 272-294, 281-314, 300-326, 330-332, 338-342 and 354-358 Te Atatu Road South, 93 Royal View Road, 1, 82 and 85 Jaemont Avenue, 1A and 2A Covil Avenue and 2A Bridge Avenue, Te Atatu
1453	Road widening purposes	2-14, 9-11, 17-35, 30, 40, 44-54, 45-49, 53, 58, 58-64, 65-171A, 68-68A, 74-114 and 118-160 Titirangi Road, 2 Margan Avenue and 1 and 2 Northall Road, Titirangi
1454	Road widening purposes	1-23, 2, 24-34, 25-33, 37-47, 53-59, 63A-141, 64-186, 198-274, 273-347, 282-312, 318-320, 326-360, 351A-409, 370-386 and 390-400 West Coast Road, 69-71 Clayburn Road and 1 Pleasant Road, Glen Eden
1455	Road widening purposes	1-25, 12-40, 37, 47-55A, 52-54, 58, 78, 80A-82, 86-88, 92-94 Swanson Road, Henderson
1456	Pedestrian mall	Pearn Crescent, Northcote
1457	Public off-street parking ...	32 College Road, Northcote
1458	Public off-street parking ...	76 Swanson Road, Henderson
1459	Public off-street parking ...	2 Fenwick Avenue, Milford
1461	Public off-street parking ...	12 Channel View Road, Takapuna

1462	Public off-street parking ...	R78 Hurstmere Road, Takapuna
1463	Public off-street parking ...	20 Clarence Street, Devonport
1464	Public off-street parking ...	5 Trading Place, Henderson
1465	Public off-street parking ...	85 Hurstmere Road, Takapuna
1466	Public off-street parking ...	41 Glenmall Road, Glen Eden
1467	Road widening	Hobsonville Road, Hobsonville
1468	Road widening	State Highway 16 (Westgate to Whenuapai)
1469	Road widening and improvement works.	Albany Highway, Albany
1470	The construction, operation and maintenance of a new road and improvements to the existing Gills Road.	Between Gills Road, Albany (south of Living Stream Road) to Oteha Valley Road (opposite Appian Way), from south of Living Stream Road along Gills Road to east of Lucas Creek bridge.
1471	Roading purposes	Between Mansel Drive and Falls Road, Warkworth.
1472	Withdrawn	
1473	Roading purposes	Land between Northside Drive West, Massey North and Trig Road, Whenuapai
1474	Construction, operation and maintenance of a new road link and associated wetland and improvements to the existing Glenvar Road.	Glenvar Ridge Road, Long Bay
1476	Road – Medallion Drive Link	56 Fairview Avenue, Albany
1477	Road widening and improvement works.	Lincoln Road, Henderson
1478	Road – Matakana Road Link	State Highway 1 to Matakana Road, Warkworth
1479	Construction, operation and maintenance of a road, cycleways, pedestrian paths and associated infrastructure.	<p>Land from Argent Lane roundabout at the intersection with Old Pine Valley Road south through the properties of 10 and 36 Old Pine Valley Road, tying into the existing Pine Valley Road to the north of the property boundary with 1731 Dairy Flat Highway:</p> <ul style="list-style-type: none"> • 10 Old Pine Valley Road (Sec 7 SO 315843, Sec 8 SO 315843, Pt Lot 5 DP 136559) • 36 Old Pine Valley Road (Lot 6 DP 136559) • The public road reserve between the parcels of land that form 10 Old Pine Valley Road.

1480	Construction, operation and maintenance of a partially realigned and upgraded arterial road between Old Pine Valley Road and the Silverdale Motorway Interchange.	<p>Dairy Flat Highway from the edge of the Northern Motorway northbound Silverdale off-ramp to the intersection of Dairy Flat Highway and Pine Valley Road, continuing up Pine Valley Road to the northern property boundary of 1731 Dairy Flat Highway:</p> <ul style="list-style-type: none"> • 1687 Dairy Flat Highway (Lot 1 DP 131154) • 1700 Dairy Flat Highway (Pt Lot 1 DP 68886) • 1731 Dairy Flat Highway (Sec 5 SO 315843, Sec 6 SO 315843, Pt Lot 1 DP 101886) • 1732 Dairy Flat Highway (Pt Lot 2 DP 68886) • Sec 6 SO 308591, Dairy Flat Highway • 36 Old Pine Valley Road (Lot 6 DP 136559)
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1436 Car Park—Edmonton Road

Designation Number	1436
Requiring Authority	Auckland Transport
Location	331 Great North Road, and 4-6 and 14-20 Edmonton Road, Henderson
Rollover Designation	Yes
Legacy Reference	Designation CP1, Auckland Council District Plan (Waitakere Section) 2003-
Lapse Date	Given effect to (i.e. no lapse date)

Purpose

Public car parking purposes.

Conditions

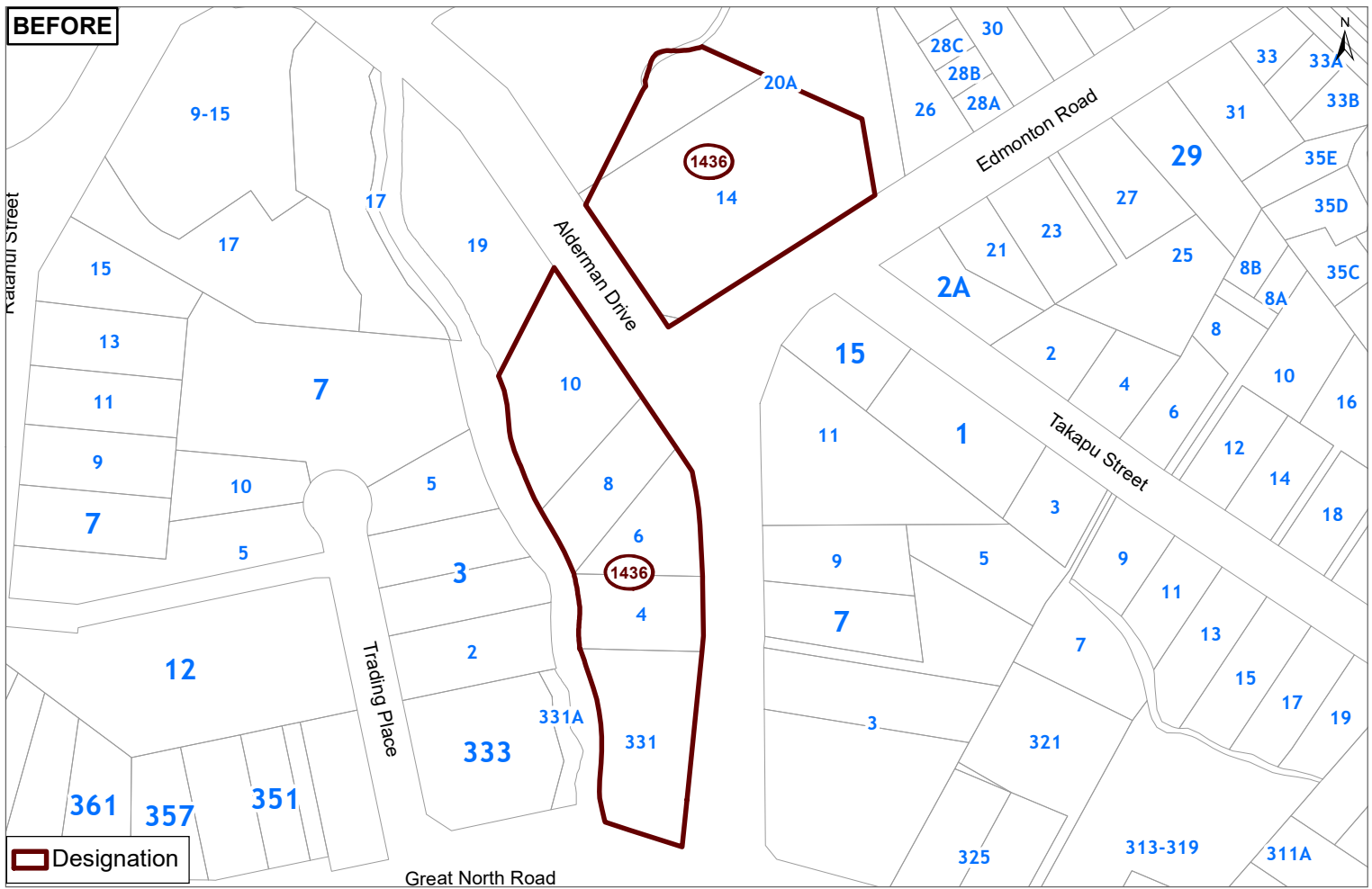
No conditions.

Attachments

No attachments.

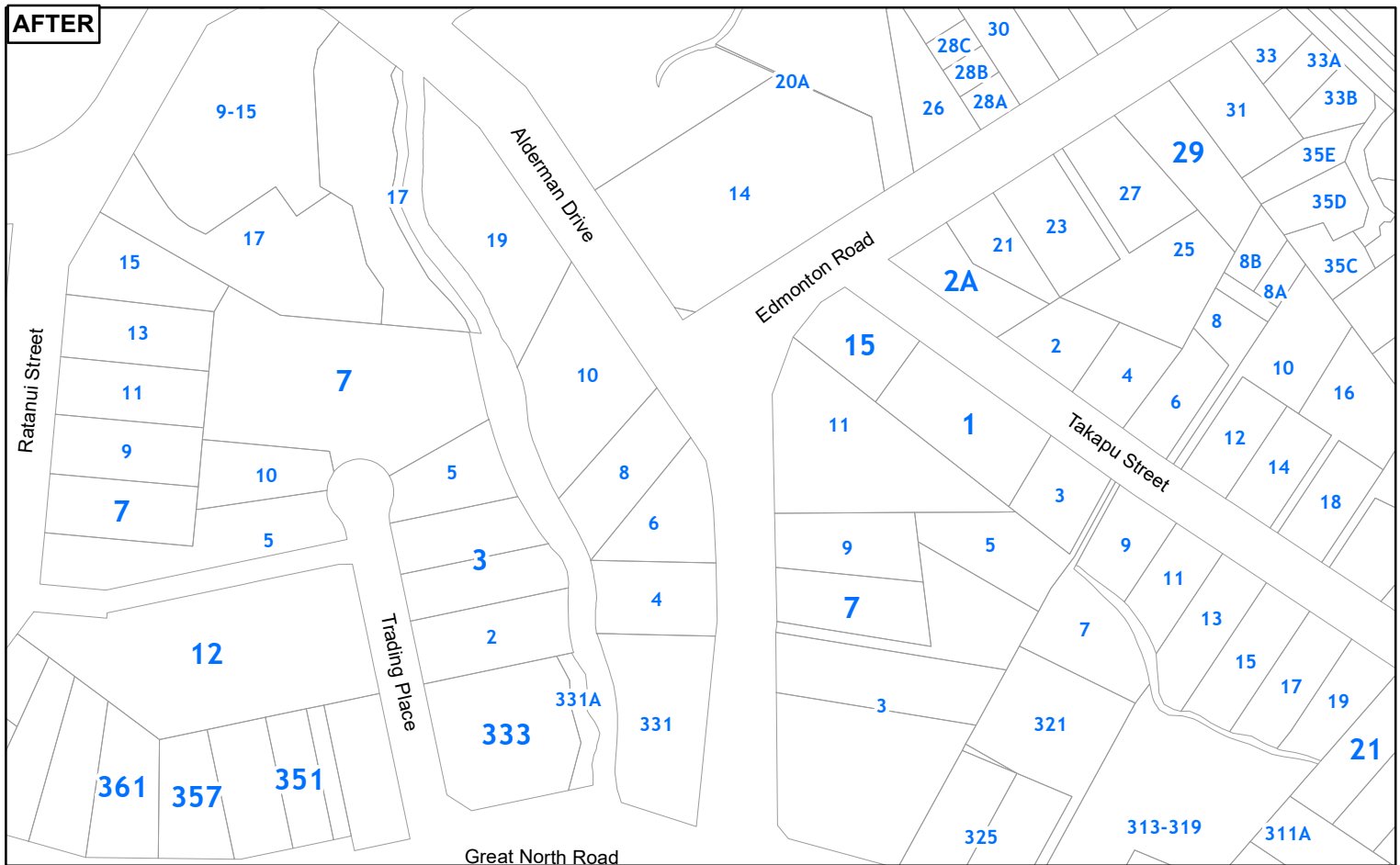
Attachment F – Updated GIS Viewer

BEFORE



Designation

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: 9/02/2022

Remove Designation ID 1436
331 Great North Road, and 4,6, 8,10 and
14-20 Edmonton Road, Henderson



Plans and Places