

CHANGE REQUEST MEMORANDUM

TO Therese Strickland Team Leader Planning Technicians



FROM Nicholas Lau

DATE 10 January 2017

SUBJECT Designation to be uplifted under s 182

This memorandum concerns an update to Designation 1712 (Car Park – Victoria Street) under s182 of the Resource Management Act 1991.

Unitary Designation Number	1712
Requiring Authority	Auckland Transport
Location:	1 Victoria Street, Otahuhu
Type of Designation	Full removal
Changes to diagrams	Remove designation 1712 from land parcels described as Lots 79-80 Part Fairburn's Grant 269A.
Changes to spatial data	As per above in relation to relevant planning maps
New affectation	
Attachments	N/A - see attached planners report, RA Designation removal request, Form 23, &

Prepared by:
Nicholas Lau-Area Planner

Signature:

Reviewed by:
Nicholas Lau-Area Planner

Signature:

Entered by:
Planning Technician

Signature:
Diana Luong

Maps prepared by:
Shelley Glassey
Unitary Plan Geospatial Lead

Signature:

screen shot of GIS viewer showing designation removed.

Signed off by:

Marc Dendale, Team Leader,
Planning-Central/South

Signature:



Date:

17.1.17

Signed off by

Phill Reid
Auckland-wide Planning Manager



9-3-17

Report Name: Removal of Designation 17212 (Car Park – Victoria Street) to the Auckland Unitary Plan (Operative in Part) by Auckland Transport

Executive Summary

Under section 182(1) of the Resource Management Act 1991 (RMA), Auckland Transport has given notice of its requirement to remove Designation 1712 in the Auckland Unitary Plan (Operative in Part). The notice, dated 20 December 2016 was received on 9 January 2017 and pursuant to section 182(2) of the RMA, the territorial authority shall as soon as reasonably practicable amend its district plan accordingly, without using the process in Schedule 1.

The removal relates to the land parcels at 1 Victoria Street, Otahuhu, legally described as Lots 79-80 Part Fairburn's Grant 269A (Computer Freehold Register NA 555/109).

Removal of the designation is necessitated by the affected land parcels no longer being required for transport purposes. Therefore, the Auckland Transport Board has transferred the land parcels to Auckland Council for sale (as approved by the Finance and Performance Committee).

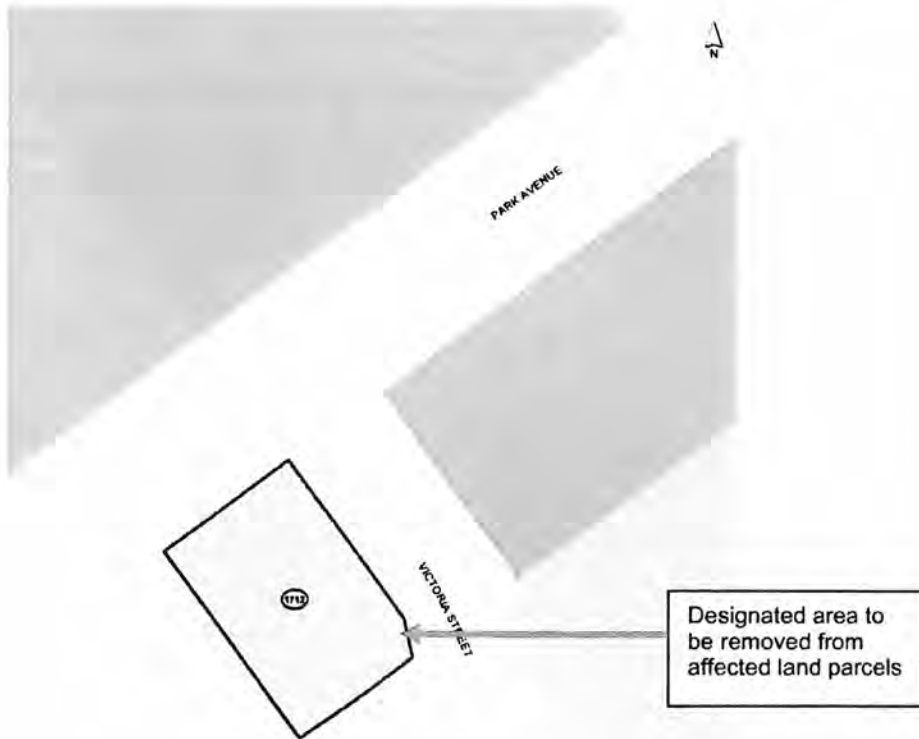
Recommendation

- a) That the removal of Designation 1712 lodged by Auckland Transport be confirmed.
 - b) That the Auckland Unitary Plan (Operative in Part) be amended as soon as reasonably practicable to show the removal of the designation from the affected land parcels.
-

NOTICE OF REQUIREMENT FOR REMOVAL OF DESIGNATION

1.0 REFERENCES

Requiring Authority:	Auckland Transport
Notice of Requirement:	To remove Designation 1712 (Car Park – Victoria Street) as described within the Auckland Unitary Plan (Operative in Part).
Site Involved:	1 Victoria Street, Otahuhu
Owners:	Auckland Council
Legal Description:	Lots 79-80 Part Fairburn's Grant 269A and Lot 2 DP 13598
Zoning:	Mixed Housing Suburban & Single House
Locality Plan:	



2.0 SITE DESCRIPTION

The 1093m² residential property at 1 Victoria Street, Otahuhu is zoned 'Mixed Housing Suburban' and 'Single House' under the Auckland Unitary Plan (Operative in Part) and presently accommodates a public car park. Vehicular access onto the site is provided from Park Avenue and Victoria Street.

The total area over which the designation is to be uplifted is estimated to be 618m², and

encompasses the land parcels described as Lots 79-80 Part Fairburn's Grant 269A which adjoin the intersection of Park Avenue and Victoria Street.

3.0 CONSIDERATION OF NOTICE OF REQUIREMENT

3.1 Statutory Considerations

3.1.1 Section 182

Section 182 of the RMA states:

- (1) *If a requiring authority no longer wants a designation or part of a designation, it shall give notice in the prescribed form to—*
 - (a) *the territorial authority concerned; and*
 - (b) *every person who is known by the requiring authority to be the owner or occupier of any land to which the designation relates; and*
 - (c) *every other person who, in the opinion of the requiring authority, is likely to be affected by the designation.*
- (2) *As soon as reasonably practicable after receiving a notice under subsection (1), the territorial authority shall, without using the process in Schedule 1, amend its district plan accordingly*
- (3) *The provisions of Schedule 1 shall not apply to any removal of a designation or part of a designation under this section.*
- (4) *This section shall apply, with all necessary modifications, to a notice by a territorial authority to withdraw its own designation or part of a designation within its own district.*
- (5) *Notwithstanding subsections (2) to (4), where a territorial authority considers 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 the notice under subsection (1), decline to remove that part of the designation.*
- (6) *A requiring authority may object, under section 357, to any decision to decline removal of part of a designation under subsection (5).*

In summary, once a requiring authority gives notice that a designation is to be removed then it should be done "as soon as reasonably practical" and "without further formality".

In this instance Auckland Transport has given notice of its requirement to remove Designation 1712 in the Auckland Unitary Plan (Operative in Part), and pursuant to section 86F of the RMA, it should be noted that the corresponding Designation in the Auckland Council District Plan (Isthmus Section) is no longer operative (ref: J14-21).

Removal of the designation is necessitated by the affected land parcels no longer being required for transport purposes. Therefore, the Auckland Transport Board has transferred the

land parcels to Auckland Council for sale (as approved by the Finance and Performance Committee).


4.0 RECOMMENDATION

The notice of requirement has been assessed in accordance with statutory requirements detailed under section 182 of the Resource Management Act 1991. The recommendation is that the notice of its requirement be confirmed, the Designation be uplifted over the land parcel legally described as Lots 79-80 Part Fairburn's Grant 269A in the supporting documents (attached in Appendix 1 of this report) and that the consequential district plan amendments be incorporated into the next scheduled update of the Auckland Unitary Plan (Operative in Part) without further formality.

SIGNED: 
Nicholas Lau, Principal Planner, Planning-Central/South

Date: 10 January 2017

That the above removal of Designation 1712 has been considered under Delegated Authority by the Auckland Council and is hereby **CONFIRMED** in accordance with Section 182 of the Resource Management Act 1991 and that the Auckland Unitary Plan (Operative in Part) be amended accordingly without further formality.

SIGNED: 
Marc Dendale, Team Leader, Planning-Central/South

Date: 11 January 2017

Appendix 1

AUCKLAND COUNCIL
09 JAN 2017
CBD - ALBERT ST



6 Henderson Valley Road, Henderson, Auckland 0612
Private Bag 92250, Auckland 1142, New Zealand
Ph 09 355 3553 Fax 09 355 3550

20 December 2016

Celia Davison
Auckland Council
Private Bag 92-300
Auckland 1142

Dear Ms Davison

NOTICE TO REMOVE A DESIGNATION FROM THE PART OPERATIVE AUCKLAND UNITARY PLAN UNDER SECTION 182(1) OF THE RESOURCE MANAGEMENT ACT 1991

Please find attached a Form 23 notice, provided under section 182(1) of the Resource Management Act 1991, advising Auckland Council that Auckland Transport gives notice to remove designation 1712 from the Part Operative Auckland Unitary Plan at 1 Victoria Street, Otahuhu. The associated property is legally described as Lots 79-80 Part Fairburn's Grant 269A (CFR NA555/109).

The associated property is no longer required for transport purposes, it has been transferred to Auckland Council by the Auckland Transport Board, and has been cleared for sale by Council's Finance and Performance Committee.

Auckland Transport therefore requests that designation 1712 – Victoria Street Car Park be removed from the Part Operative Auckland Unitary Plan as soon as practicable.

Should Auckland Council consider that designation 1712 – Victoria Street Car Park is not yet operative then please accept this letter as notice under clause 4(9) of Schedule 1 of the Resource Management Act 1991 that Auckland Transport withdraws designation 1712 – Victoria Street Car Park from the Part Operative Auckland Unitary Plan.

Please direct all correspondence relating to this notice to Jon Kearins. If you have any queries, please do not hesitate to contact Jon on DDI 447 4433, or email Jon.Kearins@at.govt.nz.

Yours sincerely

Christine Perrins
Manager Strategic Transport Planning

Enc. Form 23 notice of removal of designation Section 182(1) of the Resource Management Act 1991



Form 23

Notice of removal of designation

Section 182(1) of the Resource Management Act 1991

To: Auckland Council

And to owners: Auckland Council

Auckland Transport gives notice that it no longer requires designation:

- 1712 – Victoria Street Car Park from the Part Operative Auckland Unitary Plan at Victoria Street, Otahuhu, legally described as Lots 79-80 Part Fairburn's Grant 269A (CFR NA555/109).

Auckland Transport requests that Auckland Council amend the Part Operative Auckland Unitary Plan accordingly as required by Section 182 of the Resource Management Act 1991.

Signature on behalf of Auckland Transport.



Christine Perrins

20/12/16

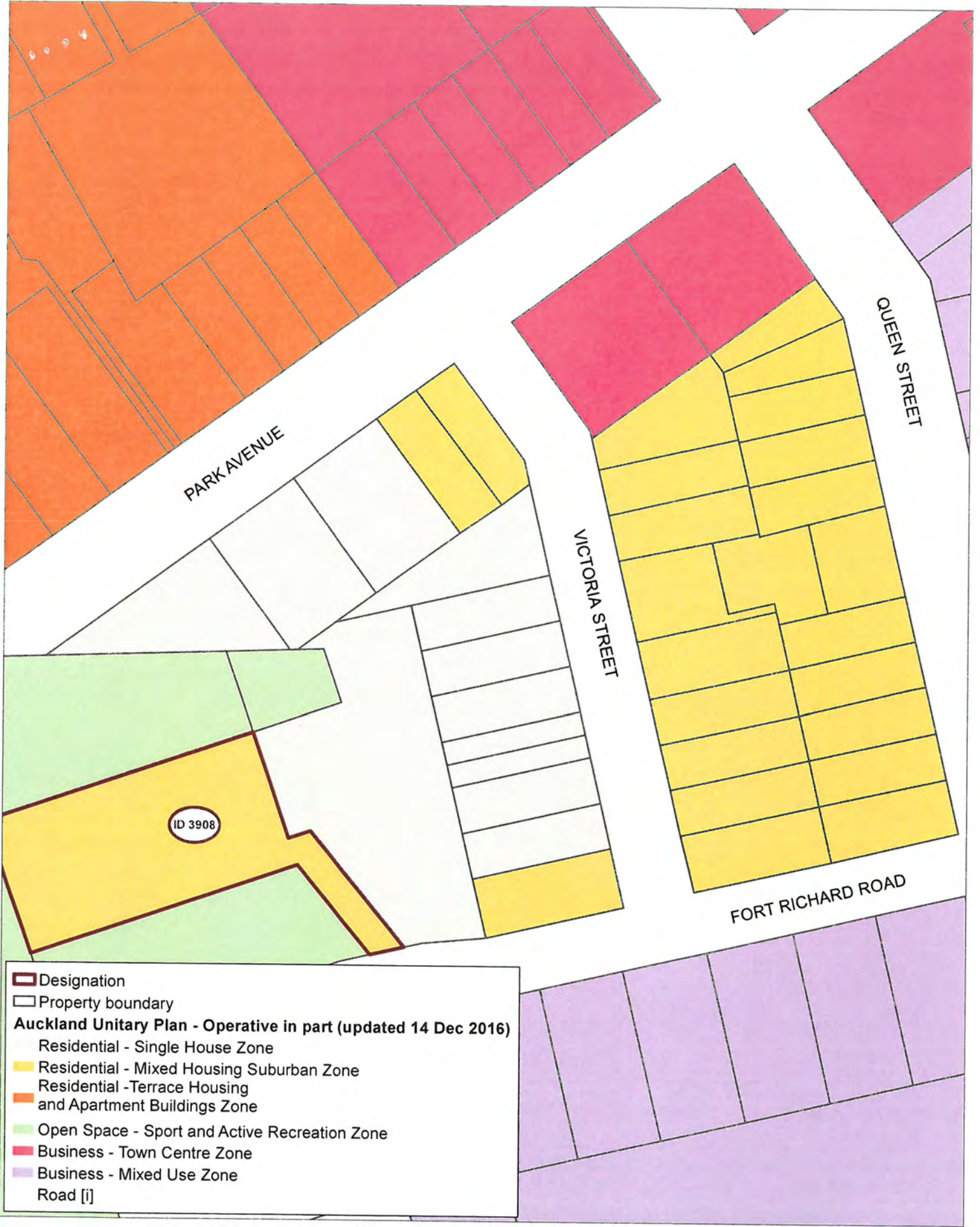
Date

Manager Strategic Transport Planning

Auckland Transport
Private Bag 92250
Henderson
Auckland

Contact person:

Jon Kearins, Senior Transport Planner
DDI 447 4433, or email Jon.Kearins@at.govt.nz



- Designation
- Property boundary
- Auckland Unitary Plan - Operative in part (updated 14 Dec 2016)**
- Residential - Single House Zone
- Residential - Mixed Housing Suburban Zone
- Residential - Terrace Housing and Apartment Buildings Zone
- Open Space - Sport and Active Recreation Zone
- Business - Town Centre Zone
- Business - Mixed Use Zone
- Road [i]



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: 13/01/2017

**Designation ID 1712 removed
from 1 Victoria Street, Otahuhu**



CHANGE REQUEST MEMORANDUM**FILE REF****TO** Phill Reid – Manager Planning, Auckland-wide**FROM** Nicholas Lau – Principal Planner – Central/South**DATE** 3 March 2016**SUBJECT** Designation to be updated in the PAUP Operative in Part

This memorandum concerns an update to Designation 4313 (Hobsonville Base) due to an update in the respective district plan.

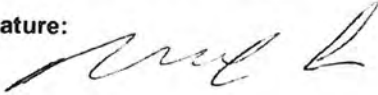
Unitary Designation Number	4313
Requiring Authority	Minister of Defence
Location:	Clark Road, Hobsonville
Type of Designation	Rollover
Legacy Reference	Designation MD1, Auckland Council District Plan (Waitakere Section) 2003
Lapse Date	No changes
Purpose	No changes
Conditions	No changes
Changes to diagrams	No changes
Changes to spatial data	Amend the Proposed Auckland Unitary Plan - Decisions Version GIS Viewer and property summary (planning maps) to withdraw designation 4313 Hobsonville Base from Part Sec 1 SO 70623 as shown on the attached map.
New affectation	N/A
Attachments	Need amended figure 11 to show partial uplift

Prepared by:

Nicholas Lau

Principal Planner – Central/South

Signature:



Reviewed by:

Nicholas Lau

Principal Planner – Central/South

Signature:



Signed off by:

Phill Reid

Manager Planning, Auckland-wide

Signature:



Date: 9-3-17

Entered by:

Diana Luong

Planning Technician

Signature:



Maps prepared by:

Shelley Glassey

Unitary Plan Geospatial Lead

Signature:





Office of Hon Dr Jonathan Coleman

Minister of Defence

Minister of State Services

Associate Minister of Finance

Member of Parliament for Northcote

→ Therese

Christopher Turbott
Planner (Unitary Plan)
Auckland Council
Private Bag 92300
AUCKLAND 1142

Dear Mr Turbott

**HOBSONVILLE DEFENCE PURPOSES DESIGNATION: PARTIAL WITHDRAWAL
FROM PROPOSED AUCKLAND UNITARY PLAN**

I give written notice of the partial withdrawal of my notice, submitted to the Auckland Council in July 2013, to include the Defence Purposes Designation at Hobsonville in the proposed Auckland Unitary Plan with modification, in accordance with Clause 4(9) of Schedule 1 and Section 168(4) of the Resource Management Act 1991 (RMA).

Specifically, the land parcel described as Part Sec 1 SO 70623 is to be withdrawn from the designation. This leaves only the land parcel described as Part Allotment 2 Parish of Waipareira to be included in the designation in the proposed Auckland Unitary Plan. These changes are shown on the enclosed plan.

Note that I have recently provided a separate but corresponding notice, under Section 182 of the RMA, to the Auckland Council to uplift parts of the Defence Purposes Designation at Hobsonville from the operative Auckland Council District Plan (Waitakere Section).

I now request that the Auckland Council amend the proposed Auckland Unitary Plan in accordance with Clause 4(10) of Schedule 1 of the RMA.

Yours sincerely

Hon Dr Jonathan Coleman
MINISTER OF DEFENCE

Enclosure:

Plan showing partial withdrawal of Defence Purposes Designation at Hobsonville

Designation 4313 to be
removed in part

Designation 4313, to be removed in part



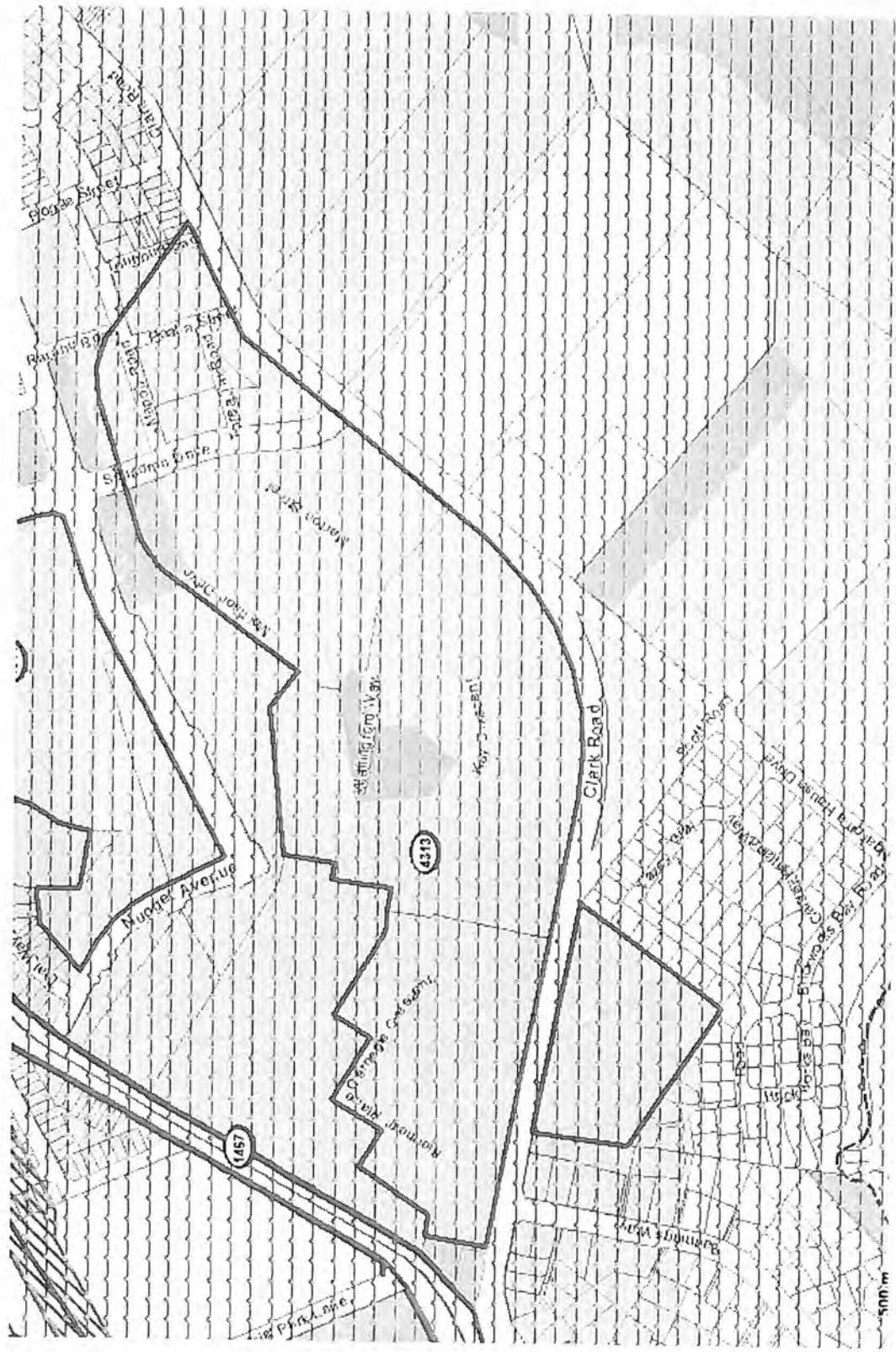
LEGEND
 Designation Boundary
 Land to be included in designation
 Land to be withdrawn from designation

A3 SCALE 1:7500
 Property boundaries sourced from Land Information New Zealand data as at 1-Feb-2012 (Green Copyright Reserved)

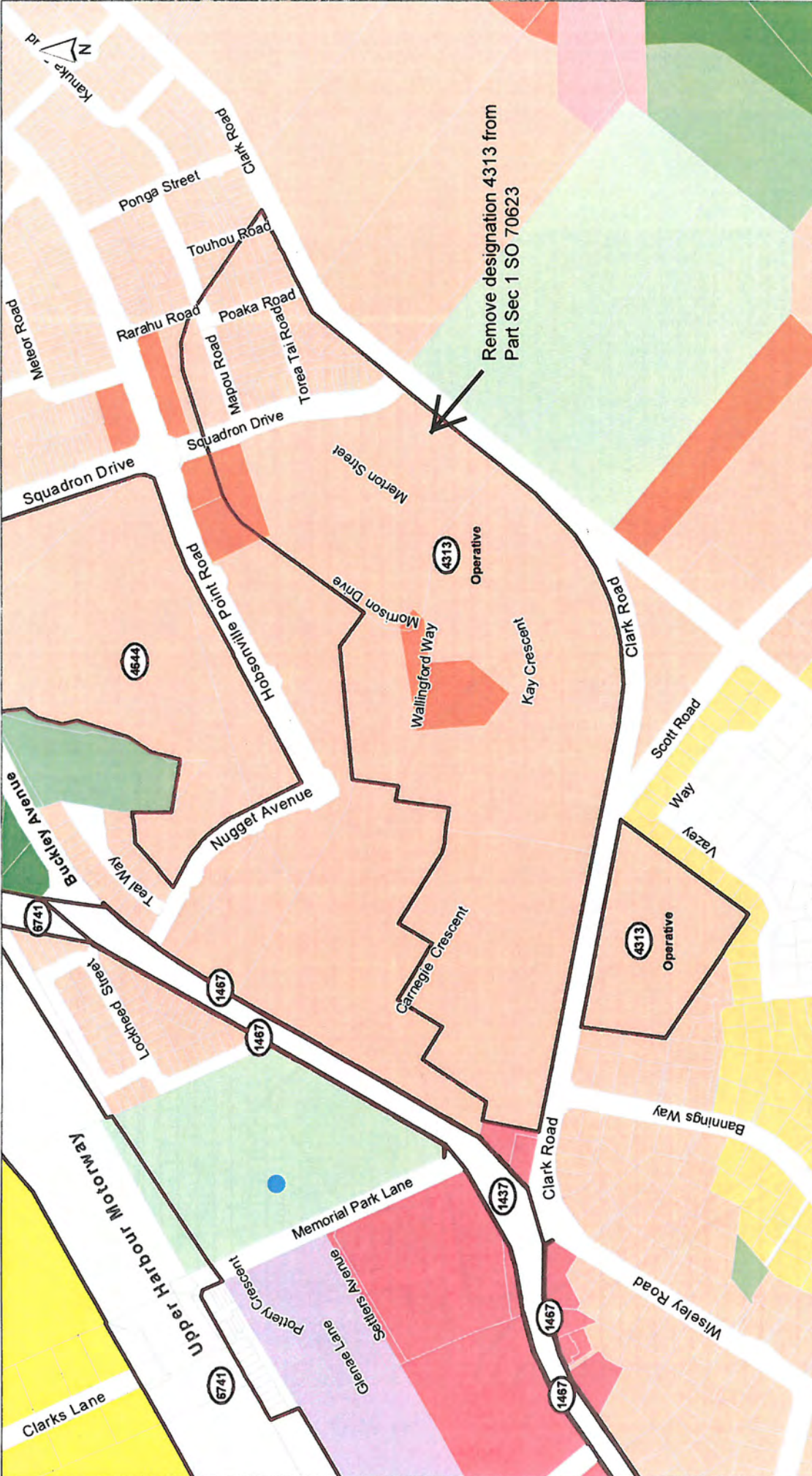
T&T
Tonkin & Taylor
 Environmental and Engineering Consultants
 Level 4, 25 Market Street, Wellington
 www.tonkin.com

Client	H&SJ (Rev D)
Project Ref	
Project Name	
Project No.	1.7500
Project Date	1.7500
Project Status	1.7500
Project Location	1.7500
Project Description	1.7500
Project Manager	1.7500
Project Engineer	1.7500
Project Designer	1.7500
Project Checker	1.7500
Project Approver	1.7500
Project Date	1.7500
Project Version	1.7500
Project Revision	1.7500
Project Change	1.7500
Project Comment	1.7500
Project Notes	1.7500
Project Attachments	1.7500
Project Links	1.7500
Project History	1.7500
Project Audit	1.7500
Project Review	1.7500
Project Approval	1.7500
Project Sign-off	1.7500
Project Completion	1.7500
Project Archiving	1.7500
Project Retention	1.7500
Project Disposal	1.7500
Project Access	1.7500
Project Security	1.7500
Project Backup	1.7500
Project Restore	1.7500
Project Migration	1.7500
Project Upgrade	1.7500
Project Patch	1.7500
Project Test	1.7500
Project Deploy	1.7500
Project Monitor	1.7500
Project Maintain	1.7500
Project Support	1.7500
Project Close	1.7500

NEW ZEALAND DEFENCE FORCE
 REQUIREMENT FOR DESIGNATION
 NZDF HOBSONVILLE
 Site Plan
 Rev 1
 Figure 11 amended



Designation 4313 dated 25 February 2016



Remove designation 4313 from
Part Sec 1 SO 70623



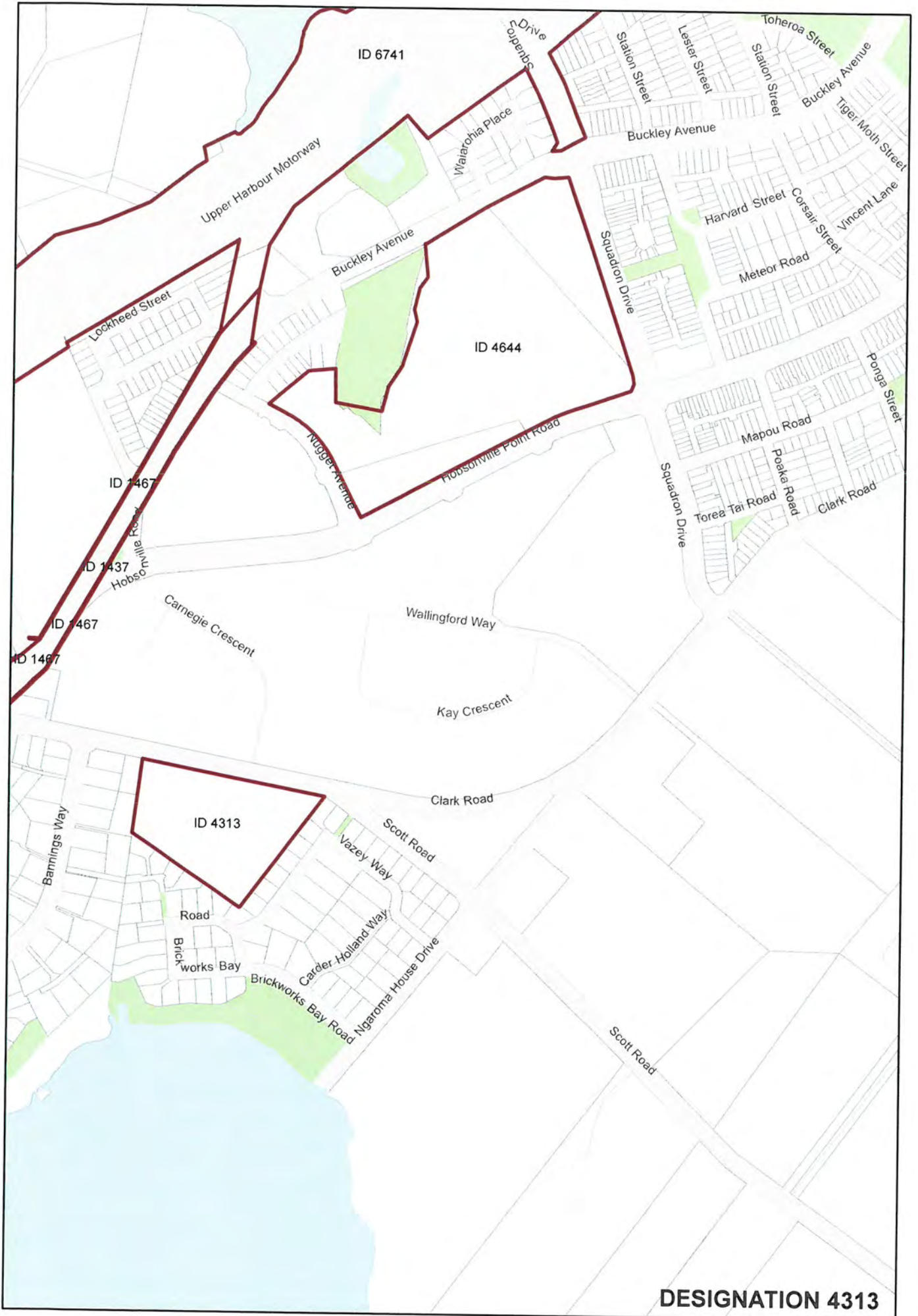
0 30 60 90
Meters

Scale @ A4
= 1:5,000

Date Printed:
12/10/2016

Designation 4313

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DESIGNATION 4313

CHANGE REQUEST MEMORANDUM**FILE REF****TO** Phill Reid – Manager Planning Aucklandwide**FROM** Katrina David**DATE** 12 January 2017**SUBJECT** Designation to be updated in the AUPOP

This memorandum concerns an update to Designation 6741 (State Highway 16 and 18 – Westgate to Whenuapai and Hobsonville) due to an update in the respective district plan not completed.

Unitary Designation Number	6741
Requiring Authority	New Zealand Transport Agency (NZTA)
Location:	State Highway 16 and 18 – Westgate to Whenuapai and Hobsonville
Type of Designation	Rollover
Legacy Reference	Designation NZTA4, Auckland Council District Plan (Waitakere Section) 2003
Lapse Date	Given effect to (i.e. no lapse date)
Purpose	NA
Conditions	NA to change required
Changes to diagrams	NA
Changes to spatial data	Requiring authority requested a partial uplift of designation NZTA4 from 18-122 Hobsonville Road, Hobsonville in February 2014. This correction was not made to the Auckland Council District Plan (Waitakere Section) 2003 and subsequently not corrected in the Auckland Unitary Plan (AUP) Operative in part version. See map on page 3 of attachment. Remove area shown in blue from the extent of the designation.
New affectation	

Attachments	Letter from NZTA dated 21 February 2014 requesting partial uplift of designation
--------------------	--

Prepared by:

Katrina David

Signature:



Entered by:

Planning Technician

Diana Luong

Signature:



Maps prepared by:

Shelley Glassey


Aucklandwide Geospatial Lead

Signature:



Reviewed by: Katrina David

Signature:



Signed off by:

Phill Reid

Manager Planning Aucklandwide

Signature:



Date:

9-3-17



NZ TRANSPORT AGENCY
WAKA KOTAHU

NZTA Ref: 18/2/2/122

21 February 2014

Auckland Council
Planning and Policy
Private bag 92300
AUCKLAND 1142

Dear Sir/Madam

RE: STATE HIGHWAY 18 - 122 HOBSONVILLE ROAD, HOBSONVILLE, UPLIFTING MOTORWAY DESIGNATION

We are pleased to forward a "Notice of Removal of part of Designation NZTA4 (State Highway 18 Hobsonville)" from part of Lot 2 on Deposited Plan 57408 (the total parcel comprising an area of 4.5641 hectares more or less being the land described in Computer Freehold Register NA12C/161) which is owned by (equitable) owner, Viscount Investment Corporation Limited

In February of 2014 the Mt Hobson Group, acting for the Viscount Investment Corporation Limited, wrote to the NZTA requesting the uplift of the designation over the area defined in blue in the attached plan entitled 122 Hobsonville Road - Partial Lift of Designation and dated 20/02/2014. NZTA has determined that the part of the designation NZTA4 (as described in the attached plan) is no longer required to meet any of its needs.

Accordingly, please arrange for the Unitary Plan to be amended according to section 182 of the Resource Management Act 1991 as soon as is reasonably practical after receiving this notice and advise the undersigned when it has been completed.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Mieszko Iwaskow'.

Mieszko Iwaskow
Transport Planning Manager Auckland and Northland

Attachments

Notice of Removal of Designation

Letter from Mt Hobson Group dated 4 February 2014

Plan created 20/02/2014: 122 Hobsonville Road - Partial Lift of Designation

**NOTICE OF REMOVAL OF PART OF DESIGNATION
PURSUANT TO SECTION 182
OF THE RESOURCE MANAGEMENT ACT 1991**

TO: AUCKLAND COUNCIL

The NZ TRANSPORT AGENCY gives notice that it no longer requires part of the following designation:

- Designation for Motorway NZTA4 (State Highway 18 Hobsonville) over the following land:
 - Part of Lot 2 on Deposited Plan 57408 (the total parcel comprising an area of 4.5641 hectares more or less being the land described in Computer Freehold Register NA12C/162) as shown in blue on the attached plan dated 20/02/2014 entitled 122 Hobsonville Road – Partial roll back of Designation.

The NZ TRANSPORT AGENCY requests the territorial authority amend the district plan accordingly as required by section 182 of the Resource Management Act 1991.

Signed for and on behalf of NZ Transport Agency by:



.....
Mieszko Iwaskow
Transport Planning Manager Auckland & Northland

Pursuant to an authority delegated by the New Zealand Transport Agency

Date: 21 February 2012

Address for Service:

NZ Transport Agency
Auckland Regional Office
Level 11, HSBC House
1 Queen St
Auckland City Centre
P.O. Box 106602
AUCKLAND

Contact Person: Angelene Butler



MT HOBSON GROUP

Level 1, 24 York Street, Parnell, Auckland 1052

4 February 2014

NZ Transport Agency
Private Bag 106602
Auckland 1143
ATTN: Angelene Burn

Dear Angelene,

RE: 122 Hobsonville Road, Hobsonville: Removal of NZTA SH18 Designation

Further to our meeting on Monday 3 February, we write to request the removal of the NZTA SH18 Designation from the property at 122 Hobsonville Road, Hobsonville (CT 12C-162 Lot 2 DP57408).

The property, shown on the Site Location Plan overleaf, is owned by Viscount Investment Corporation Limited who intend to develop the land for a mix of commercial and residential uses. The designation applies to an (approximately) 30m deep portion across the full northern boundary of the property (adjacent to the now completed SH18). This area is shown on the attached Figure 1.

We understand that the existence and areal extent of the designation on the property was a result of the historical designation process, in advance of the detailed design of the Motorway, which resulted in a much larger designation than was eventually required/acquired. Now that the Motorway has been built, it is clear that the designation should no longer apply to the land at 122 Hobsonville Road and it is therefore requested that the designation be modified to remove it from the subject site.

We note that the designation has been removed from the property to the east (No 124 Hobsonville Road) on this basis.

We would be grateful if you could advise NZTA's agreement (or otherwise) to this request as well as the next steps and likely timeframes for the process.

Yours Sincerely

Mark Benjamin
Mt Hobson Group

CC: Pierce Corbett (Viscount Investment Corporation Ltd)

Level 1, 24 York Street, Parnell, Auckland 1052
Postal Address: PO Box 37964, Parnell, Auckland, 1151
www.mthobsonproperties.co.nz Email: markb@mhg.co.nz
Ph: 09 9205107 Fax: 09 9205111



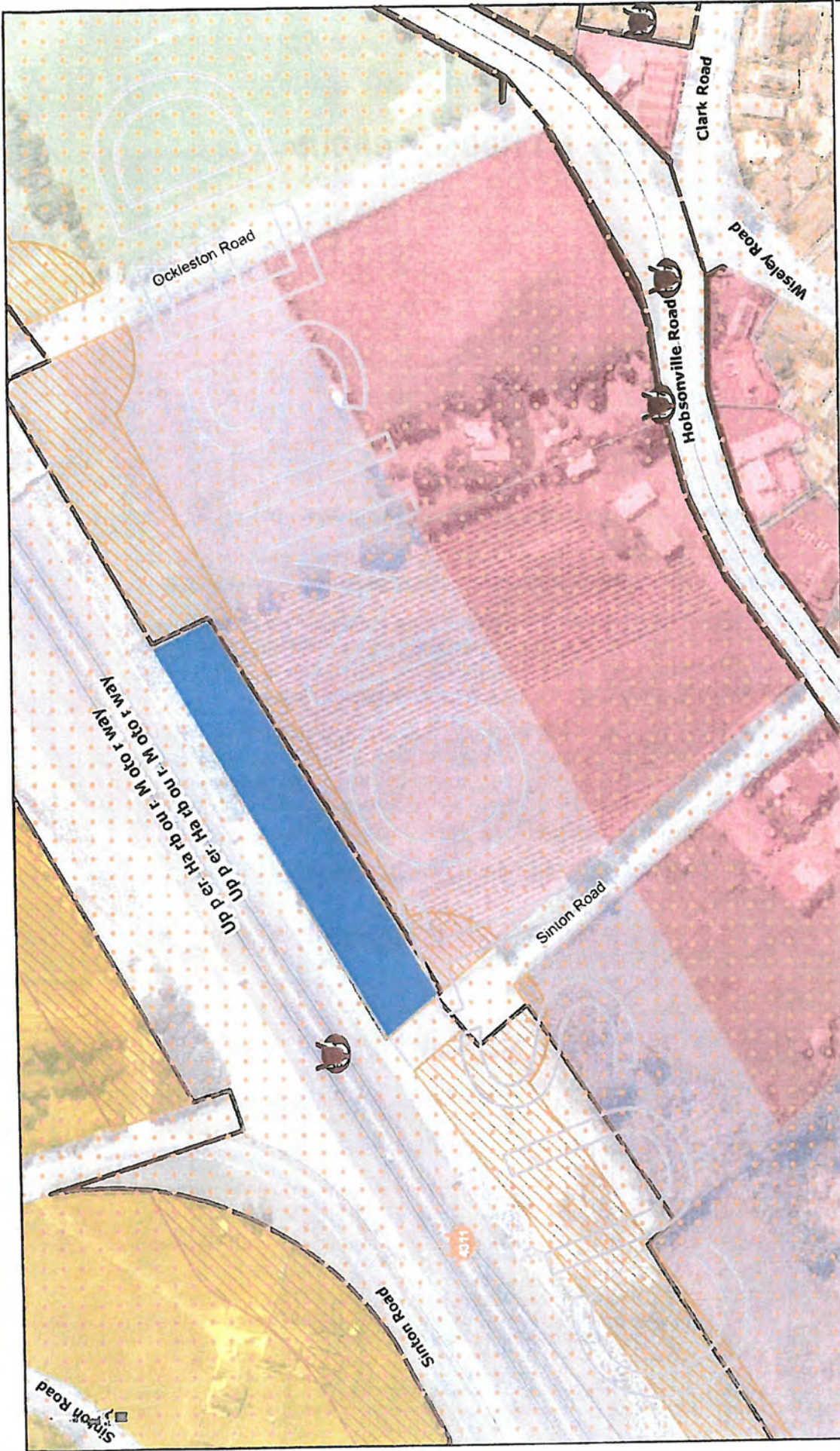
Auckland Council

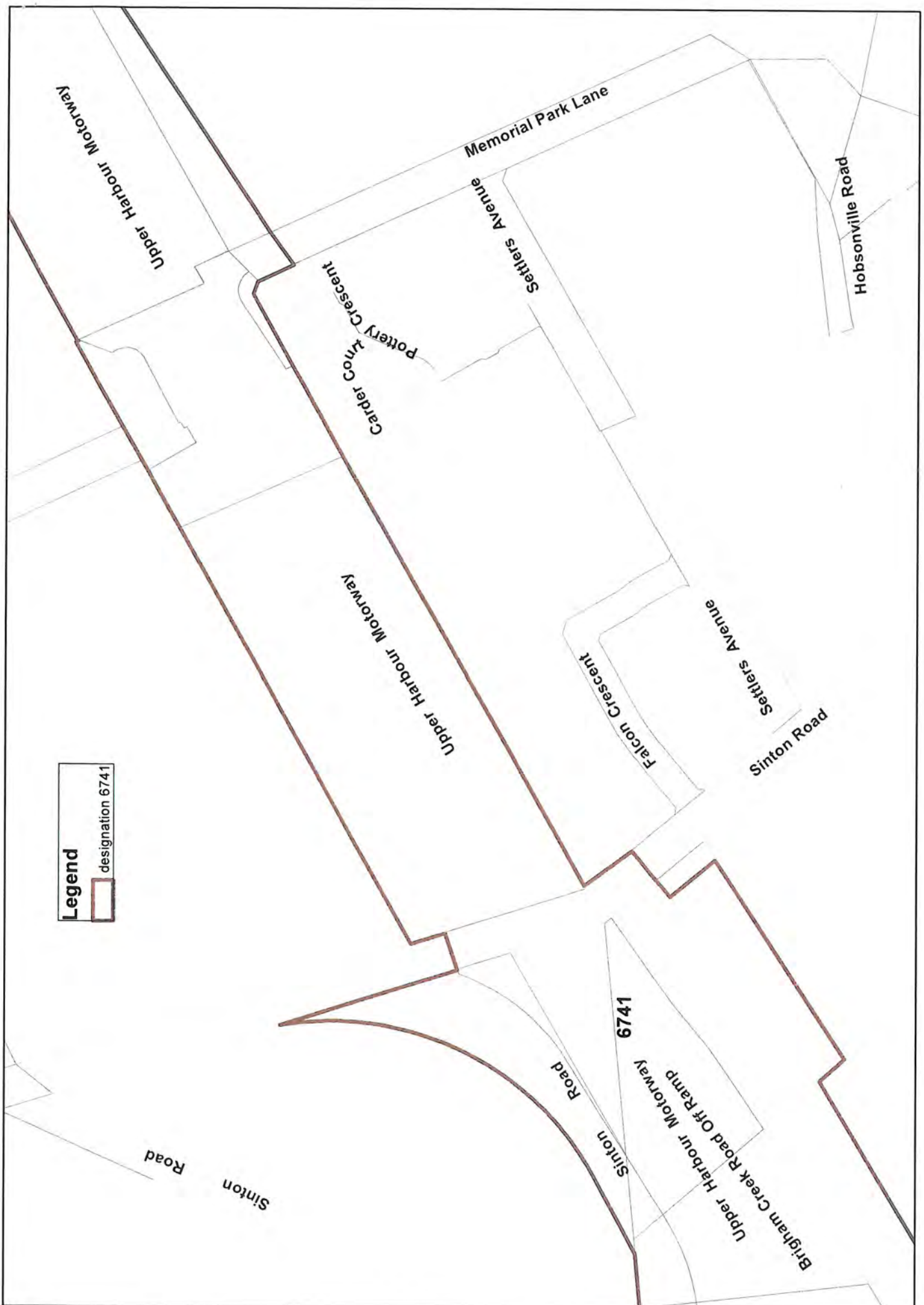
122 Hobsonville Rd - Partial lift of Designation

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1:2,500 Auckland Council

Plan Created: 20/2/14





Legend

designation 6741

Upper Harbour Motorway

Memorial Park Lane

Hobsonville Road

Pottery Crescent
Carder Court

Settlers Avenue

Upper Harbour Motorway

Falcon Crescent

Settlers Avenue

Sinton Road

Sinton Road

Sinton Road
14741

Upper Harbour Motorway
Brigham Creek Road Off Ramp

CHANGE REQUEST MEMORANDUM**FILE REF****TO** Phill Reid – Manager Unitary Plan**FROM** Austin Fox – Planner, North/West**DATE** 3 March 2017**SUBJECT** Designation to be updated in the AUPOP

This memorandum concerns an update to Designation 6763 (State Highway 1 – Puhoi to Topuni) due to an update in the respective district plan.

Unitary Designation Number	6763
Requiring Authority	New Zealand Transport Agency
Location:	State Highway 1 from Titfords Bridge, Puhoi to Ross Road (Kaipara District Council boundary), Topuni
Type of Designation	Alteration
Lapse Date	No Change
Purpose	No Change
Conditions	No Change
Changes to diagrams	No Change
Changes to spatial data	Changes to spatial data is attached
Attachments	<ul style="list-style-type: none">• Memorandum from Austin Fox• Form 23 from NZTA• Map showing area to be uplifted• Map showing uplift for Austin Fox to check

Prepared by:

Austin Fox
Planner, North/West

Signature:



Entered by:

Planning Technician

Diana Luong

Signature:



Maps prepared by:

Shelley Glassey
Unitary Plan Geospatial
Lead

Signature:



Reviewed by:

Austin Fox
Planner, North/West

Signature:



Signed off by:

Phill Reid
Manager Unitary Plan

Signature:



Date:

9-3-17

Report

16 December 2016

To: Peter Vari – Team Leader Planning North, West, and Islands

From: Austin Fox – Planner Planning North, West, and Islands

Subject: **NOTICE OF REQUIREMENT:**

Partial Removal of a Designation 6763 (as shown in the Auckland Unitary Plan Operative In Part (AUPOIP)) under section 182 of the Resource Management Act 1991.

SUMMARY

Auckland Council has received a request from the New Zealand Transport Agency (NZTA) under Section 182 of the Resource Management Act 1991 (RMA), received in December 2016, to remove in part Designation 6763 for State Highway 1 (as shown in the AUPOIP Designations mapping layer) adjacent to the junction of State Highway 1 and Hibiscus Coast Highway, Silverdale.

A Section 182(1) request is required to uplift the existing designation in part from land which has been deemed surplus by the NZTA. The subject land is now owned by Auckland Transport (AT).

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.

RECOMMENDATION

1. That the partial removal of Designation 6763 (as shown in the AUPOIP Designations mapping layer) be **approved** for the following reasons:
 - The NZTA has advised that the designation of the subject land is no longer required as it is not being used to maintain, operate, use and improve the State Highway Network and has been transferred into the ownership of AT for the construction and operation of a public work for the purpose of a park and ride facility.
2. That Designation 6763 (as shown in the AUPOIP Designations mapping layer) is partially removed from the designation overlay, in line with the s182 Notice of Removal dated 12/12/2016 from NZTA.

1.0 BACKGROUND

1.1 Details of Designation

The designation 401 for State Highway 1 was rolled over from the Auckland Council District Plan (Rodney Section) 2011 into the Proposed Auckland Unitary Plan in 2013, and then into the AUPPIP Designations mapping layer in 2016 as Designation 6763.

1.2 Land affected by removal

The NZTA has provided a site plan showing the extent of the designation which is to be partially removed (refer to Attachment A). Figure 1 shows the extent of designation 6763 as shown in the AUPPIP Designations mapping layer.

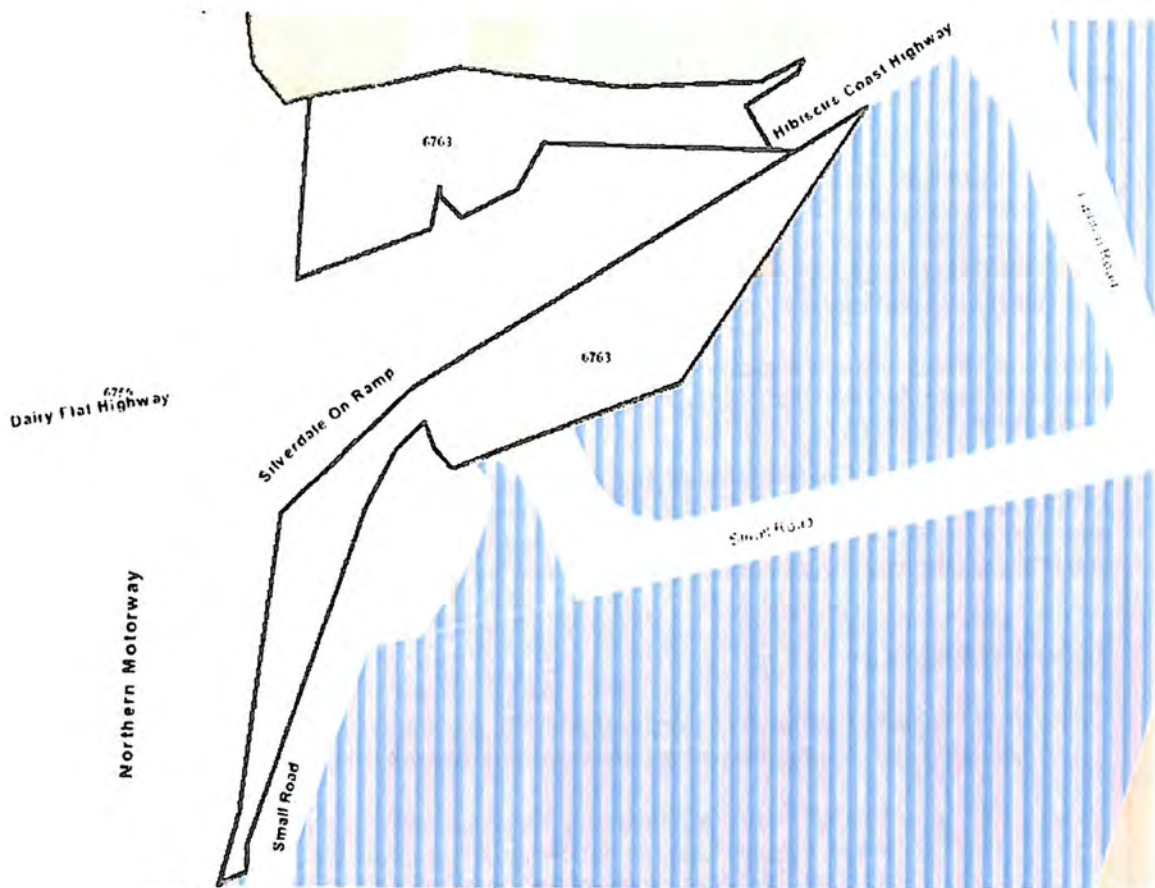


Figure 1 – Designation 6763 – AUPPIP Designations mapping layer

1.3 Delegated Authority to Consider Alterations to Designations

The Team Leader - Planning North, West, and Islands (Plans and Places Tier 5) has delegated authority, in accordance with Schedule 2A of the Auckland Council Delegations: Chief Executive Officer (adopted 23 June 2012 (GB/2011/123)), 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 application to remove part of the designation can therefore be considered by the Team Leader – Planning North, West and Islands (Plans and Places Tier 5) and approved 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.

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.

It is considered that the NZTA has provided sufficient justification for the partial removal of Designation 6763 (AUPOIP Designations mapping layer) for the following reasons:

- The part of the designation to be removed is deemed by NZTA surplus to its requirement to maintain, operate, use and improve the State Highway Network. Its continued inclusion within the designation is unnecessary as this land is not being used for the purposes specified in the designation, and the land has been transferred into the ownership of AT for the construction and operation of a public work (park and ride facility).

2.0 CONCLUSIONS AND RECOMMENDATIONS

It is recommended that pursuant to Section 182 of the Resource Management Act 1991 that the partial removal of Designation 6763 (AUPOIP Designations mapping layer) be **approved** and the AUPOIP Designations mapping layer be amended accordingly.

Prepared by: Austin Fox
Planner
Planning North, West, and Islands


Approved by: Peter Vari
Team Leader
Planning North, West, and Islands

Signature:



Date: 16 December 2016

Signature:



SCHEDULE OF ATTACHMENTS:

Attachment A: NZTA s182 Notice of Removal

Attachment A

**Notice of Removal of Designation or Part of Designation under Section 182 of
the Resource Management Act 1991**

from

New Zealand Transport Agency

Form 23

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

To: Chief Executive Officer
Auckland Council
Private Bag 93 200
Auckland 1442

- 1.0 The New Zealand Transport Agency gives notice that it no longer requires part of the following designation:

6763 - intended for purpose of State Highway 1
- 2.0 The designation is contained in *Part 7 - Designations* of the Proposed Auckland Unitary Plan (2013)¹ and is shown as designation 6763 on the Auckland Council geospatial maps (located adjacent to Hibiscus Coast Highway interchange with State Highway 1)
- 3.0 The NZ Transport Agency intends to remove those parts of the designation from the properties listed and legally described in Table 1 below to the extent shown on the map *Designation 6763 – Partial Removal*, attached as Appendix 1. Area for designation removal are indicated with blue outline.
- 4.0 The removal of the designation, in part, and to the extent shown in Appendix 1, removes a piece of land deemed surplus to NZTA's requirement to maintain, operate, use and improve the State Highway Network. Its continued inclusion within Designation 6763 has been identified by the NZTA as unnecessary and the land has been purchased by Auckland Transport for the construction and operation of a public work for the purpose of a park and ride facility. The remaining areas of Designation 6763 will continue under their original purpose.
- 5.0 The NZ Transport Agency requests that the territorial authority (Auckland Council) amend the Auckland Unitary Plan – Operative in Part by removing the Designation 6763 in part from the properties and land listed in Table 1 in accordance with the maps contained in Appendix 1.

¹ The designation was rolled over from the Auckland Council District Plan (Rodney Section) to the Proposed Auckland Unitary Plan (2013), and while this was confirmed by NZTA without modification, the Auckland Unitary Plan – Operative in Part (Nov 2016) does not include any text. The AUPOP maps however, show the designation correctly. Therefore the PAUP is referenced here instead.

Signed by



[Brett Cliddon]

Pursuant to an authority by
NZ Transport Agency

Date: 12.12.2016

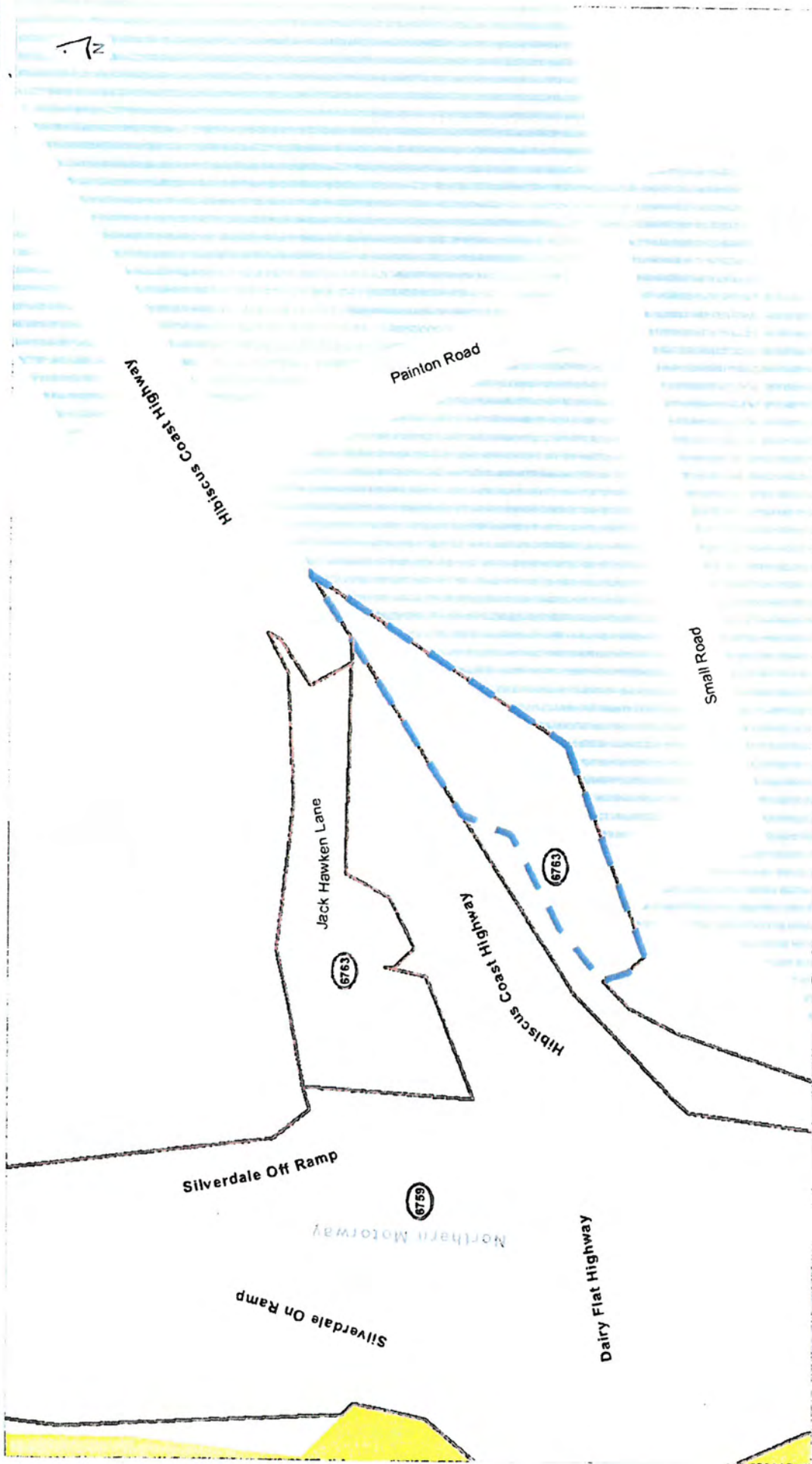
NZ Transport Agency
Private Bag 106602
Auckland
New Zealand

Contact person: Karen Inglis – Planning Advisor
E-mail: karen.inglis@nzta.govt.nz

Table 1: Properties Subject to Removal of Designation (in part or in full)

Street #	Address 1	PC	Legal Description
	No information available		Section 1 SO 502369
	No information available		Section 2 SO 502369

Appendix 1
Designation 6763 - Partial Removal Map



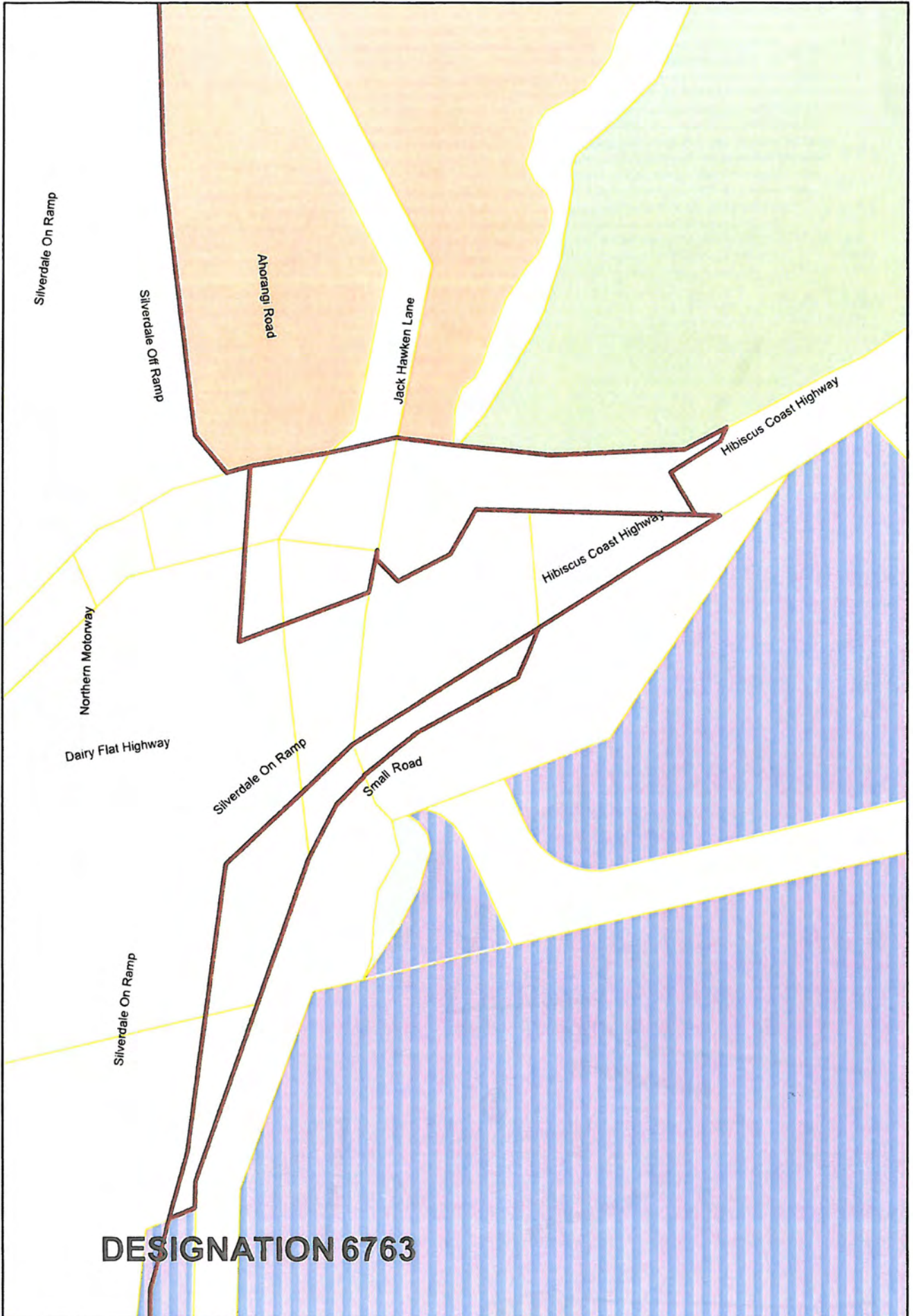
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Metres

Scale @ A4
= 1:2,500

Date Printed:
12/12/2016



NZTA Designation 6763 - Partial Removal



DESIGNATION 6763