

UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Celia Davison, Manager Planning, Central / South

FROM Vanessa Leddra Policy Planner, Central / South


DATE 8 June 2022


SUBJECT Extension of Designation lapse dates in accordance with s184 of the Resource Management Act to the Unitary Plan (AUP) Operative in part (15 November 2016)



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

Reason for update – Extension of lapse dates in accordance with S184 to Designation 1572 Road Widening – Westhaven Drive	
Chapter	Chapter K Designations
Section	Auckland Transport
Designation only	
Designation # 1572	Road Widening – Westhaven Drive
Locations:	2 Westhaven Drive, Auckland Central
Lapse Date	Five years from being operative in the Unitary Plan unless given effect to prior
Purpose	Building line for road widening purposes
Changes to text (shown in underline and strikethrough)	<p>Lapse Date Five years from being operative in the Unitary Plan <u>11 April 2027</u> unless given effect to prior</p> <p>Conditions 1. In accordance with section 184 of the Resource Management Act 1991, this designation will lapse five years from being operative in the Unitary Plan <u>on 11 April 2027</u> unless:</p>
Changes to diagrams	N/A
Changes to spatial data	N/A
Attachments	Attachment A: Auckland Transport s184 Application Letter and email Attachment B: Commissioner's Decision Attachment C: Updated Text shown with strikethrough and underscore

Prepared by: Vanessa Leddra Planner	Text Entered by: Bronnie Styles Planning Technician
Signature: 	Signature: 
Maps prepared by: Geospatial Specialist	Reviewed by: Craig Caincross

	Team Leader
Signature: N/A	Signature: 
Signed off by: Celia Davision Manager Planning – Central/South	
Signature: 	

Attachment A

Auckland Transport s184 Application Letter

29 October 2021

Plan and Places
Auckland Council
Private Bag 92300
Auckland 1142
Attn: Jo Hart - Senior Policy Planner; Kasey Zhai - Policy Planner
Via email: unitaryplan@aucklandcouncil.govt.nz

Dear Jo and Kasey,

SECTION 184(1)(b) APPLICATION FOR DESIGNATION 1572 – WESTHAVEN DRIVE

Auckland Transport is the requiring authority for Designation 1476 in the Auckland Unitary Plan. The purpose of this designation is “road widening” and it has a lapse date of 15 November 2021, being five years from the effective operative (in part) date of the Auckland Unitary Plan.

Pursuant to section 184(1)(b) of the Resource Management Act 1991 (**RMA**), Auckland Transport seeks to extend the lapse date of this designation by 5 years to 15 November 2026. Please accept this letter as our application under section 184(1)(b).

1 Designation Details

An excerpt of the designation is shown as Figure 1 below.



1572 Road Widening - Westhaven Drive

Designation Number	1572
Requiring Authority	Auckland Transport
Location	2 Westhaven Drive, Auckland Central
Rollover Designation	Yes
Legacy Reference	Designation 377, Auckland City Council District Plan (Central Area Section) 2005
Lapse Date	Five years from being operative in the Unitary Plan unless given effect to prior.

Purpose

Building line for road widening purposes.

Conditions

1. In accordance with section 184 of the Resource Management Act 1991, this designation will lapse five years from being operative in the Unitary Plan unless:
 - a. It is given effect to before the end of that period; or
 - b. The territorial authority resolves that it has made, and is continuing to make, substantial progress or effort towards giving effect to the designation and fixes a longer period to give effect to the designation; or
 - c. The designation lapses earlier by virtue of the Unitary Plan ceasing to be operative.

Attachments

No attachments.

Figure 1 – Details of designation

Source: Auckland Unitary Plan, Chapter K

2 Statutory context

184 *Lapsing of designations which have not been given effect to*

- (1) *A designation lapses on the expiry of 5 years after the date on which it is included in the district plan unless—*
 - (a) *it is given effect to before the end of that period; or*
 - (b) *the territorial authority determines, on an application made within 3 months before the expiry of that period, that substantial progress or effort has been made towards giving effect to the designation and is continuing to be made and fixes a longer period for the purposes of this subsection; or*



(c) the designation specified a different period when incorporated in the plan.

3 Assessment against section 184(1)(b)

In accordance with the requirements of section 184(1)(b) of the RMA, Auckland Transport has made substantial progress and effort towards giving effect to the designation and continues to do so.

Design work

AT has prepared a concept design for this scheme, which is included as **Attachment 1**. The design demonstrates AT's efforts to fulfil the purpose of the designation, as the road will be widened to provide improved walking and cycling facilities.

Property purchase

The required land for the designation was acquired by AT in June 2010.

Funding

Funding towards this project has been committed in the Regional Land Transport Plan, with an excerpt shown as Figure 2 below.

Regional Improvement Projects	AT	62
Glenvar Road/East Coast Road intersection and corridor improvements	AT	57
Parking Programme	AT	49
Lake Road/Esmonde Road Improvements	AT	48
SH20A to Airport (Debt Repayment)	Waka Kotahi	48
Wynyard Quarter Integrated Road Programme	AT	46
Unsealed Road Improvements	AT	40
Smales Allens Road Widening and Intersection Upgrade	AT	23
Hill Street Intersection Improvement	AT	19
Resolution of Encroachments and Legacy Land Purchase Arrangements	AT	17

Figure 2

Source: Regional Land Transport Plan 2021-2031, p.67

Summary

Overall, in our opinion, the assessment above demonstrates the progress and effort that Auckland Transport has made, and continues to make, towards giving effect to this designation.




4 Conclusion

Based on the above, there is no reason precluding Auckland Council from extending the lapse date of Designation 1572 by 5 years, in line with section 184(1)(b) of the RMA.

Auckland Transport has provided the following purchase order number for lodgement and processing fees: **4200072941**.

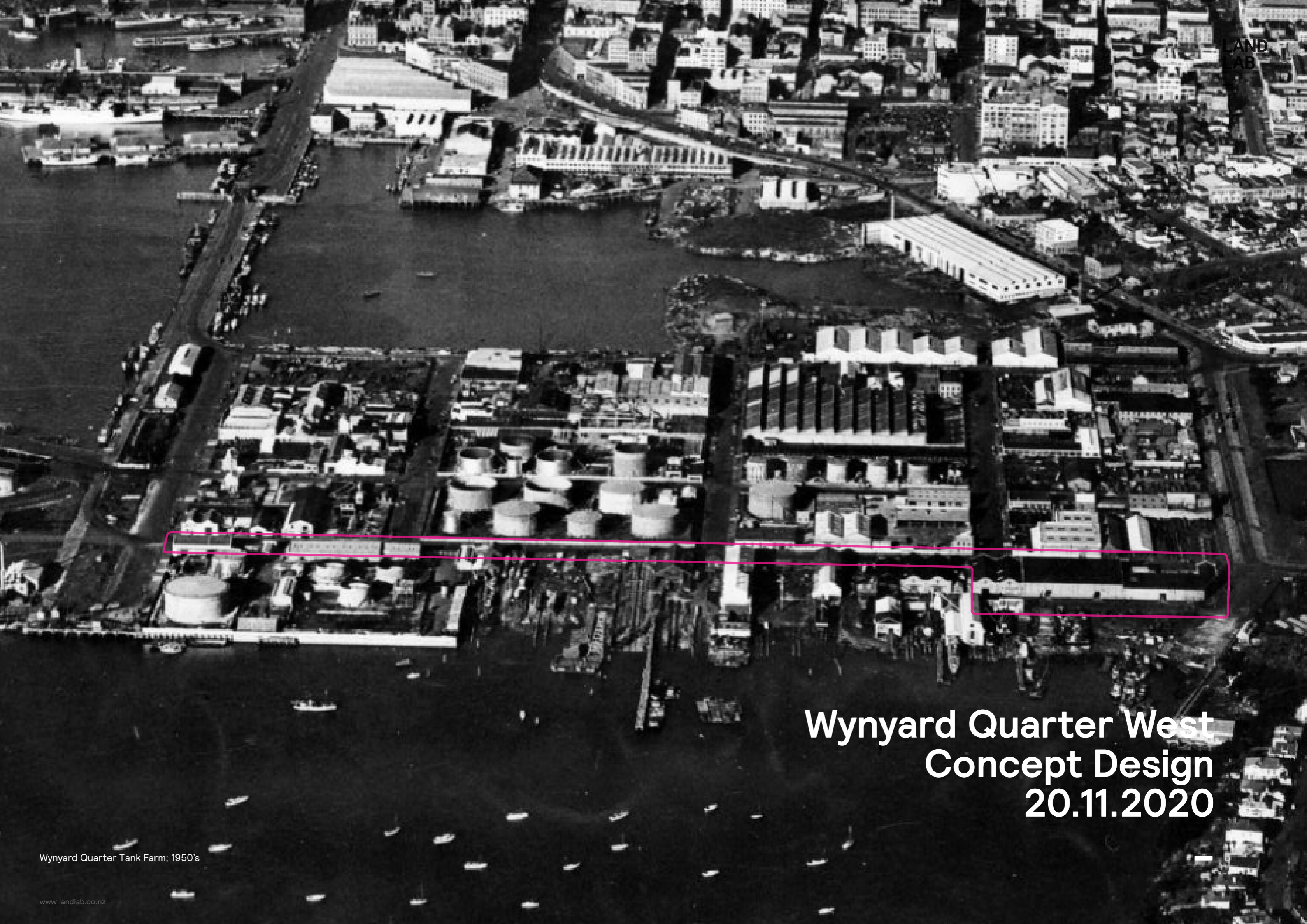
Please contact Lloyd Johnson on 09 447 4607 or lloyd.johnson@at.govt.nz if you have any queries about this application.

Yours sincerely,


Jane Small
Group Manager Property and Planning
Integrated Networks Division

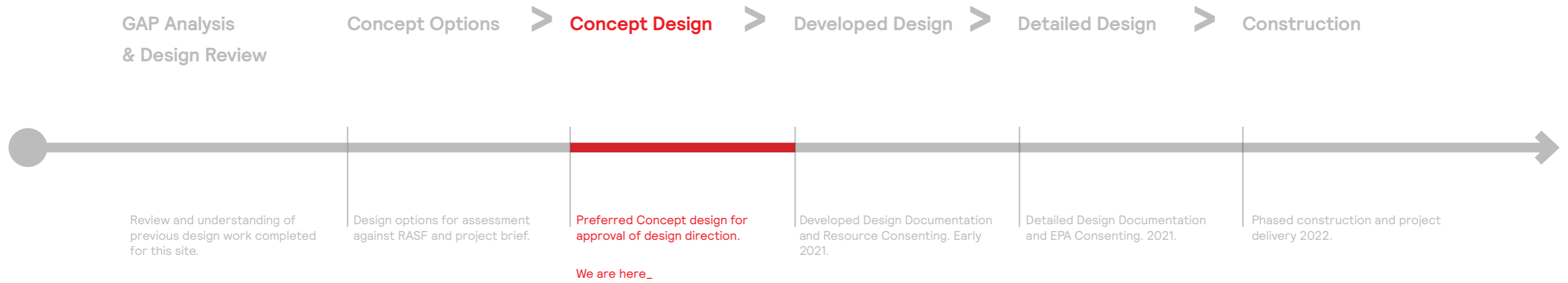


Attachment 1 – Concept design



**Wynyard Quarter West
Concept Design
20.11.2020**

Wynyard Quarter Tank Farm; 1950's



**1.0
Concept Design**

-

- 1.1 Brief
- 1.2 Vision
- 1.3 Design Concept

**2.0
Concept Plans**

-

- 2.1 Site Plan – Existing
- 2.2 Site Plan – Proposed
- 2.3 Cycle Network
- 2.4 Bus Network
- 2.5 Existing Tree Plan
- 2.6 Stormwater Strategy
- 2.7 Parking Plan
- 2.8 General Arrangements

**3.0
Cross Sections**

-

- 3.1 Preferred Sections
- 3.2 Typical Intersection

**4.0
Kit of Parts**

-

- 4.1 Materials Palette
- 4.2 Planting Palette
- 4.3 Fanshawe link

Appendices

-

- A 1 RASF Options Assessment
- A2 Cross Section Options
- A3 Cycling Background
- A4 Fanshawe Link
- A5 Planning Context

DOCUMENT CONTROL				
Rev.	Date	Purpose	Prepared by	Checked
v1	16.10.2020	Concept Design - DRAFT for internal	SHG	SG
v2	20.11.2020	Concept Design	SHG	SG

This document was prepared by **LandLAB** for **Auckland Transport** in collaboration with **BECA**.
Project Team_ Scott Greenhalgh, Sam Gould, and Greer Carmine. Suyi Gan

Project & Design Objectives

Objectives for Wynyard Quarter West provide clear criteria against which the project design options will be measured.

Project Objectives:

To transform Beaumont Street and the easternmost sections of Westhaven Drive to reflect the design vision for Wynyard Quarter described in the CCMP, the Waterfront Plan and the Wynyard Quarter Urban Design Framework.

Provide continuity of design outcomes, water sensitive urban design, character, and key narratives expressed within Westhaven and Wynyard Quarter.

Successfully integrate walking, cycling and public transport to achieve a safe and efficient multi-modal network outcome.

Achieve a balanced integration of existing character and land use, and future development proposals for the build out of the area.

Design Objectives:

1. To achieve a high quality public realm resulting in a optimal pedestrian and cycle outcomes.

2. Complete the strategic cycle network through the following links:

- A Cycle connection to the Waterfront.
- Cycling connections to Westhaven and Freemans Bay.
- Cycling connection to the cycling network to the South (Fanshawe and Victoria Street).

3. Express the authentic maritime character and harbour –city waterfront, celebrating the maritime and cultural identity of this area consistent with the Wynyard Quarter design standards.

4. Integrate the Wynyard Quarter public transport network plans

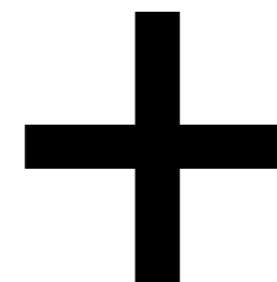
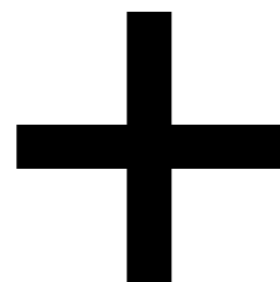
5. Support the Wynyard Quarter mode share outcomes by providing improved priority for pedestrian and cyclists, particularly east-west connections.

6. Enhance the street environment and range of activities to support existing maritime function and future living.

7. Successfully integrate green infrastructure and water sensitive urban design to improve stormwater functions and environmental comfort in line with Wynyard Quarter sustainability framework.

Design Vision from Project Brief

'To upgrade the existing Beaumont Street and Westhaven Drive in a simple, high quality and functional fashion, which in turn supports existing industry and future development and street life in the Wynyard Quarter'.



'working waterfront'

- authentic working waterfront activities (fishing, marine, boat building and petro-chemical)
- functional streets that support everyday Wynyard Quarter activity
- reveal existing character buildings eg. Sailors Corner, Orams Marine
- part of the infrastructural system of Wynyard

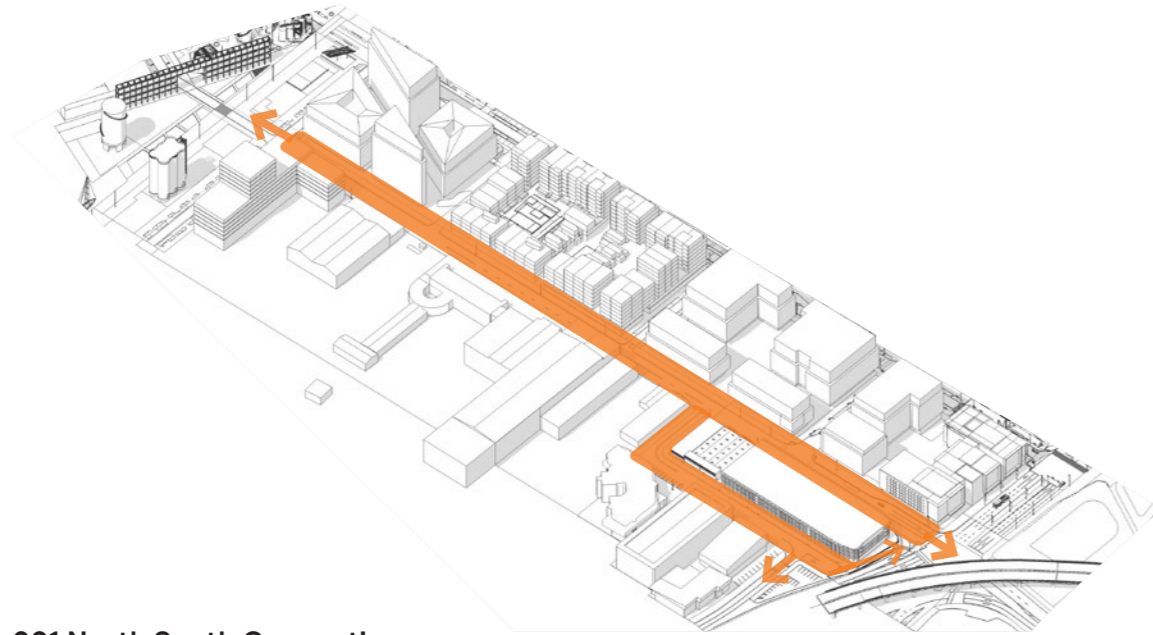
'connectivity'

- Beaumont Street reinforces connections from Victoria park to the waterfront
- Westhaven Drive reinforces connections with Westhaven and Marina
- both streets reinforce connections with historical site uses and activities
- these streets are a key link in the cycling network

'character & environment'

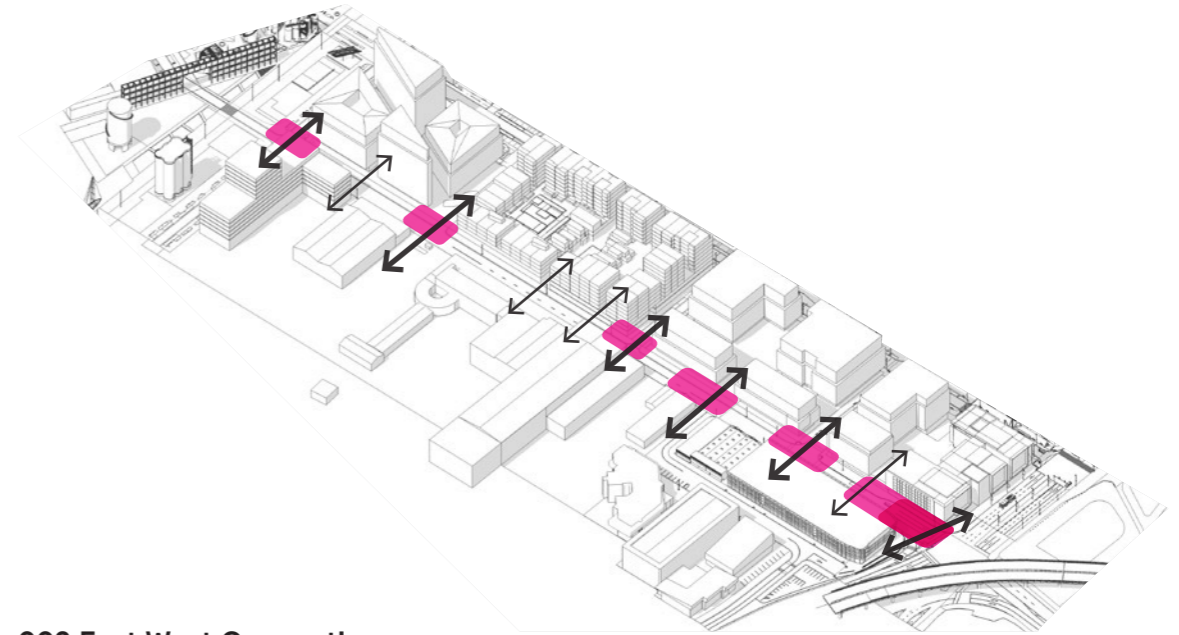
- the streets reveal associations with buildings that have informed the historical development of the petro-chemical, marine and fishing industries associated with the occupation of Wynyard
- provide settings for these associations to be revealed and amplified
- achieve optimal and integrated green infrastructure supporting Wynyard's sustainable framework
- A liveable and 'blue - green' waterfront.

The key design concepts for Beaumont Street and Westhaven Drive are as follows:



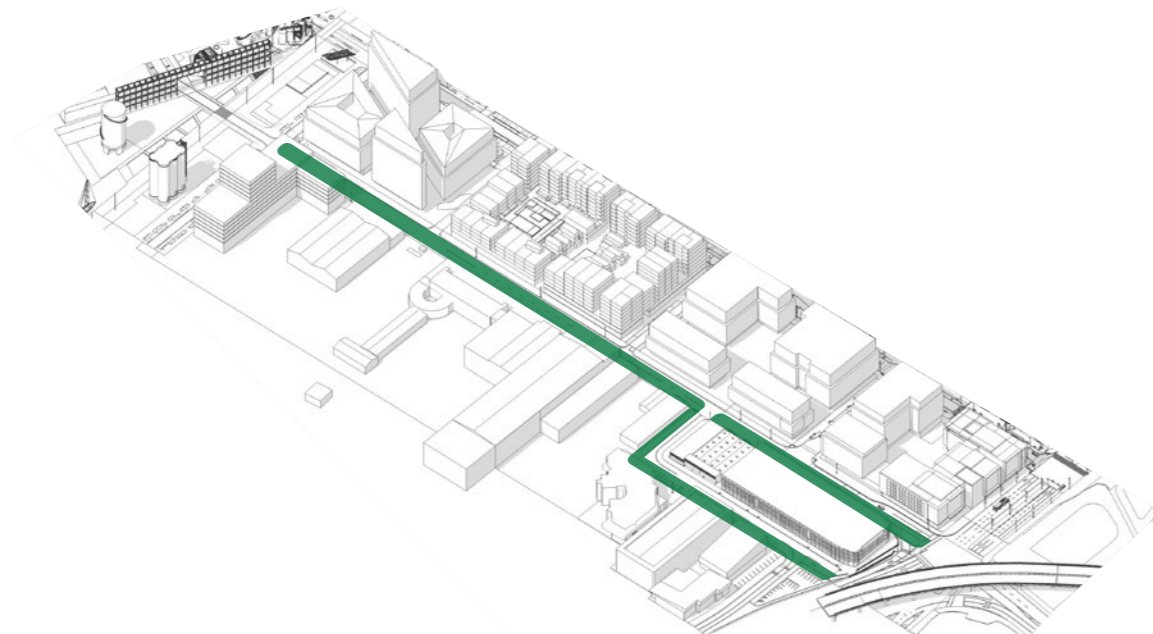
001 North South Connection_

Transform Beaumont Street into a walkable, cyclable connection between Victoria Park and Silo Park. Complete connection of Westhaven Drive to Wynyard Quarter.



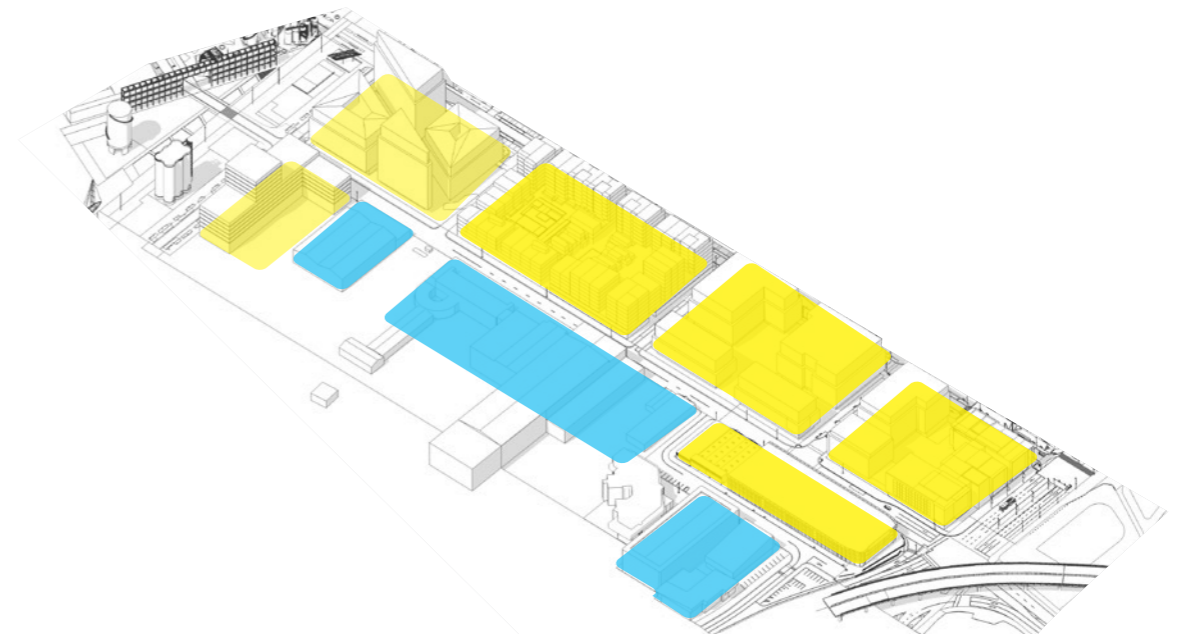
002 East West Connections_

Enhance east/west street connections and laneways. Support crossing points and desire lines from new developments and existing marine industry. Create an entry threshold into Wynyard Quarter and slow speed, pedestrian and cycle prioritised intersections.



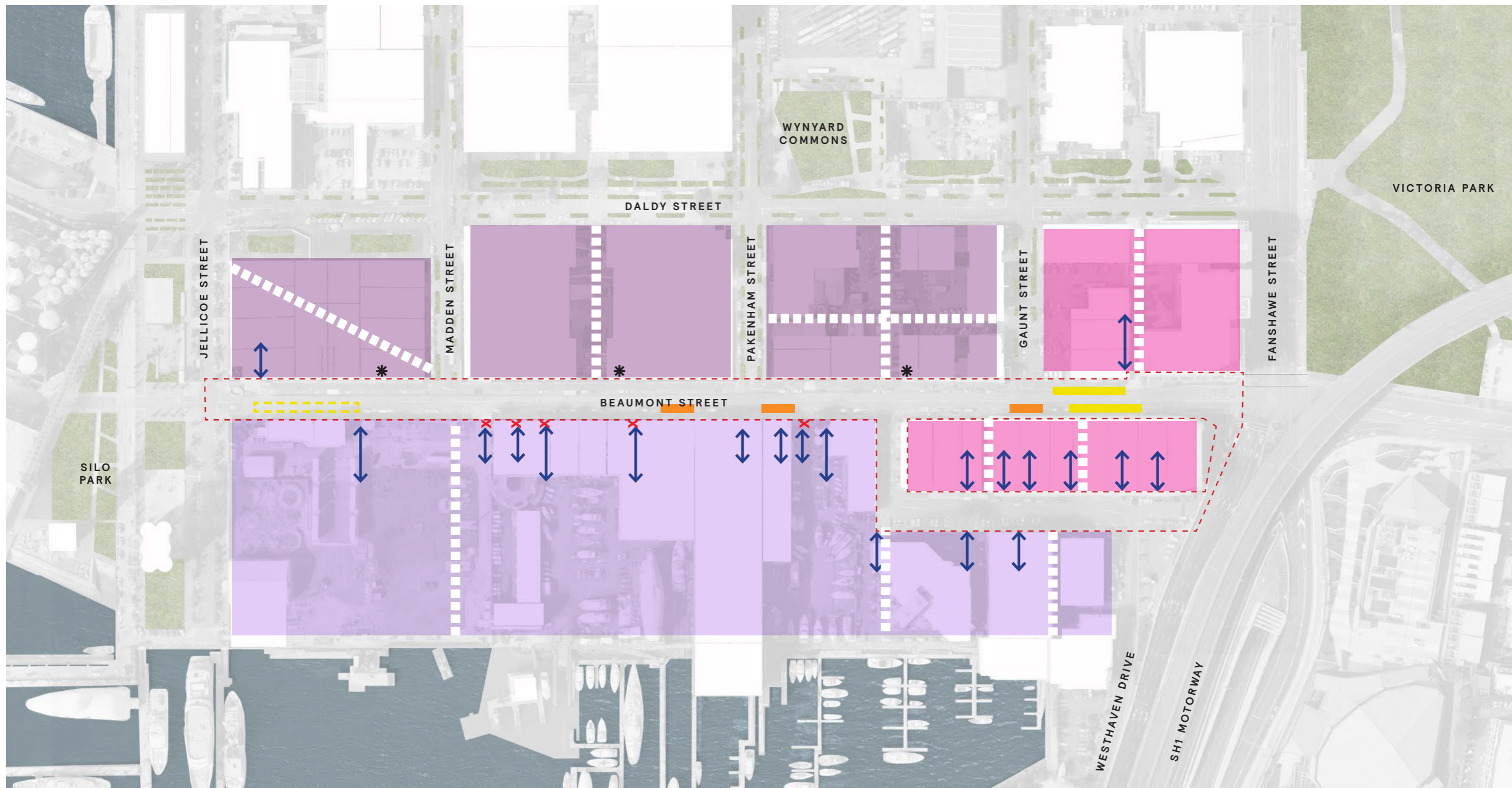
003 Green Infrastructure_

Continue Wynyard Quarter's green infrastructure framework and WSUD principles. Define western side of Beaumont Street complimentary to Halsey Street upgrade. Maximise transplant and retention of existing street trees.



004 Authentic Character_

Integrate existing maritime character, historic industrial landuse and future developments.



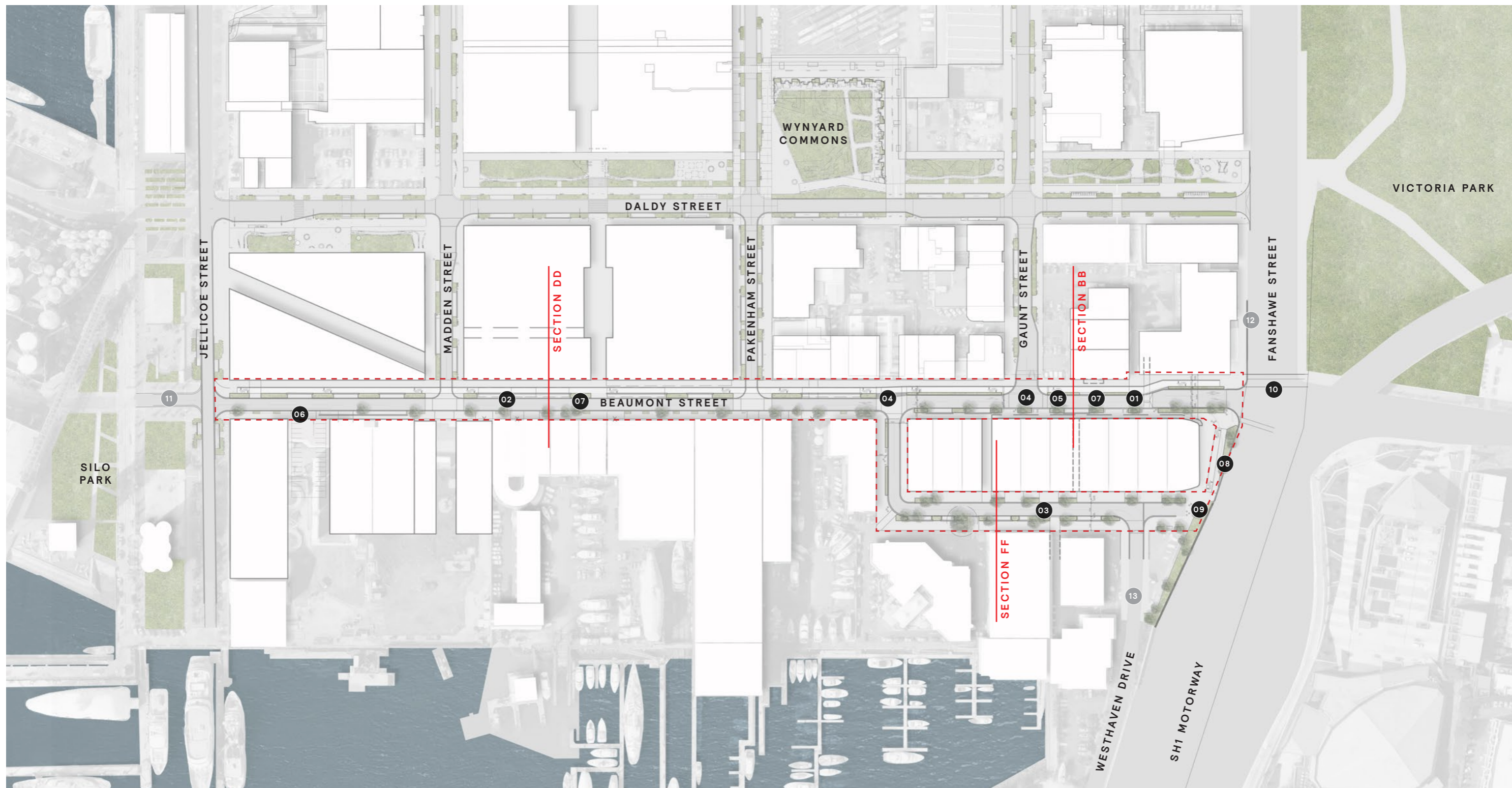
Key_

- Existing Bus Stops
- Existing Bus Layover
- Existing Access
- Laneway
- Existing Loading Bays
- Marine Precinct
- Mixed Use Precincts
- Commercial Precinct
- Oversize Access
- Project Scope

* Note: Future development access is provided primarily of East-West streets.



1:2000 @ A3



Within Project Scope_

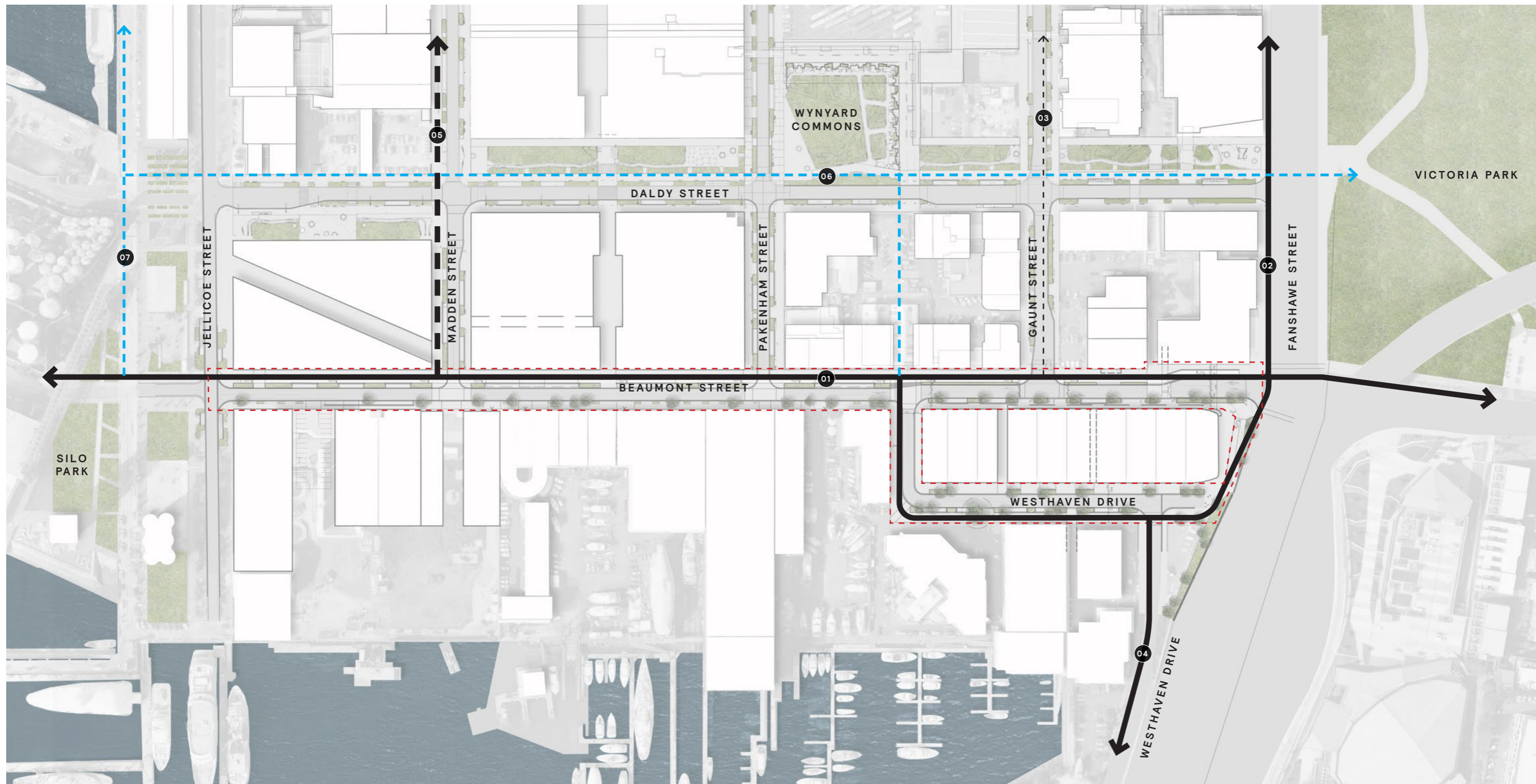
- 01 Zone 1 Street reconfiguration to provide slow speed, entry threshold in to Wynyard.
- 02 Zone 2 street reconfiguration to include improved pedestrian provision, cycling, & bio-filtration devices.
- 03 Zone 3 street upgrade to Westhaven Drive in-line with Wynyard design standards.
- 04 Intersection upgrade
- 05 Bus Stops
- 06 Bus Layover
- 07 Mid-block Pedestrian Crossing

Possibly within Project Scope_

- 08 Left turn slip lane removal into Beaumont Street.
- 09 Widened pedestrian and cycle link from Westhaven Drive to Fanshawe Street.
- 10 New pedestrian / cycle crossing to the east side of Fanshawe / Beaumont Street intersection.

Outside of Project Scope_

- 11 Jellicoe Street and Silo Park cycling connection.
- 12 Fanshawe Street cycle path.
- 13 Westhaven Drive west upgrade.



Key_

- Primary cycle routes
- - - Secondary cycle connections
- - - Existing on-road cycle route
- - - Project scope

Summary_

The following captures the preferred cycling network plan based on consultation with the Auckland Transport walking and cycling team and internal stakeholders during July 2020.

1. New direct cycle route along Beaumont Street connecting future Beaumont South & Fanshawe Street network to North Wharf + Westhaven.

2. Westhaven Drive, via Fanshawe Street cycleway is identified as the primary route from the Harbour Bridge to the City Centre once Fanshawe Street is upgraded.

3. Westhaven Drive, via Gaunt Street to Viaduct Ave is identified as the on-road commuter route from the Harbour Bridge to the City Centre until Fanshawe Street is upgraded.

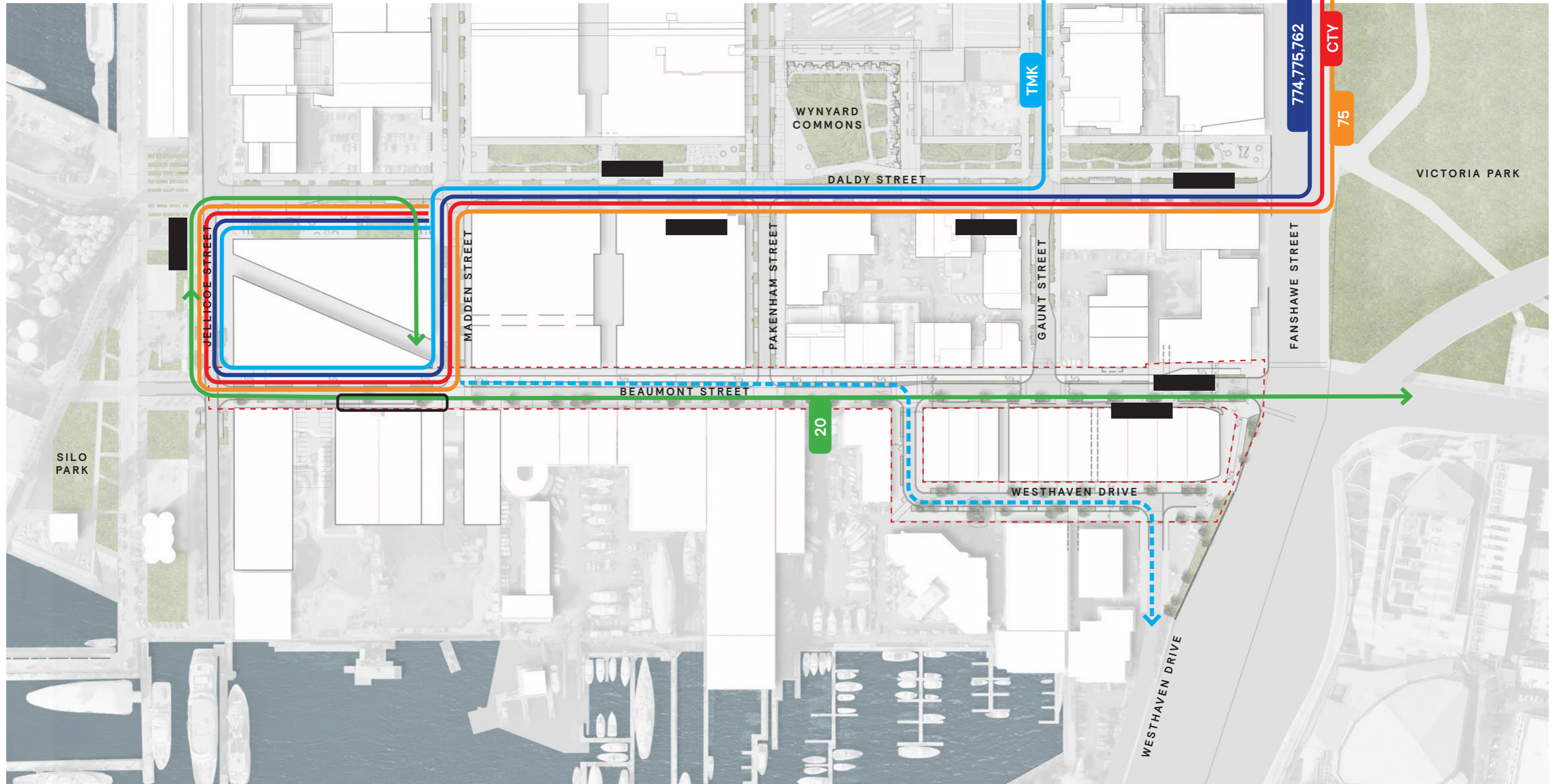
4. Westhaven Drive (West) receives potential traffic calming interventions to compliment existing shared path.

5. Madden Street has built in space along the northern footpath for a potential dedicated cycle path connection to the 'Hotel Promenade'.

6. Existing Daldy Street shared path.

7. North Wharf promenade.

1:2000 @ A3



Key_

- Bus routes
- Bus stops
- Potential Tamaki link to Harbour Bridge
- Bus Layover
- Project scope



Key_

- Existing Trees to be transplanted + reused.
- Existing Trees to be retained in place.
- Existing Trees to be removed.
- Existing Trees adjacent project (private land).
- BXX** Tree codes per arborists report (2014)

Summary_

Consistent with other Wynyard Quarter streetscapes, the approach to existing trees is to transplant suitable native specimens for use in the design. Transplanted trees provide value to the project in terms of scale and presence within the streetscape, shade and shelter provision, as well assisting in definition of the vehicle corridor in order to achieve design speeds.

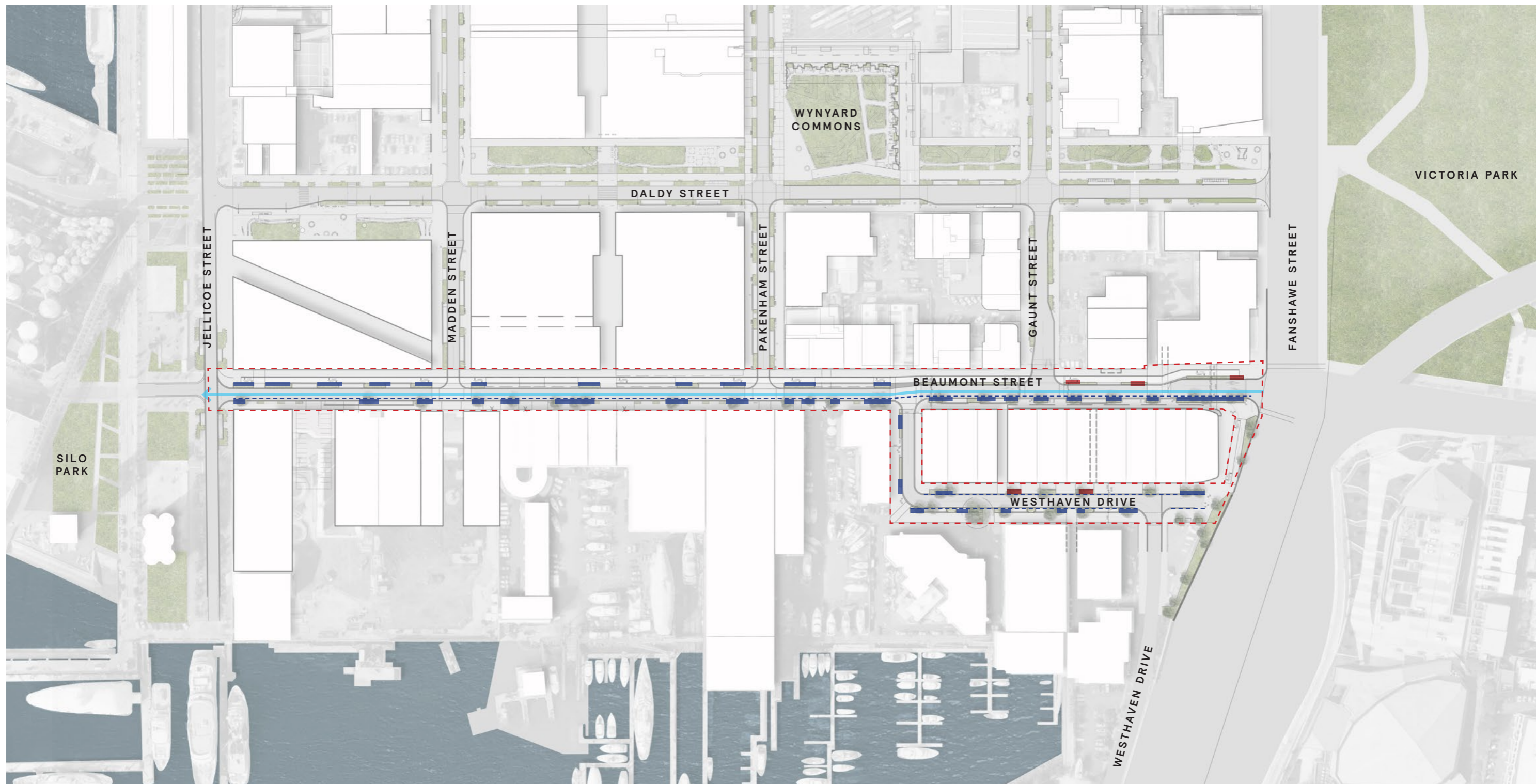
The diagram above depicts existing street trees

relevant to the project scope. Tree codes given refer to the existing arborists report by Specimen Tree Company, 2014. An indicative status / proposed usage for each tree has been assigned, this requires additional transplant feasibility work to be undertaken.

Dependent on the preferred cross section for the concept design, some trees may be able to be retained in place (without transplant) and integrated into the

completed project. This is contingent upon existing tree pit conditions and adjacent services.

Transplant suitability is dependent on the species and condition of the tree, and relation to existing services. Service investigations are to be completed early to allow enabling measures to take place where required to allow successful transplant.



Key_

- Overland flowpath
- Low point in proposed levels design
- Raingarden treatment devices
- Treepits (footpath runoff only)
- Proprietary treatment (Stormwater 360)

Summary_

Beaumont Street Surface Area: 10,800m²
Raingarden Area: 420m² (4%)

Westhaven Drive Surface Area: 4070m²
Raingarden Area: 230m² (6%)

**Areas breakdown is provided indicatively and is based on working concept design. Civil engineers review required.*

Beaumont Street: The proposed stormwater strategy at concept level comprises a crowned cross fall on Beaumont St, Raingarden treatment devices are proposed on this side of the street in keeping with Wynyard Quarter water treatment principles.

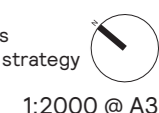
The low point along the western kerb line of Beaumont also provides an overland flowpath in a storm event. Planters on the eastern side of the street collect water

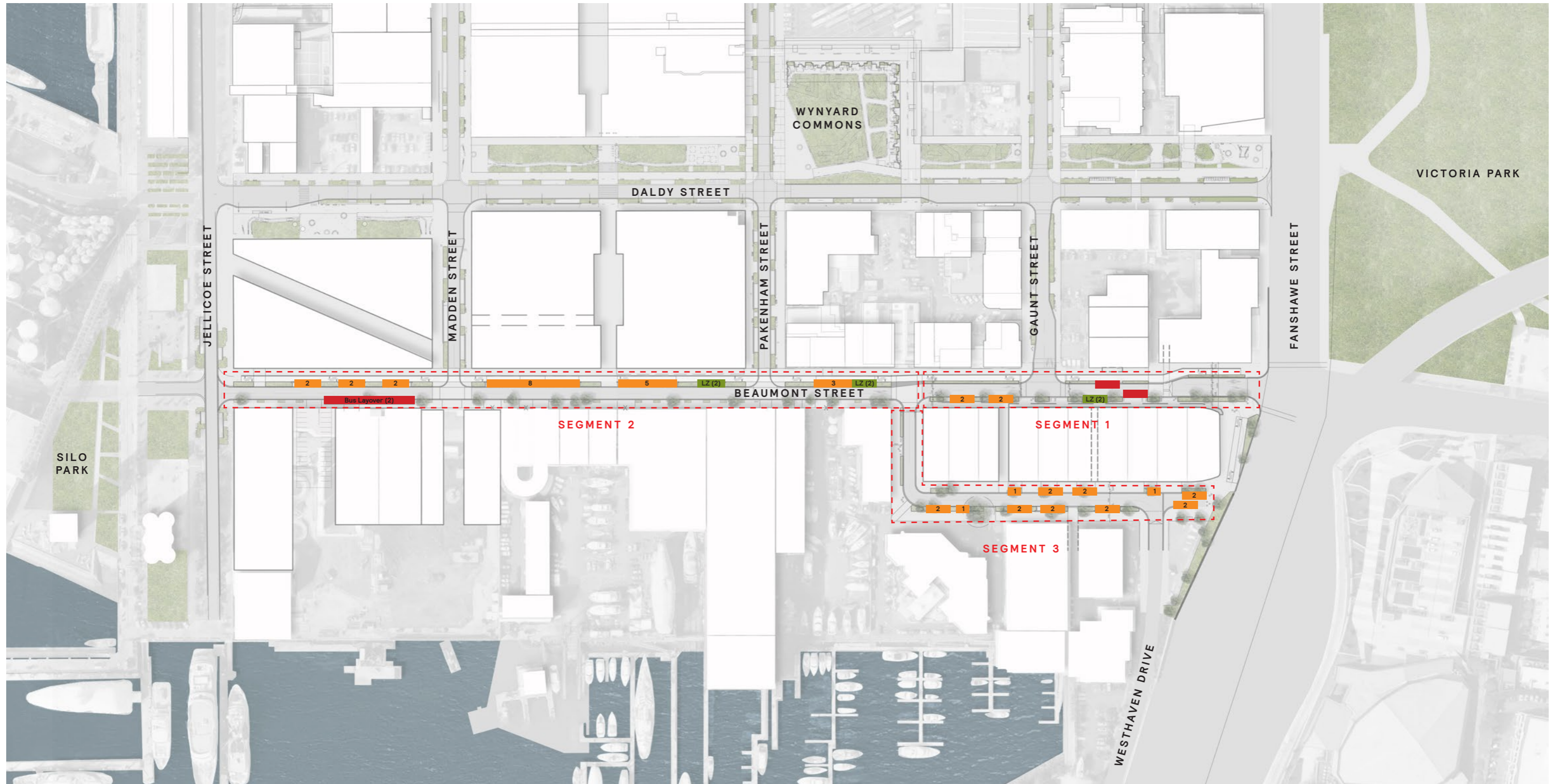
runoff from the footpath and cyclepath.

Some locations may require proprietary treatment devices where sufficient raingarden treatment cannot be accommodated, ie: Beaumont / Fanshawe intersection and Beaumont / Westhaven drive intersection.

Westhaven Drive: requires further levels investigation. Assume a crowned levels strategy with raingarden treatment each side.

The cycle link between Westhaven Dr and Beaumont requires further investigation in terms of levels and drainage.





Onstreet Parking Summary_

- Project Extent
- On Street Parking
- Loading Zones
- Bus Stops / Layover

Segment 1:

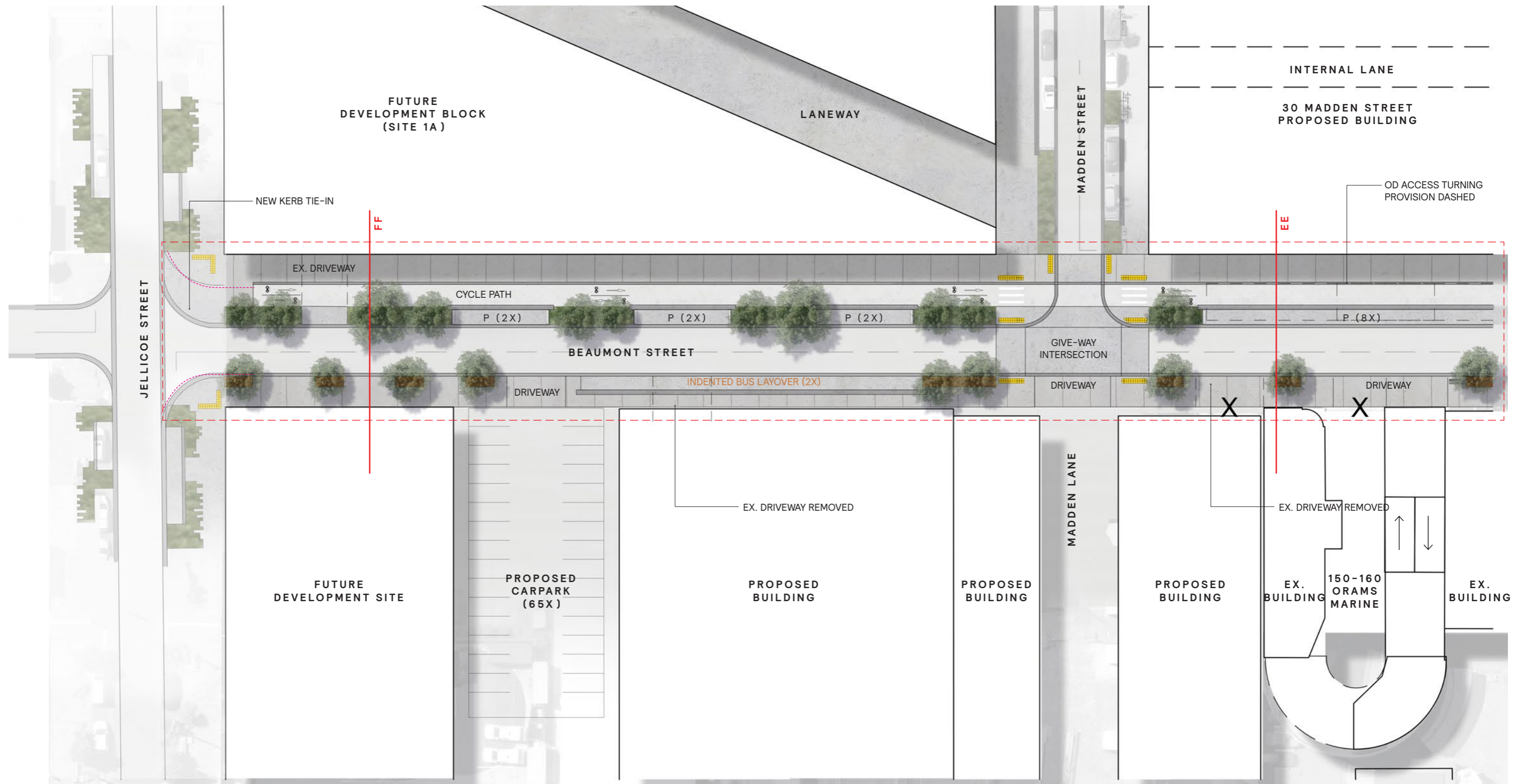
Existing = 24
 Proposed = 6

Segment 2:

Existing = 60
 Proposed = 26

Segment 3:

Existing = 40
 Proposed = 19

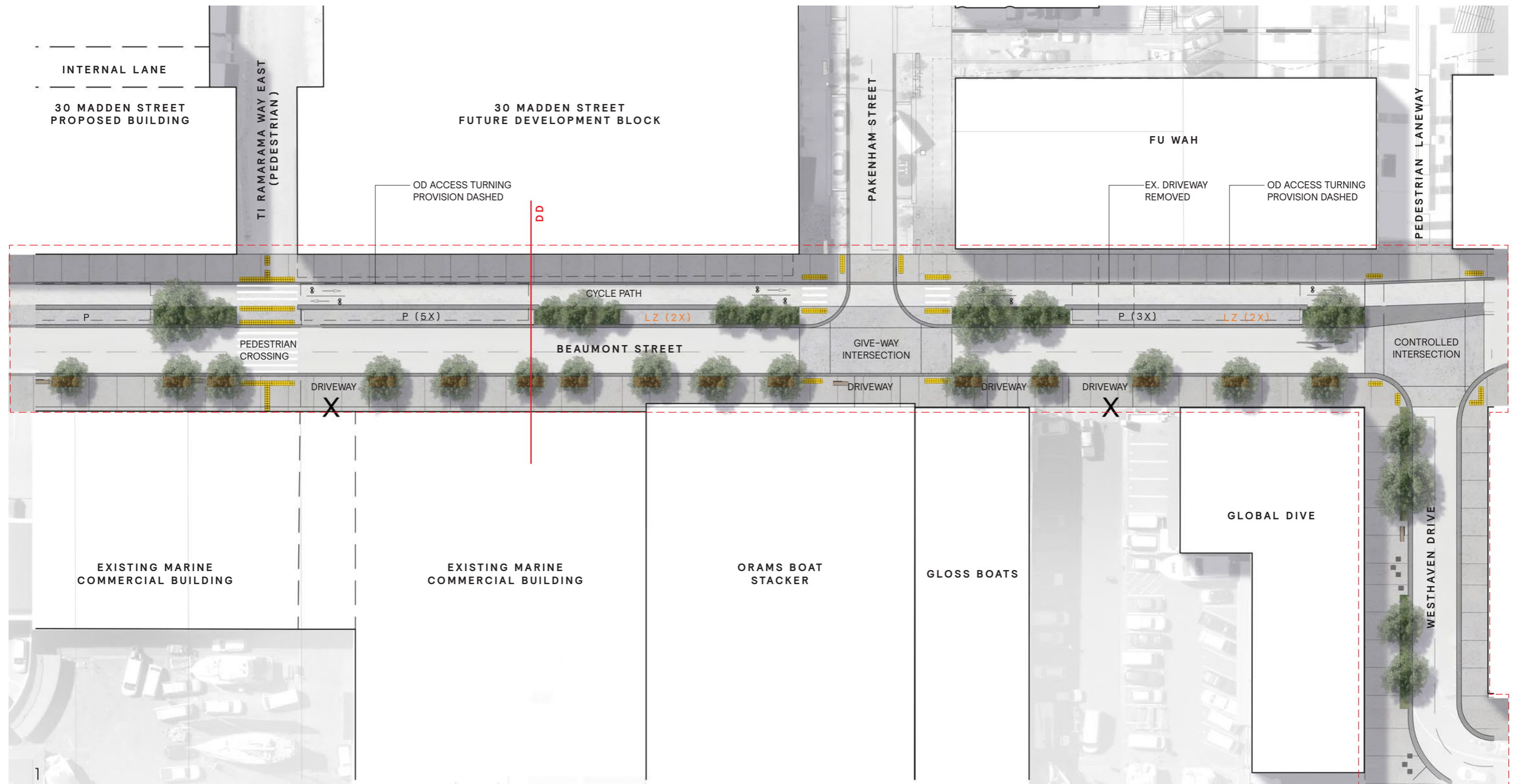


Key_

- X Over Dimension (OD) site access
- P Parking
- LZ Loading Zone



1:500 @ A3

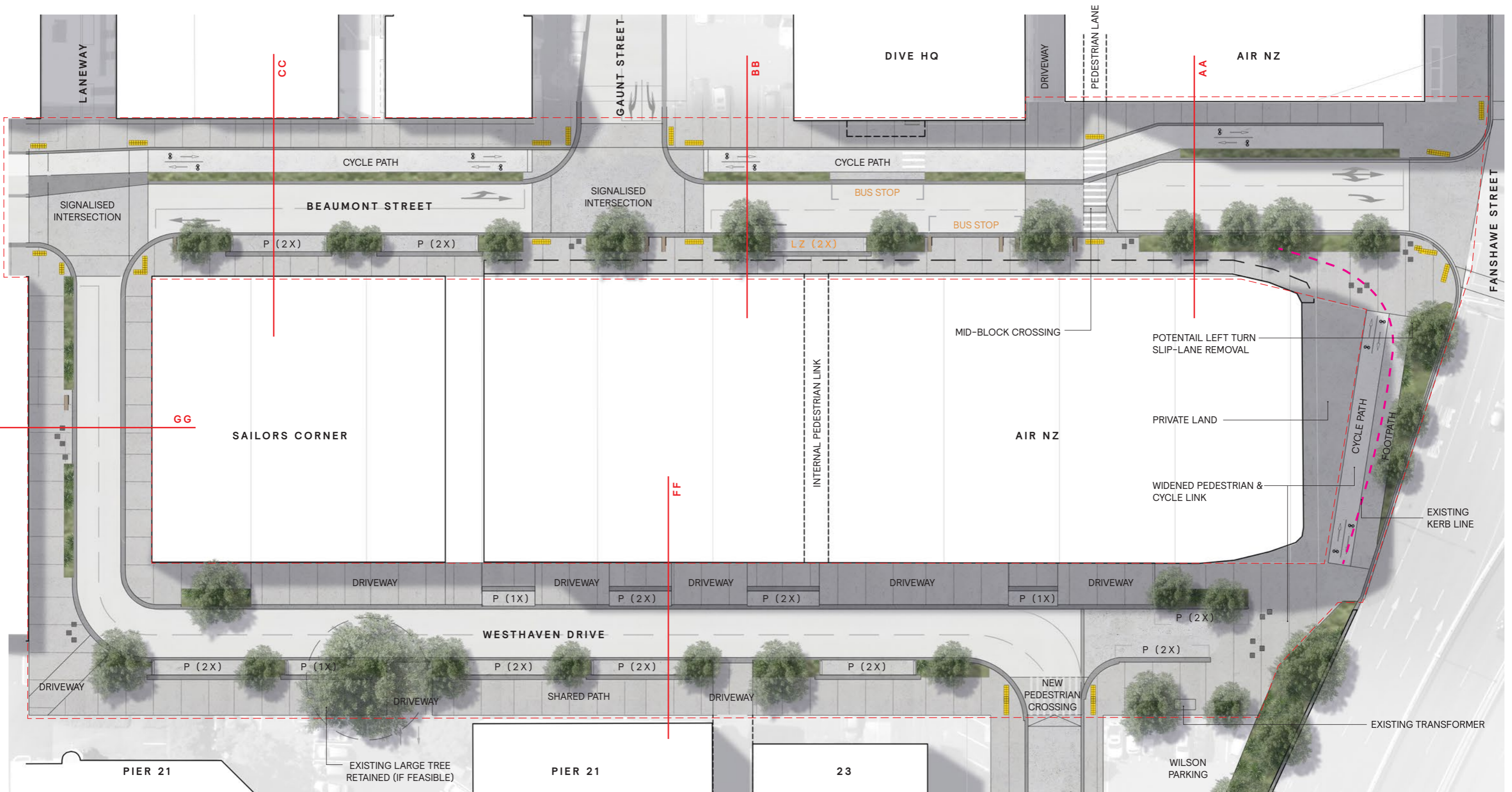


Key_

- X Over Dimension (OD) site access
- P Parking
- LZ Loading Zone



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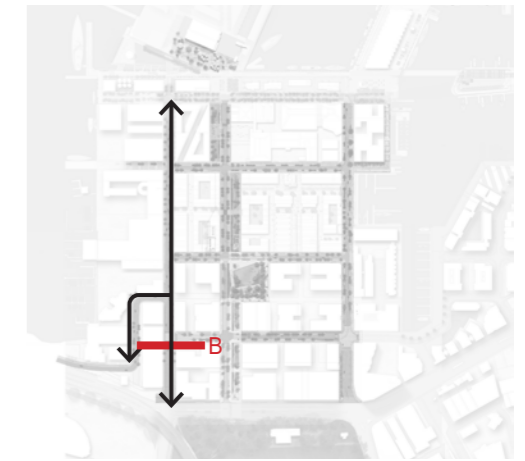
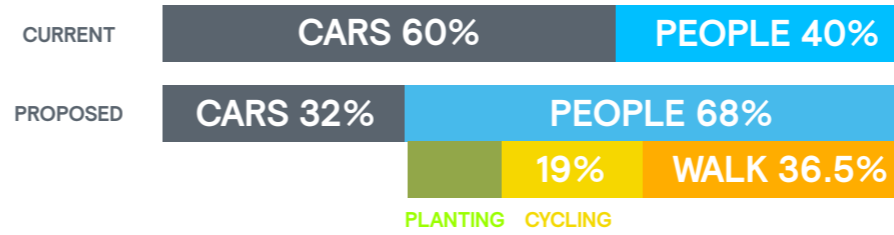


Key_

- X Over Dimension (OD) site access
- P Parking
- LZ Loading Zone



1:500 @ A3



Beaumont Street South

Design Intent

- To achieve a high quality public realm resulting in a optimal pedestrian and cycle outcomes.
- Integrate the Wynyard Quarter public transport network plans.
- Enhance the street environment and range of activities to support existing maritime function and future living.
- Successfully integrate green infrastructure and water sensitive urban design to improve stormwater functions and environmental comfort in line with Wynyard Quarter sustainability framework.
- Provide a entry and gateway threshold into Wynyard Quarter transition to slow speed 30km/hr vehicle speeds.

Summary

- Separated bi-directional cyclepath (3.2m wide) with a Copenhagen kerb separation to the footpath.
- Kerbside 1.6m buffer zone between cycle lane and street
- Raingarden, street trees & furniture zone (2.5m wide) to the western side
- Footpaths similar to existing at 3.0m wide
- 2x traffic lanes (increased to 3x at Fanshawe intersection)
- Includes indented parking / loading bas on the western side

Pros:

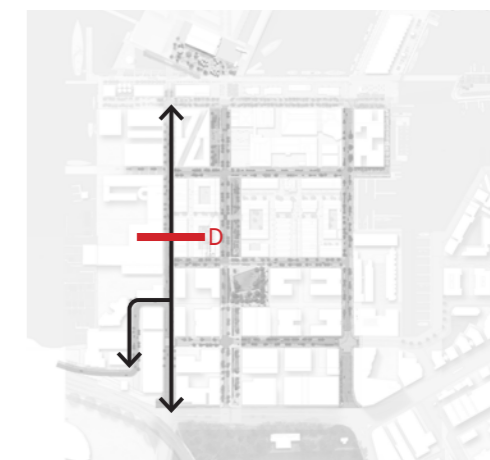
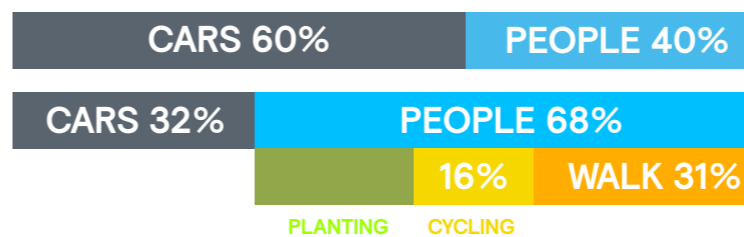
- Delivers optimal cycling connection south to Fanshawe Street
- Includes planting & stormwater treatment
- Optimal pedestrian provision and footpath width
- provides an entry threshold and slower speed environment

Cons:

- reduced traffic capacity and associated bus service delays at peak times



PROPOSED



Location Plan

Beaumont Street North

Design Intent

- To achieve a high quality public realm resulting in a optimal pedestrian and cycle outcomes.
- Enhance the street environment and range of activities to support existing maritime function and future living.
- Successfully integrate green infrastructure and water sensitive urban design to improve stormwater functions and environmental comfort in line with Wynyard Quarter sustainability framework.
- Express the authentic maritime character and harbour-city waterfront, celebrating the maritime and cultural identity of this area consistent with the Wynyard Quarter design standards.

Summary

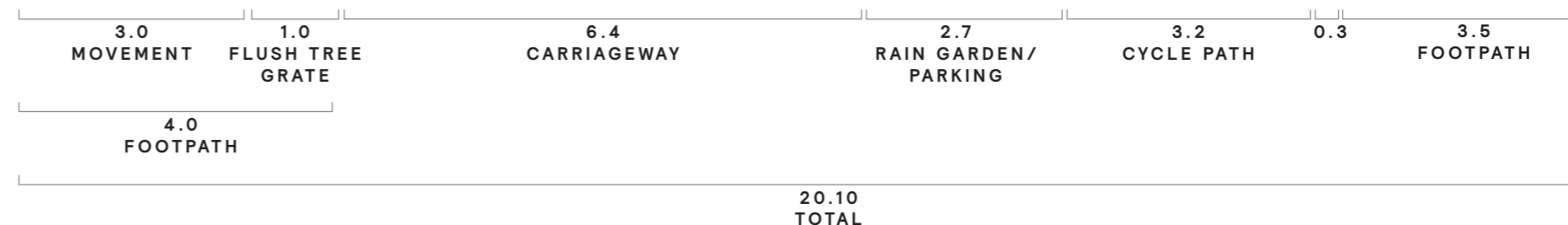
- Separated bi-directional cyclepath (3.2m wide) with a copenhagen kerb separation to the footpath.
- Flush tree pits to the western side of the street.
- Raingardens and street trees (2.7m wide) to the eastern side.
- Indented parking to eastern side of the street.
- Footpaths generally the same width as existing (3.0m wide).
- Flush kerbs (600m wide) per Wynyard design standards.

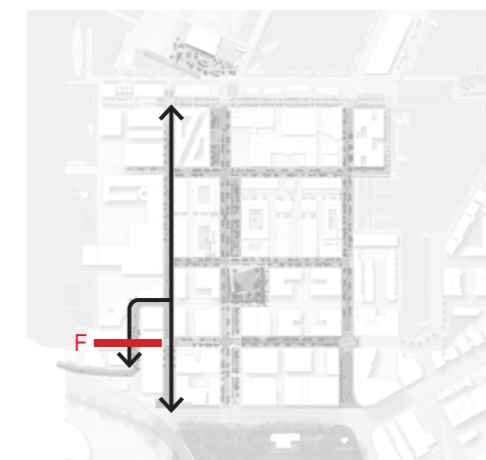
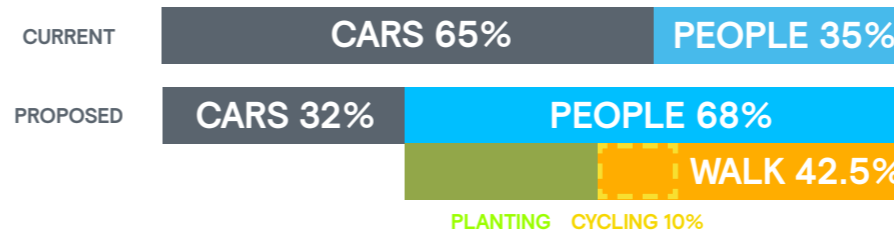
Pros:

- delivers optimal cycling connection north to the waterfront
- Includes planting to both sides of the street
- optimises parking quantity
- people + parking + cycling access the eastern side of the street
- provides a simple & funtional marine industry frontage
- opportunity to reflect marine identity within furniture & tree grates
- enables continuation of over dimension access through carparking zone management
- provides adequate east-west pedestrian crossing space (2.7m) at side streets

Cons:

- does not provide parking along western side of the street





Location Plan

Westhaven Drive

Design Intent

- To achieve a high quality public realm resulting in a optimal pedestrian and cycle outcomes.
- Enhance the street environment and range of activities to support existing maritime function and future living.
- Successfully integrate green infrastructure and water sensitive urban design to improve stormwater functions and environmental comfort in line with Wynyard Quarter sustainability framework.
- Express the authentic maritime character and harbour -city waterfront, celebrating the maritime and cultural identity of this area consistent with the Wynyard Quarter design standards.

Summary

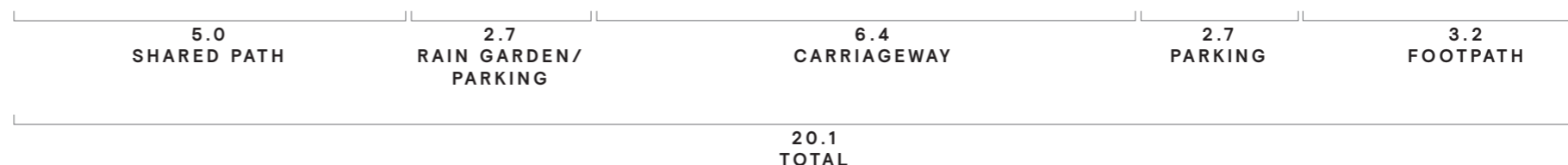
- 5.0m wide shared path to the western side (consistant with Westhaven Drive shared path).
- Raingarden, street trees & furniture zone (2.7m wide) to the western side.
- Indented parking to both sides of the street.
- Increased footpath widths (from 2.0m to 5.0 & 3.5m)
- Flush kerbs (600m wide) and narrower 30km/h street per Wynyard design standards.

Pros:

- delivers walking and cycling connetions to Westhaven consistant with Westhaven Drives existing facilities.
- Includes raingarden treatment and street trees to both sides of the street
- provides parking on both sides of the street
- provides a pedestrian friendly and slow speed street environment

Cons:

- reduced parking capacity from existing
- does not provide a seperated cycle facility in this zone (note a seperated facility does not fit within the road reserve of the Sailors Corner section of Westhaven Drive)

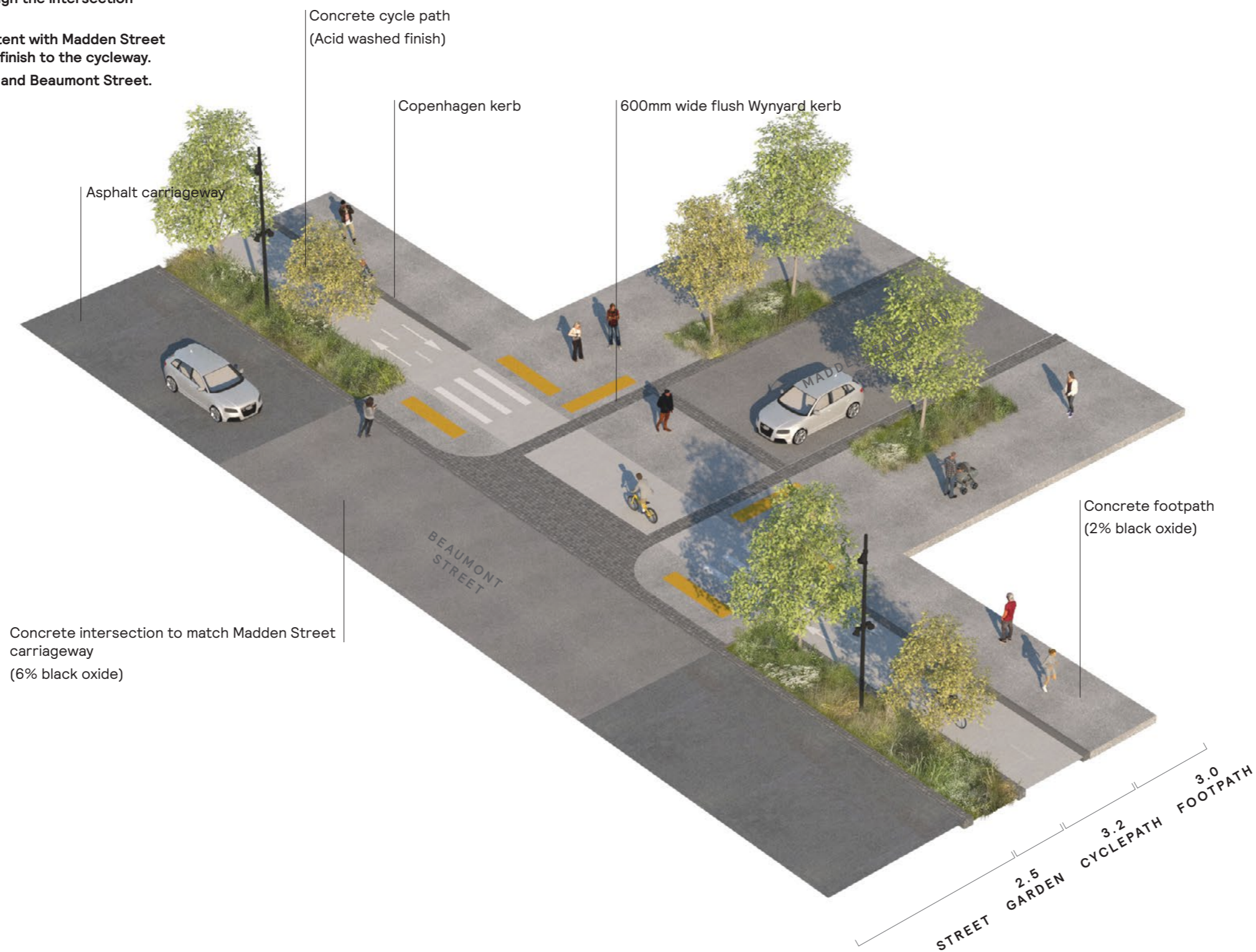


Design Intent

To provide a walking & cycle priority intersection (non-signalised intersection).

Summary

Cycle path continues with priority through the intersection - Vehicles and pedestrians give-way.
Concrete intersection surfacing consistent with Madden Street intersections with a different concrete finish to the cycleway.
Intersection is flush per Madden Street and Beaumont Street.
Pedestrian crossings over cycleway.



This page illustrates the suite of furniture elements which feature in the concept design for Wynyard Quarter West's plan. A key driver of this suite is to build on the existing character of Wynyard Quarter materiality and identity.



P 01

**In-Situ Concrete Paving
 Exposed - Footpath_**

In situ concrete pavement. Wynyard mix with 2% black oxide and 10% white pebble. Exposed aggregate finish.



P 02

Basalt Set Delineator_

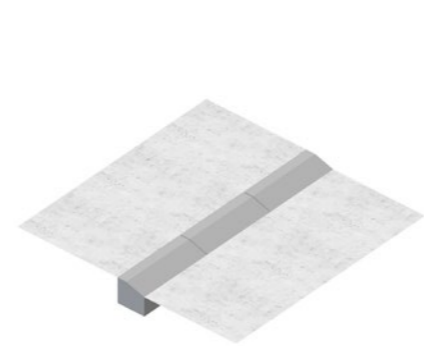
Trafficable 400mm wide basalt sett strip w/ pitched surface ±50mm



P 03

**In-Situ Concrete Paving_
 Cyclepath_**

Acid etched finish, 2% black oxide.



K 01

Kerb - Mountable

New basalt mountable kerb with 1:3 chamfer. 300mm W x 265 D x 800mm L



F 01A

Bench Seat_

450mm H x 500mm W x 2000mm L
 Solid timber seat element.



F 01B

Bench Seat_

450mm H x 500mm W x 2000mm L
 Solid timber seat element.



F 01C

Bench Seat_

450mm H x 500mm W x 2000mm L
 Solid timber seat element.



F 02

Perchable Timber Stools_

450mm H x 500mm W x 500mm L
 Solid timber perchable seat element.



L 01

Lightpole_

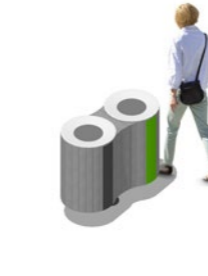
9.0m H, 170mm diameter
 Bespoke multi function lightpole with LED pedestrian and street grade luminaires. Resene Blast Grey 1 paint finish.



L 02

Lightpole (Entry)_

9.0m H, 120mm diameter
 Bespoke multi function lightpole with LED pedestrian and street grade luminaires. Resene Blast Grey 1 paint finish.



F 03

Twin Rubbish Bin_

L:1150mm x W:500mm x H: 900mm
 galvanised stainless steel twin bin with 60 litre bin capacity.



F 04

Sheffield Bike Rack_

50mm dia. W:1000mm x H:900mm
 Standard Proprietary bike rack
 Stainless steel, bead blast finish.

A choreographed palette of native tree planting designed to create an authentic and immersive urban landscape experience.



TREE_



Karaka | Kopi |
Corynocarpus laevigatus



Nikau | NZ Palm
Rhopalostylis sapida



Tanekaha |
Phyllocladus trichomanoides



Whauwhaupaku |
Pseudopanax sabre



West Coast Kowhai |
Sophora fulvida



Pohutukawa |
Metrosideros excelsa
Transplant from site



PLANTS_



Rautahi |
Carex germinata



Pukio |
Carex secta



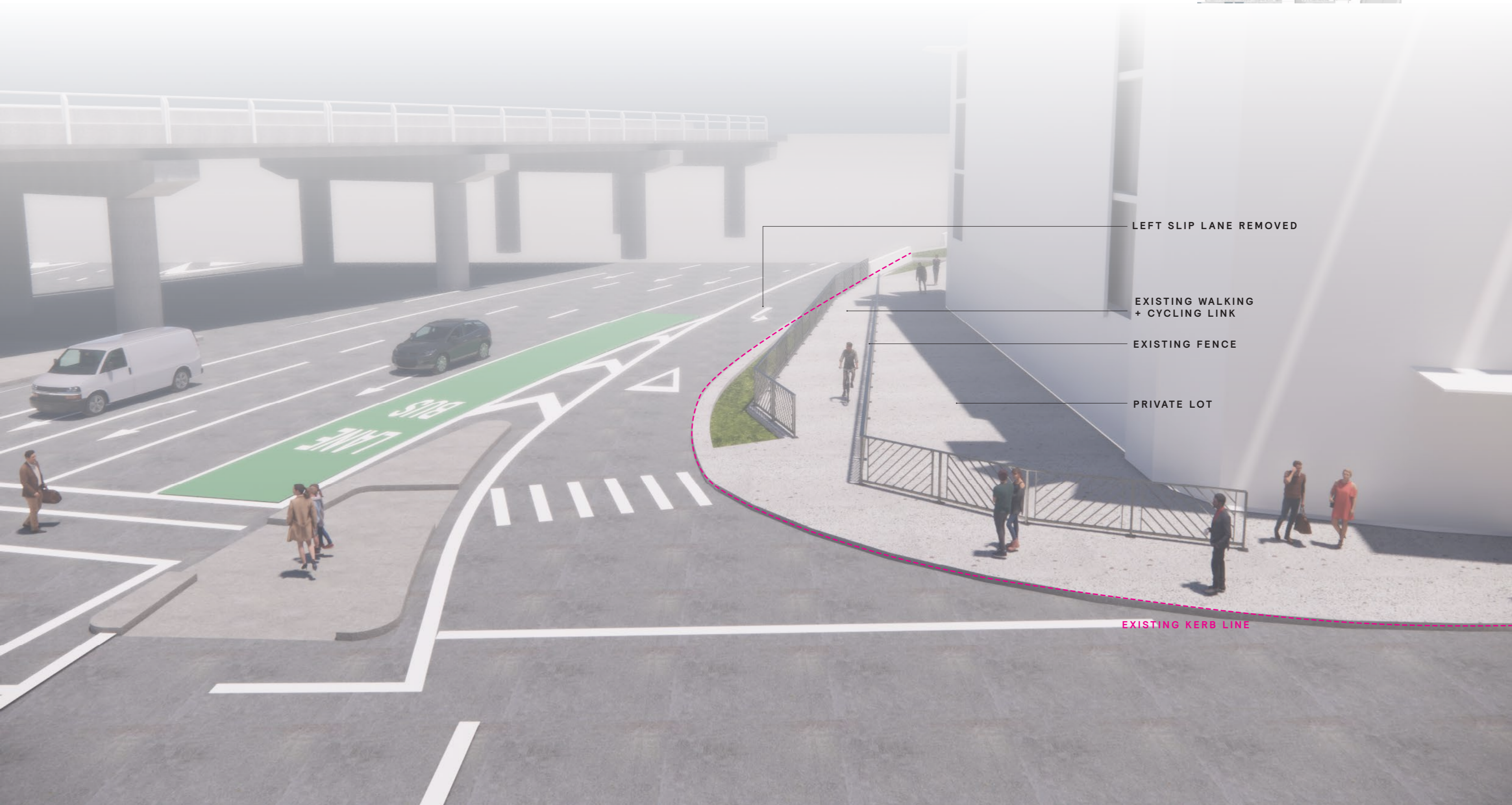
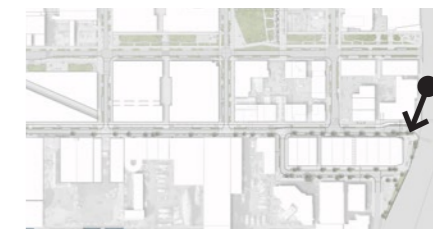
Turutu |
Dianella nigra



Mikoikoi | NZ Iris
Libertia ixioides



Orange NZ Sedge |
Carex testacea



CARRIAGEWAY

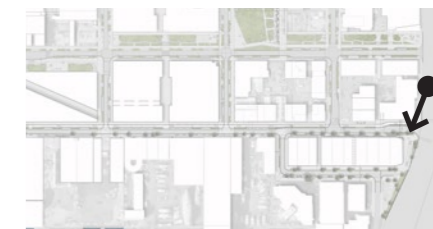
MEDIAN

LEFT TURN LANE

EXISTING
CYCLE LINK

AIR NZ BUILDING

WYNYARD QUARTER WEST
 CONCEPT DESIGN
 POTENTIAL FANSHAWE LINK - OPTIMAL



LAND
 LAB
 -

Design intent:

- provide a compliant walking & cycling connection from Westhaven Drive to Fanshawe street
- create a green entry threshold to Wynyard Quarter and transition from high speed to 30km/hrs zone.
- Enable HCV and OD access from off-ramp to Beaumont Street.



ADJUSTED LANE CONFIGURATION

LEFT SLIP LANE REMOVED

6.0M WIDE WALKING +
 CYCLE LINK

EXISTING FENCE

PRIVATE LOT

EXISTING KERB LINE

CARRIAGEWAY

PUBLIC SPACE

AIR NZ BUILDING

EMAIL FROM LLOYD JOHNSTON AT 31 MARCH 2022

Kia ora Vanessa,

Thank you for your patience with these queries. In summary:

- Updated lapse dates – reflected in the table provided
- Address queries for Whangaparaoa Road – will require further AT investigation
- Ormiston / Chapel Road designation – will require further AT investigation
- New PO for 2022 – to be provided

Please find detailed updates below.

Updated lapse dates

I can confirm that Auckland Transport is seeking new lapse dates for these designations as per Table 01 below. Please let me know if any additional information is useful, or if these need to be submitted in letter format?

Table 1 – Corrected lapse dates sought for rollover designations

Designation number	Designation name	Address(es)	Purpose	Lapse date from AUP
1404	Road Widening - Whangaparaoa Road	470-502, 473-475, 504-522A, 529-549, 540, 585-587, 593-601, 609-	Road widening	10 March 2022
1434	Road - Marinich Drive Extension	125A Metcalfe Road to 46 Ranui Station Road, Ranui	Roading purposes	14 December 2021
1449	Road Widening - Great North Road	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	Road widening purposes	14 December 2021
1467	Road Widening - Hobsonville Road	Hobsonville Road from Brighams Creek Road to Upper Harbour Drive and Brighams Creek Road and Hobsonville Road intersection, Hobsonville	Road widening	11 April 2022
1468	Road Widening – State Highway 16 (Westgate to Whenuapai)	Fred Taylor Drive from Westgate Motorway Interchange, Westgate to Brighams Creek Road, Whenuapai	Road widening	10 March 2022

1571	Road widening - Beaumont Street	101-107 Beaumont Street, Auckland Central	Building line for road widening purposes	11 April 2022
1572	Road Widening - Westhaven Drive	2 Westhaven Drive, Auckland Central	Building line for road widening purposes	11 April 2022
1809	Road Widening - Allens Road and Smales Road	2, 5, 17, 22-38, 47-59, 56-60 and 67 Allens Road, 3-9 Smales Road, 1,2 Harris Road, 2 Ross Reid Place and 61 Sir William Avenue, East Tamaki	Road widening	14 December 2021

Attachment B

Commissioners Decision

Decision on application to extend the lapse period under section 184 of the Resource Management Act 1991



Decision of Commissioner on an application to extend the lapse period of Designation 1572 Road Widening purposes – 2 Westhaven Drive, Auckland Central in the Auckland Unitary Plan (Operative in Part).

The proposed extension to the lapse period of Designation 1572 Road Widening purposes – 2 Westhaven Drive, Auckland Central by five years is **APPROVED**.

Introduction

1. This recommendation is made on behalf of the Auckland Council (“**the Council**”) by Independent Hearing Commissioner Janine Bell (sitting alone) appointed and acting under delegated authority under section 34A of the Resource Management Act 1991 (“**the RMA**”).
2. The Council has received a request from Auckland Transport under section 184 of the RMA, dated 29 October 2021, to extend the lapse period of Designation 1572 Road Widening purposes – 2 Westhaven Drive, Auckland Central by 5 years to 11 April 2027.

References

Designation number	1572
Purpose	Road widening purposes
Location	2 Westhaven Drive, Auckland Central
Date of request to extend lapse date:	29 October 2021 and updated 31 March 2022 ¹
Requiring authority:	Auckland Transport

3. Designation 1572 Road Widening - 2 Westhaven Drive is a building line for road widening purposes. The designation applies to a single property with the street address of 2 Westhaven Drive, Auckland Central. It is part of the Wynyard Quarter West works which aim to create a high-quality public realm with optimal cycling and pedestrian infrastructure. This includes constructing a 5.0m wide footpath with a 600mm wide flush kerb along the southern side of Westhaven Drive.

¹ Email From Lloyd Johnston 31 March 2022

4. Funding of \$46 million has been committed in the Regional Land Transport Plan towards the Wynyard Quarter Integrated Road Programme with the required land having been acquired.
5. The designation is currently shown in the AUP maps as follows:

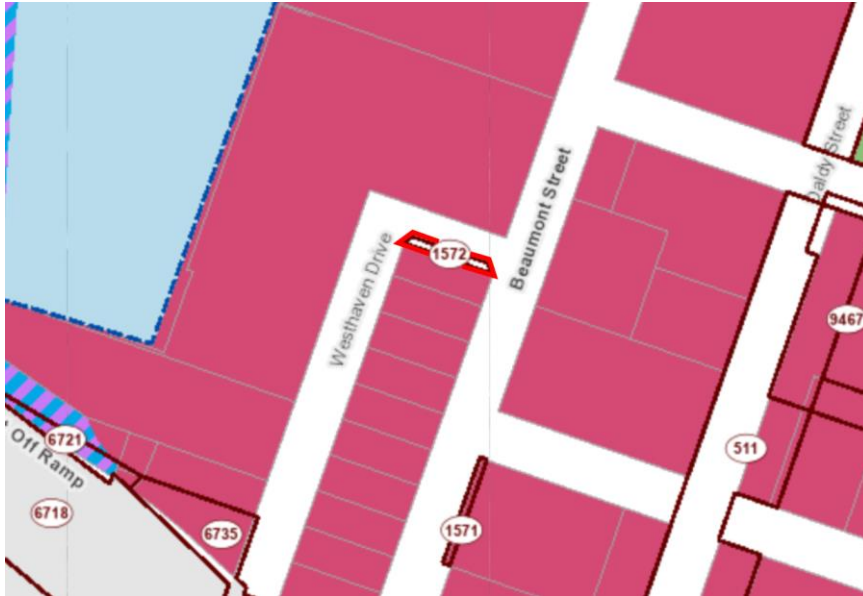


Figure 1: Designation 1572 Road Widening Westhaven Drive.

6. The designation has a lapse date of 11 April 2022 in accordance with s184(1)(b) of the Resource Management Act 1991 (RMA).

Relevant Statutory Provisions

7. Section 184 of the RMA, states:
 - (1) A designation lapses on the expiry of 5 years after the date on which it is included in the district plan unless—
 - (a) it is given effect to before the end of that period; or
 - (b) the territorial authority determines, on an application made within 3 months before the expiry of that period, that substantial progress or effort has been made towards giving effect to the designation and is continuing to be made and fixes a longer period for the purposes of this subsection; or
 - (c) the designation specified a different period when incorporated in the plan.
 - (2) Where paragraph (b) or paragraph (c) of subsection (1) applies in respect of a designation, the designation shall lapse on the expiry of the period referred to in that paragraph unless—
 - (a) it is given effect to before the end of that period; or

(b) the territorial authority determines, on an application made within 3 months before the expiry of that period, that substantial progress or effort has been made towards giving effect to the designation and is continuing to be made and fixes a longer period for the purposes of this subsection.

Assessment

8. Section 184 of the RMA states that a designation will lapse on the expiry of 5 years after the date of its inclusion in a plan unless it has been given effect to before the end of that period, or if the territorial authority determines, on an application made within 3 months before the expiry of that period, that substantial progress or effort has been made towards giving effect to the designation and fixes a longer period.
9. In terms of s184(2)(b) the application has been made by Auckland Transport within 3 months before the expiry of the designation lapse period and sets out the progress and effort that has been made and continues to be made towards giving effect to the designation.
10. The application outlines the progress that has been made, and continue to be made, to give effect to the designation. A detailed description of the progress that has been completed or partly completed is provided on page 3 of the application, dated 29 October 2021. In summary this includes:
 - A concept design for this designation has been prepared which shows the implementation of improved walking facilities in the widened road corridor.
 - The required land for the designation has been purchased.
 - Funding for the Wynyard Quarter Integrated Road Programme is in the approved Regional Land Transport Plan 2021-2031.
11. The Council officers have reviewed the application and are satisfied that the requiring authority has made and continues to make substantial effort / progress towards giving effect to the designation and therefore recommends extending the lapse period by five years to 11 April 2027.

Conclusion

12. While the works provided for by the designation has not been completed, as set out in the application documents, substantial effort and progress has been made and continues to be made towards giving effect to the designation, including the preparation of a concept design for the designated works and the acquisition of the required land to undertake the road widening. The additional five years sought will enable Auckland Transport to give effect to the designation.

Decision

That pursuant to Section 184 of the Resource Management Act 1991 that the extension to the lapse date of Designation 1571 Road Widening - Westhaven Drive by 5 years to 11 April 2027 is **approved**.

Approved

Janine A. Bell
Independent Hearing Commissioner

Signature:

A handwritten signature in blue ink, appearing to read 'J. Bell', with a horizontal line underneath the name.

Date:

01 June 2022

Attachment C

Updated designation text

1572 Road Widening - Westhaven Drive

1572 Road Widening - Westhaven Drive

Designation Number	1572
Requiring Authority	Auckland Transport
Location	2 Westhaven Drive, Auckland Central
Rollover Designation	Yes
Legacy Reference	Designation 377, Auckland City Council District Plan (Central Area Section) 2005
Lapse Date	Five years from being operative in the Unitary Plan <u>11 April 2027</u> unless given effect to prior.

Purpose

Building line for road widening purposes.

Conditions

1. In accordance with section 184 of the Resource Management Act 1991, this designation will lapse ~~five years from being operative in the Unitary Plan~~ on 11 April 2027 unless:
 - a. It is given effect to before the end of that period; or
 - b. The territorial authority resolves that it has made, and is continuing to make, substantial progress or effort towards giving effect to the designation and fixes a longer period to give effect to the designation; or
 - c. The designation lapses earlier by virtue of the Unitary Plan ceasing to be operative.

Attachments

No attachments.