

UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Warren MacLennan

FROM Wayne Siu

DATE 22 August 2019

SUBJECT **Removal of Designation 405 Orewa Council Offices under section 182 of the Resource Management Act 1991**



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

Reason for update – Removal of Designation 405 Orewa Council Offices	
<ul style="list-style-type: none"> Decision has been made to confirm a request to remove Designation 405 Orewa Council Offices under s182 of the RMA 	
Chapter	Chapter K Designations
Section	Auckland Council
Designation only	
Designation #	405 Orewa Council Offices
Location:	50 Centreway Road, Orewa
Lapse Date	Given effect (no lapse date)
Purpose	Administrative, professional and commercial offices and services on the site of the Council offices.
Changes to text (shown in underline and strikethrough)	Remove designation text from Designation Schedule – Auckland Council
Changes to diagrams	No Changes
Changes to spatial data	Remove entirety of Designation 405 Orewa Council Offices from 50 Centreway Road, Orewa.
Attachments	<p>Attachment 1: Designation Removal Form</p> <p>Attachment 2: s182 Report</p> <p>Attachment 3: Updated GIS Viewer</p> <p>Attachment 4: Updated Text</p>

<p>Prepared by: Wayne Siu Planner – Planning North/West & Islands</p>	<p>Text entered by: Sophia Coulter Planning Technician</p>
<p>Signature: </p>	<p>Signature: </p>
<p>Maps prepared by: Shelley Glassey – Geospatial Analyst</p>	<p>Reviewed by: Wayne Siu – Planner North/West & islands</p>
<p>Signature </p>	<p>Signature: </p>
<p>Signed off: Warren MacLennan Manager Planning – North/West & islands</p>	
<p>Signature </p>	

Attachment 1: Notice of Designation 405 Removal

Date

Auckland Council
Private Bag 92300
Auckland 1143

Attention: Warren MacLennan
Manager – Planning North West and Islands

Removal of Designation 405, Council Offices at 50 Centreway Road, Orewa

On behalf of Auckland Council, pursuant to Section 182(1) of the Resource Management Act, we give notice that the following designation is no longer required:

- Designation 405 Orewa Council Offices, 50 Centreway Road, Orewa, Legacy Designation 131, Auckland Council District Plan (Rodney Section) 2011.

The legal description of the property from which the designation is to be removed is:

- Lot 1 DP 147350, contained in computer freehold register NA87D/294.

Please find attached:

- Form 23 – Notice of removal of Designation
- Certificate of Title
- AUP Map of Site
- Resolution number FIN/2018/73 from the Finance and Performance Committee report 15 May 2018

We request that the Auckland Council amend the Auckland Unitary Plan (Operative in Part) accordingly as required under Section 182 of the Resource Management Act 1991.

Ngā mihi,



Signature on behalf of requiring authority

07/08/2019
Date

Form 23

Notice of removal of designation

Sections 182 Resource Management Act 1991

To Auckland Council

On behalf of Auckland Council, Panuku Development Auckland Ltd gives notice that the following designation is no longer required:

Designation Number	405
Requiring Authority	Auckland Council
Location	50 Centreway Road, Orewa
Rollover Designation	Yes
Legacy Designation	Designation 131, Auckland Council District Plan (Rodney Section) 2011
Lapse Date	Given effect to (i.e. no lapse date)

Auckland Council currently owns the property at 50 Centreway Road, which serves as council offices, local board offices and a customer service centre. The property was originally purchased by Rodney County Council in 1974 from the Crown and it is not subject to offer back obligations under section 40 of the Public Works Act 1981.

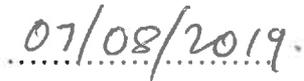
Under the Auckland Council's Corporate Property Portfolio Strategy, this property was considered for divestment and it has been assessed as being surplus to Auckland Council requirements. As part of this process, the Hibiscus and Bays Local Board, Panuku Development Auckland and iwi authorities have been formally consulted. The decision for disposal of the property was approved by the Finance and Performance Committee in May 2018. Resolution FIN/2018/73 is attached.

Given that this property is no longer required as Council offices, and has been approved for disposal, the designation for use as council offices is no longer required.

On behalf of Auckland Council, Panuku Development Auckland Ltd requests the territorial authority to amend the district plan accordingly as required by [Section 182](#) of the Resource Management Act 1991.

A handwritten signature in black ink, appearing to be 'Panuku', written over a horizontal dotted line.

Signature on behalf of requiring authority

A handwritten date '07/08/2019' written in black ink over a horizontal dotted line.

Date

Electronic address for service of requiring authority

Telephone:

Postal address:

Contact person:

Attachment A: Certificate of Title



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy


R.W. Muir
Registrar-General
of Land

Identifier NA87D/294
Land Registration District North Auckland
Date Issued 29 January 1992

Prior References
NA45C/357 NA75D/681

Estate Fee Simple
Area 1.9305 hectares more or less
Legal Description Lot 1 Deposited Plan 147350

Proprietors
Auckland Council

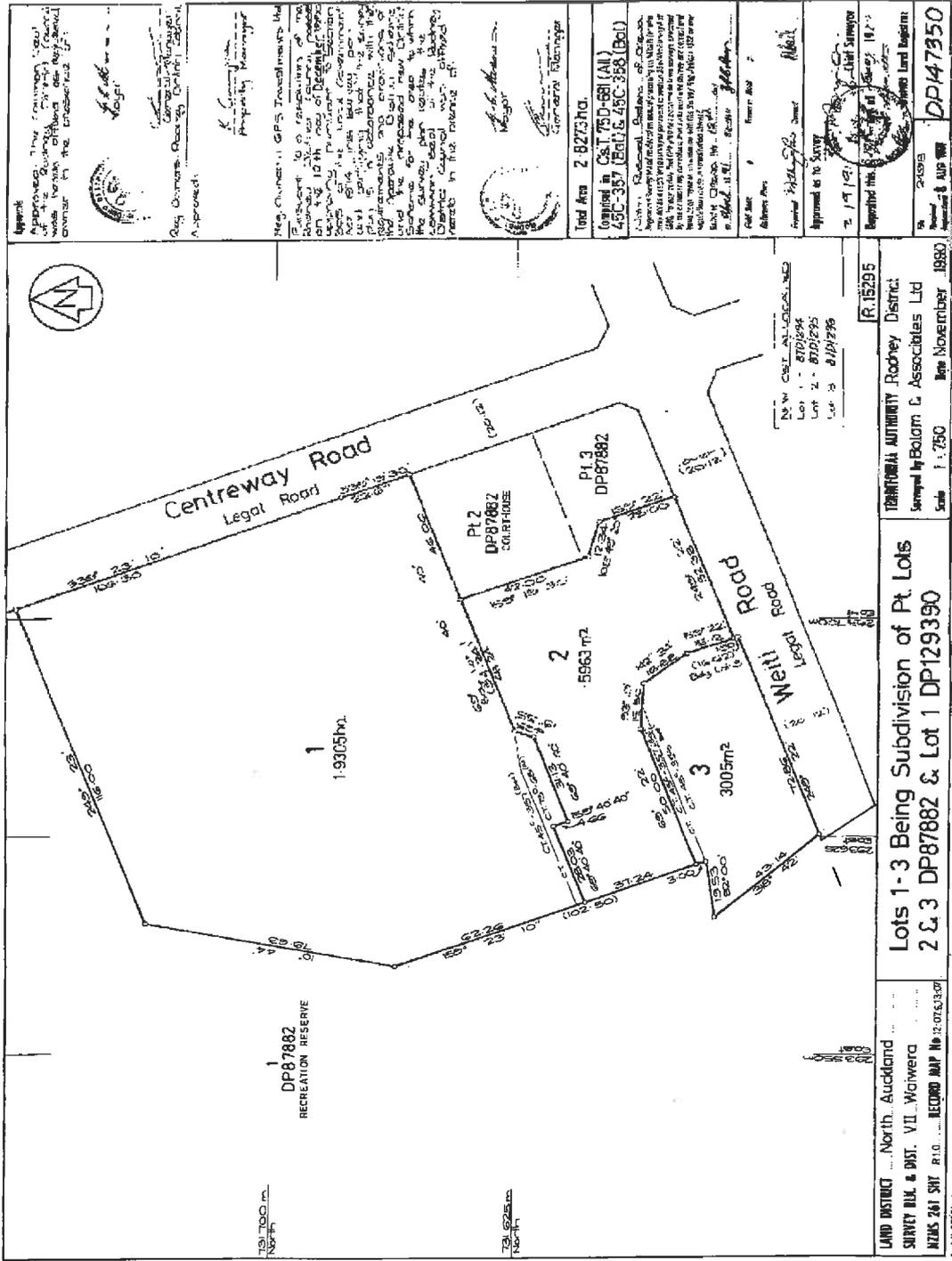
Interests

Subject to Section 8 Mining Act 1971

Subject to Section 168A Coal Mines Act 1925 (affects part)

Subject to Section 27B State-Owned Enterprises Act 1986 (which provides for the resumption of land on the recommendation of the Waitangi Tribunal and which does not provide for third parties, such as the owner of the land, to be heard in relation to the making of any such recommendation) (affects part)

Appurtenant hereto is a right to drain sewage created by Easement Instrument 7431816.1 - 25.6.2007 at 9:00 am



Approved: The Council has approved the proposed subdivision of the land shown on the plan and the proposed boundaries of the lots shown on the plan.

City Engineer, Rodney District Council

Approved: [Signature]

City Engineer, Rodney District Council

Reg. Christchurch GPS Travellers Ltd
 Licensed to a category of the
 Survey Act 1980. The plan was
 prepared by the firm of
 Surveyors, Planning and
 Consulting Engineers, Rodney
 District Council, 100-102
 Victoria Street, Auckland.
 The plan was prepared in
 accordance with the
 Survey Act 1980 and the
 Survey Regulations 1980.
 The plan was prepared by
 the firm of Surveyors,
 Planning and Consulting
 Engineers, Rodney District
 Council, 100-102 Victoria
 Street, Auckland.

100-102 Victoria Street, Auckland

Lot Area 2 8273 Ha.

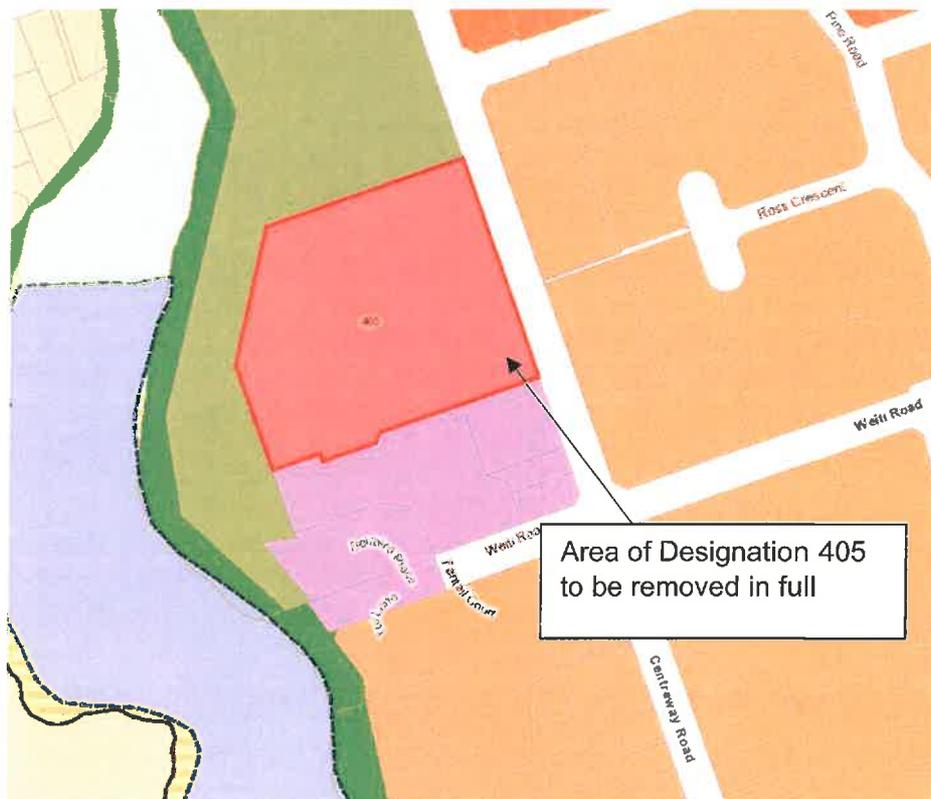
Controlled in Cat 1 (5-D-68) (AN)
 45C-357 (EAT) & 45C-358 (Bot)

Approved as to Survey
 2 19 1980

Reported this 2 19 1980

DP147350

**Attachment B:
AUP Map of Site**



**Attachment C:
Resolution Number FIN/2018/73**

MOVED by Cr M Lee, seconded by Cr W Walker amendments to clauses a) i) and ii) by way of replacement:

- i) that the sale of 4-10 Mayoral Drive be deferred to enable the Council to complete an appropriate development strategy for this very important strategically located civic property, and until the completion of the City Rail Link (CRL), to enable the Council / ratepayers to capture the maximum commercial benefit from the uplift in property values normally accruing from such city-building infrastructure transport investments.
- ii) that the sale of 35 Graham Street be deferred until consultation is undertaken with the housing / building / property sector and other interested parties.

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr C Casey	Cr J Bartley	
Cr C Fletcher	Deputy Mayor BC Cashmore	
Cr M Lee	Chairperson R Clow	
Cr D Newman	Cr L Cooper	
Cr W Walker	Cr C Darby	
Cr J Watson	Cr A Filipaina	
	Mayor P Goff	
	Cr R Hills	
	Cr P Hulse	
	Deputy Chairperson D Simpson	
	IMSB Member D Taipari	

The amendment was declared LOST by 6 votes to 11.

The substantive motion was put.

Resolution number FIN/2018/73

MOVED by Chairperson R Clow, seconded by Cr A Filipaina:

That the Finance and Performance Committee:

- a) **approve the disposal of the following sites identified in Option 2 – Optimise (as referenced later in this report and the info-graphic attached) that forms the Corporate Property Portfolio Strategy, subject to the satisfactory conclusion of any required statutory processes:**
 - i) **approximately 4,238m2 (subject to survey) of land at 4-10 Mayoral Drive, Auckland comprised of an estate in fee simple more or less being the following:**
 - **4-8 Mayoral Drive: Lot 15, Lot 18 and Lots 23-25 DP 21520 and Part Lot 21 DP 212520, contained in computer freehold register NA1589/36.**
 - **10 Mayoral Drive: Section 1 Survey Office Plan 54203, contained in computer freehold register NA75B/323.**
 - **10A Mayoral Drive: Allotment 26-27 Section 31 City of Auckland, contained in computer freehold register NA1193/78.**
 - ii) **approximately 4,841m2 (subject to survey) of land and associated buildings at 35 Graham Street, Auckland, comprised of an estate in fee simple more or less being Lot 1 DP 47079 and Lot 1 DP 68194 and Part Allotment 9-10 Section 20 Suburbs of Auckland, contained in computer freehold register NA97B/101; and**

- iii) an approximate 7,200m² (subject to survey) portion of the overall 16,164m² (subject to survey) of land and the associated "Admin" building at 6 Henderson Valley Road, Henderson, comprised of an estate in fee simple more or less being Lot 2 DP 370255, contained in computer freehold register 284768. Note that the residual land area is intended to be sub-divided for the purposes of CRL (approximately 2,100m²), retained ownership of the "Civic" building by council (approximately 1,100m²), roading and Japanese Gardens to be vested (approximately 5,764m²); and
 - iv) approximately 910m² (subject to survey) of land and associated buildings at 4 Osterley Way, Manukau, comprised of an estate in fee simple more or less being Part Lot 47 DP 69242, contained in computer freehold register NA67C/986; and
 - v) approximately 19,305m² (subject to survey) of land and associated buildings at 50 Centreway Road, Orewa, comprised of an estate in fee simple more or less being Lot 1 DP 147350, contained in computer freehold register NA87D/294; and
 - vi) an approximate 2,550m² (subject to survey) portion of the overall approximately 5,059m² (subject to survey) of land and associated buildings at 35 Coles Crescent, Papakura, comprised of an estate in fee simple more or less being Allotment 3-4 and Allotment 4A Section 2 Village of Papakura, contained in computer freehold register NA521/186. Note that the residual land area is intended to be sub-divided for the purposes of a reserve containing the historic Centennial House, the time capsule and the playground; and
 - vii) approximately 13,090m² (subject to survey) of land and associated buildings at 82 Manukau Road, Pukekohe, comprised of an estate in fee simple more or less being Lot 1 DP 99706, contained in computer freehold register NA54B/1241; and
- b) agree that for each property to be disposed a development framework, outlining future strategic outcomes, be discussed with the respective local board for their feedback and input.
 - c) agree that final terms and conditions be approved under the appropriate delegations.
 - d) approve the ring-fencing of the capital receipts from the divestment of properties to reinvest in a programme of works to create a fit for purpose corporate property network.

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr J Bartley	Cr M Lee	
Cr C Casey	Cr D Newman	
Deputy Mayor BC Cashmore	Cr W Walker	
Chairperson R Clow	Cr J Watson	
Cr L Cooper		
Cr C Darby		
Cr A Filipaina		
Cr C Fletcher		
Mayor P Goff		
Cr R Hills		
Cr P Hulse		
Deputy Chairperson D Simpson		
IMSB Member D Taipari		

The motion was declared CARRIED by 13 votes to 4.

CARRIED

Note: Pursuant to Standing Order 1.8.6, the following councillors requested that their dissenting votes be recorded as follows:

- Cr C Casey against clause a) v)
- Cr C Fletcher against clauses a) v) and vi)

Attachments

- A 15 May 2018 - Finance and Performance Committee - Item 9 - Corporate Accommodation Recommendation, Corporate Property Portfolio - email from Henderson-Massey Local Board Chair, dated 11 May 2018
- B 15 May 2018 - Finance and Performance Committee - Item 9 - Corporate Accommodation Recommendation, Corporate Property Portfolio - presentation

10 Finance and Performance Committee - Information Report - 15 May 2018

Resolution number FIN/2018/74

MOVED by Cr A Filipaina, seconded by IMSB Member D Taipari:

That the Finance and Performance Committee:

- a) receive the information report – 15 May 2018.

CARRIED

11 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

12 Procedural motion to exclude the public

Resolution number FIN/2018/75

MOVED by IMSB Member D Taipari, seconded by Deputy Chairperson D Simpson:

That the Finance and Performance Committee:

- a) exclude the public from the following part(s) of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Attachment 2: Section 182 Report

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



To: Peter Vari - Team Leader Planning North/West & Islands

From: Wayne Siu, Planner Planning North/West & Islands

Date: 22 August 2019

Subject:

Removal of Designation 405 Orewa Council Offices in the Auckland Unitary Plan (Operative in Part)

Summary

Auckland Council has received a request from Auckland Council under section 182 of the Resource Management Act 1991 (RMA), dated 22 August 2019, to remove in full Designation 405 Orewa Council Offices.

A section 182(1) request is required to uplift the existing designation in full from land which has been deemed surplus by Auckland Council.

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 be accepted.

Recommendation

1. That the section 182 request from Auckland Council for the removal of Designation 405 Orewa Council Offices in the Auckland Unitary Plan be **accepted** for the following reasons:
 - The land subject to the removal is no longer needed for use as council offices.
 - The removal is for the entirety of the designation.
2. That Designation Designation 405 Orewa Council Offices be removed, as soon as reasonably practicable, in the Designation overlay and Chapter K Designations in the Auckland Unitary Plan.

1. Description

1.1. References

Designation number:	Designation 405 Orewa Council Offices
Lodgement date:	22 August 2019
Requiring authority:	Auckland Council
Reporting officer:	Wayne Siu
Site address:	50 Centreway Road, Orewa
UP Zoning:	Business - Mixed Use Zone

2.0 Background

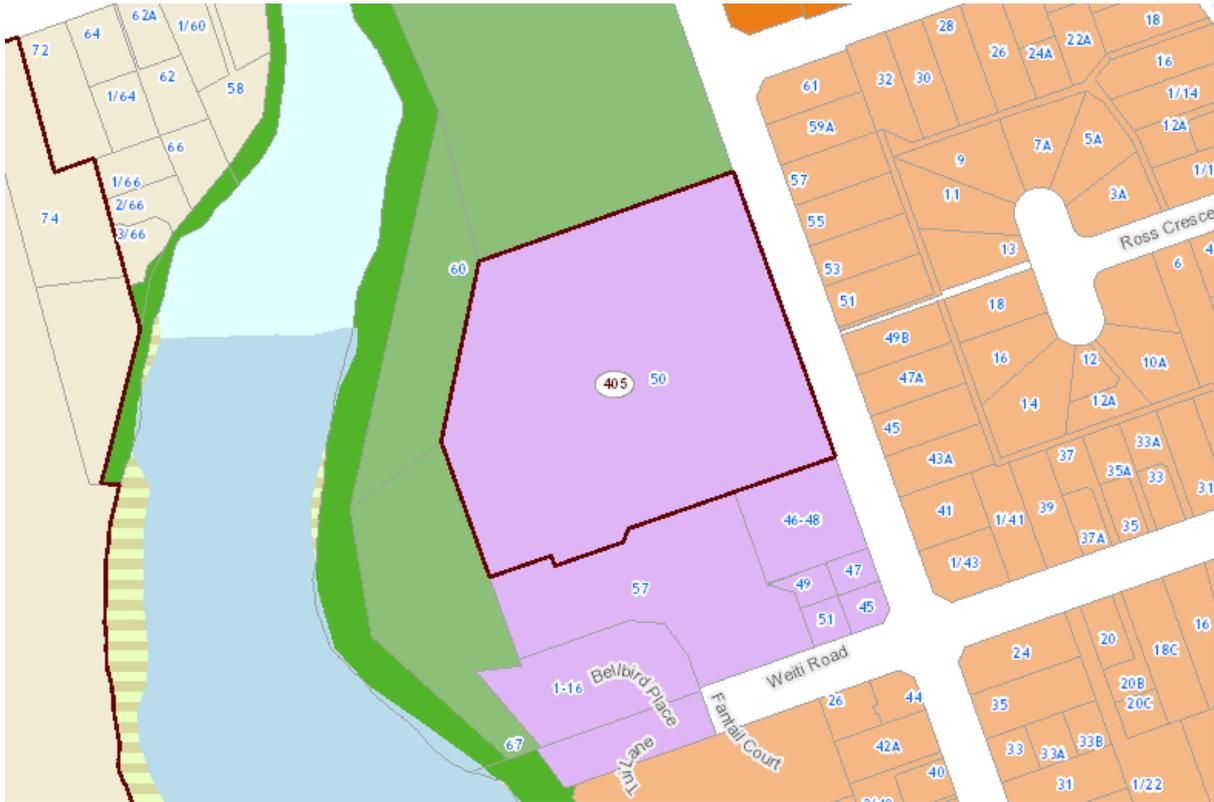
2.1 Details of designation

Auckland Council owns the property at 50 Centreway, Orewa for use as council offices. Auckland Council identifies this property as being surplus to requirements. The Hibiscus and Bays Local Board, Panuku Development Auckland and iwi authorities have been formally consulted as part of the process considering divestment of council properties. The Finance and Performance Committee approved the decision to dispose of the property at its May 2018 meeting [FIN/2018/73].

Panuku Development Auckland Limited (on behalf of Auckland Council) served a notice under section 182 of the Resource Management Act 1991, signed by Rod Aitken head of Corporate Property, to remove the designation from the site.

1.2 Land affected by removal

The designation is currently shown in the AUP maps as follows



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

1.3 Delegated authority to consider alterations to designations

The Team Leader - Planning North/West & Islands (Plans and Places Tier 5) has delegated authority, in accordance with Schedule 2A of the Auckland Council Delegations: Chief Executive Officer (updated February 2017), 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 – North/West & Islands (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.

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 Auckland Council has provided sufficient justification for the removal of Designation 405 Orewa Council Offices for the following reasons:

- The land subject to the removal is no longer needed for use as council offices.
- The removal is for the entirety of the designation.

2.0 Recommendation

That pursuant to Section 182 of the Resource Management Act 1991 that the removal of Designation 405 Orewa Council Offices be **accepted** and the Auckland Unitary Plan Operative in part designation overlay and text in Chapter K Designations be amended accordingly.

**Prepared
by:** Wayne Siu
Planner
Planning North/West & Islands

**Accepted
by:** Peter Vari
Team Leader
Planning North/West & islands

Signature:



Signature:



Date: 22 August 2019

SCHEDULE OF ATTACHMENTS:

Attachment A: Auckland Council s182 Notice of Removal

Attachment 3: Updated GIS Viewer

Attachment 4: Updated Text

Designation Schedule - Auckland Council (1/3)

North and West

Number	Purpose	Location
400	Regional park ...	1181 Takatu Road, Takatu Peninsula, Tawharanui
401	Regional park ...	190 Ngarewa Drive, Mahurangi West; Ridge Road, Mahurangi East; and Big Bay and Lagoon Bay, Mahurangi East
402	Regional park ...	1501 Whangaparoa Road, Army Bay Whangaparoa
403	Regional park ...	447 Motutara Road, Muriwai
404	Regional park ...	114 Scandrett Road, Mullet Point, Mahurangi East
405	Administration, professional and commercial offices and services ...	50 Centreway Road, Orewa
406	Local park ...	36 View Road, Warkworth
407	Local park ...	Alnwick Street (Pt Allotment 68 PSH of Mahurangi), Warkworth
408	Local park ...	Gurnard Road (Lot 1 DP 51255), Stillwater
409	Local park ...	Alnwick Street (Pt Allotment 68 PSH of Mahurangi), Warkworth
410	Refuse disposal	141 Rustybrook Road, Wellsford
411	Refuse transfer station	31 Omaha Drive, Omaha
412	Refuse disposal	307 Leigh Road, Ti Point
413	Refuse disposal	55 Lawrie Road, Snells Beach
414	Community facility ...	2 Victoria Road, Devonport
415	Regional park ...	2000 Beach Road, Long Bay
416	Regional park ...	2911 South Head Road, South Head
417	Rosedale Landfill	62 Greville Road, Albany
418	Regional park - for recreational use ...	300 Scenic Drive, Titrangi; 601 Huia Road, Parau; and, Whatipu Road, Huia
419	Cemetery and crematorium	4128A Great North Road, Glen Eden
420	Cemetery	54 O'Neills Road, Swanson
421	Local park ...	9-15 Alderman Drive, Henderson
422	Local park ...	1-19 Sunnyvale Road, Swanson
423	Park service centre	75 Glen Road, Massey
424	Local park ...	45 Woodglen Road, Glen Eden
425	Solid waste baling station	50 The Concourse, Te Atatu
426	Regional park ...	184 Hungry Creek Road, Mahurangi West
427	Regional park ...	37 Schischka Road, Wenderholm
428	Utility reserve - public toilets	66 Main Road, Kumeu
429	Regional park ...	415 Run Road, Taporu
430	Regional park ...	Southern part of Pakiri Coast (vicinity of Witten Road, Spencer Road and M Greenwood Road)
R431	Regional park ...	Pakiri River Road, Pakiri Coast

R432	Regional park ...	Te Arai Point Road, Te Arai
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405 Orewa Council Offices

Designation Number	405
Requiring Authority	Auckland Council
Location	50 Centreway Road, Orewa
Rollover Designation	Yes
Legacy Designation	Designation 131, Auckland Council District Plan (Rodney Section) 2011
Lapse Date	Given effect to (i.e. no lapse date)

Purpose

Administrative, professional and commercial offices and services on the site of the Council offices.

Conditions

No conditions.

Attachments

No attachments.