

## UNITARY PLAN UPDATE REQUEST MEMORANDUM

**TO** Celia Davison – Manager – Planning Central & South

**FROM** Sisira Jayasinghe, Planner, Planning Central & South

**DATE** 7 March 2019

**SUBJECT** **Designation to be updated in the AUPOP in accordance with s182 of the Resource Management Act**



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

<b>Reason for update</b> – The New Zealand Transport Agency as the requiring authority has requested this change as the parts of the designation as indicated in the attached map are no longer required for road widening purposes.	
<b>Chapter</b>	Chapter K
<b>Section</b>	Schedules and Designations
<b>Designation only</b>	
<b>Designation # 6704</b>	State Highway 22 – Karaka to Pukekohe, New Zealand Transport Agency
<b>Designation # 6705</b>	State Highway 22 Road Widening – Karaka to Pukekohe, New Zealand Transport Agency
<b>Locations:</b>	332 Karaka Road, Drury, Auckland 2578
<b>Lapse Date</b>	Given effect to (i.e.no lapse date)
<b>Purpose – Designation #6704</b>	State Highway – declared limited access road.
<b>Purpose – Designation #6705</b>	Land for road widening – 5m where indicated on Map 100, to a minimum width of 30m of road reserve.
<b>Changes to text (shown in underline and strikethrough)</b>	Not applicable
<b>Changes to diagrams</b>	Not applicable
<b>Changes to spatial data</b>	Refer to the Team Leader approved Decision Report dated 18 February 2019
<b>Attachments</b>	<ul style="list-style-type: none"> <li>• Team Leader approved Decision Report dated 18 February 2019 (including maps showing partial removal of Designations 6704 and 6705)</li> <li>• New Zealand Transport Agency's Notice to remove in part Designations 6704 and 6705 under s 182(1) and Form 23</li> </ul>

**Prepared by:**

Sisira Jayasinghe  
Planner, Planning Central & South



**Signature:**

**Text entered by:**

Not applicable

**Maps prepared by:**

Shelley Glassey  
Lead Geospatial Analyst  
Aucklandwide



**Signature:**

**Reviewed by:**

Sisira Jayasinghe  
Planner, Planning Central & South



(Marc Dendale in the absence of Sisira  
Jayasinghe on leave)

**Signature:**

Celia Davison  
Manager, Planning Central & South



**Signature:**

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



**To:** Craig Cairncross, Team Leader Planning Central and South

**From:** Sisira Jayasinghe, Planner, Planning Central and South

**Date:** 18 February 2019

**Subject:**

Partial Removal of Designation 6704 (State Highway 22 - Karaka to Pukekohe) and 6705 (State Highway 22 Road Widening – Karaka to Pukekohe) from the property at 332 Karaka Road, Drury in the Auckland Unitary Plan (Operative in Part)

## Summary

Auckland Council has received a request dated 13 February 2019 from New Zealand Transport Agency (NZTA) under section 182 of the Resource Management Act 1991 (RMA), to remove in part Designation 6704 (State Highway 22 - Karaka to Pukekohe) and 6705 (State Highway 22 Road Widening – Karaka to Pukekohe) from the property at 332 Karaka Road, Drury.

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

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 partial removal be accepted.

## Recommendation

1. That the section 182 request from NZTA for the partial removal of Designation 6704 (State Highway 22 - Karaka to Pukekohe) and 6705 (State Highway 22 Road Widening – Karaka to Pukekohe) from the property at 332 Karaka Road, Drury in the Auckland Unitary Plan (Operative in Part) be **accepted** for the following reasons:
  - Partial removal of these Designations is done because these designations are no longer required for the NZTA's work programme for State Highway 22. At this stage, the current emerging proposed option for the corridor outside 332 Karaka Road is a median barrier and edge barriers with consequential road widening to allow for adequate median and edge shoulders. This will be contained within the realigned designation 6704.
2. That Designation 6704 (State Highway 22 - Karaka to Pukekohe) and 6705 (State Highway 22 Road Widening – Karaka to Pukekohe) be partially removed from the property at 332 Karaka Road, Drury, as soon as reasonably practicable, and that the

Auckland Unitary Plan (Operative in Part) Designation overlay and the related text in Chapter K Designations be amended accordingly.

## 1. Description

### 1.1. References

<b>Designation number:</b>	Designation 6704 (State Highway 22 - Karaka to Pukekohe) and; Designation 6705 (State Highway 22 Road Widening – Karaka to Pukekohe)
<b>Lodgement date:</b>	13 February 2019
<b>Requiring authority:</b>	New Zealand Transport Agency
<b>Reporting officer:</b>	Sisira Jayasinghe, Planner, Planning Central & South
<b>Site address:</b>	332, Karaka Road, Drury, Auckland 2578
<b>Legal Description</b>	LOT 2 DP 384460, LOT 3 DP 384460, LOT 5 DP 384460
<b>UP Zoning:</b>	Rural – Mixed Rural Zone

## 2.0 Background

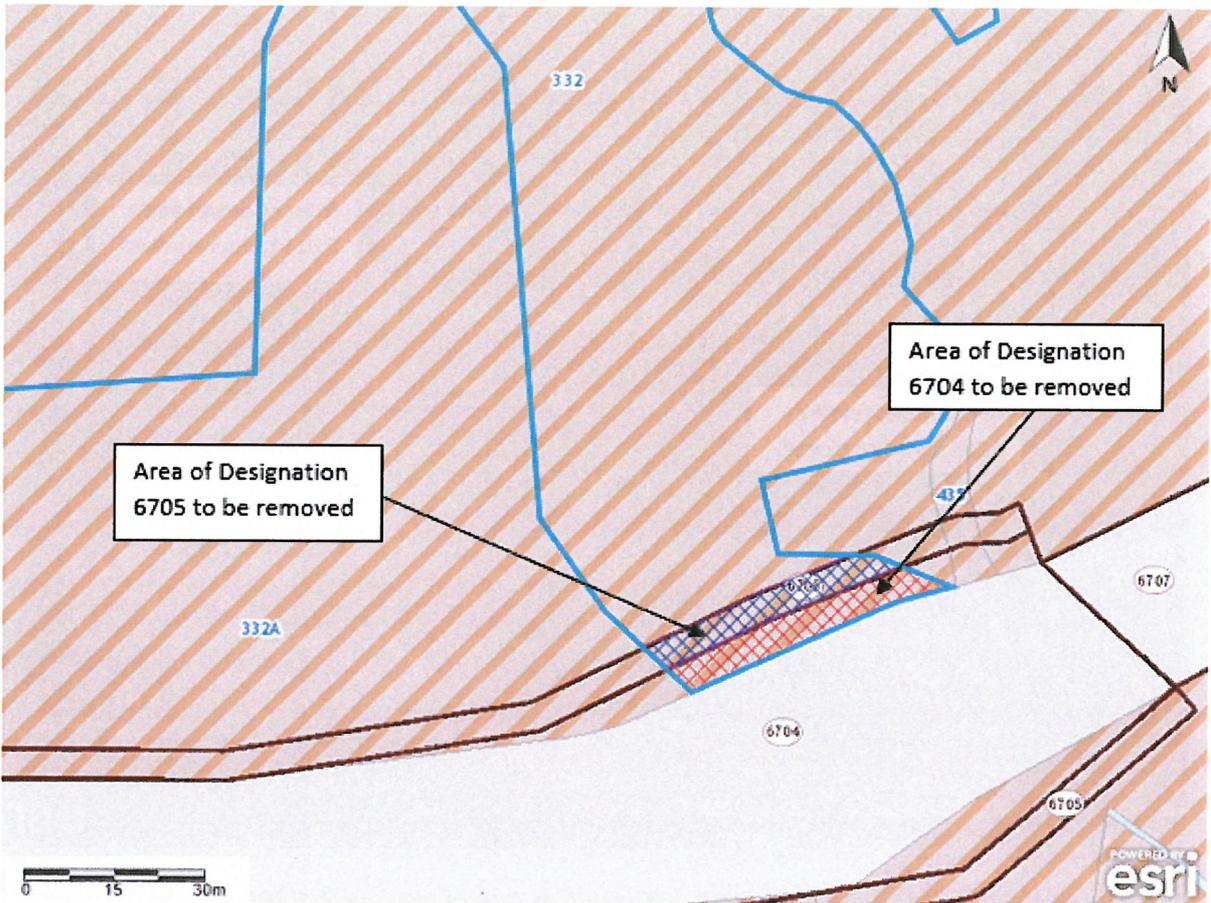
### 2.1 Details of designation

Designation 6704 is a Rollover Designation for State Highway purposes from the Designation 88 of the Auckland Council District Plan – Franklin Section. Lapse date is given as 'Given effect to' (i.e. no lapse date).

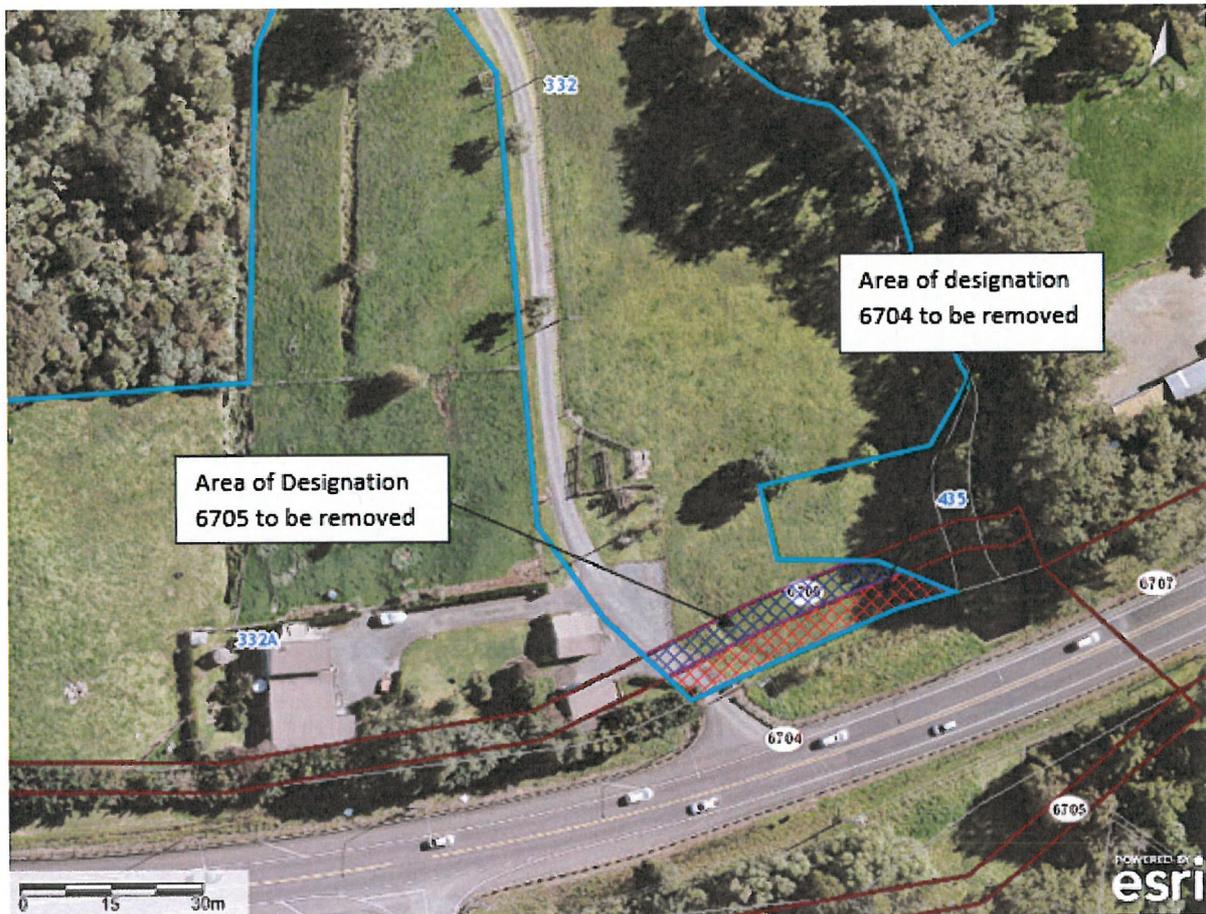
Designation 6705 is a Rollover Designation for road widening purposes from the Designation 140 of the Auckland Council District Plan – Franklin Section. Lapse date is given as 'Given effect to' (i.e. no lapse date).

### 2.2 Land affected by removal

Designation 6704 and 6705 to be removed are currently shown in the AUP maps as follows:



Designation 6704 (State Highway 22 - Karaka to Pukekohe) and 6705 (State Highway 22 Road Widening – Karaka to Pukekohe) be partially removed from the property at 332 Karaka Road, Drury, Auckland – AUP Viewer



Designation 6704 (State Highway 22 - Karaka to Pukekohe) and 6705 (State Highway 22 Road Widening – Karaka to Pukekohe) be partially removed from the property at 332 Karaka Road, Drury, Auckland – Aerial Map

### 2.3 Delegated authority to consider alterations to designations

The Team Leader – Planning, Central and South (Plans and Places Tier 5) has delegated authority, in accordance with Schedule 2A of the Auckland Council Combined Chief Executive’s Delegation Register (updated August 2018), 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 – Central and South (Plans and Places Tier 5) and accepted or declined.

### 2.4 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 requires 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 NZTA has provided sufficient justification for the partial removal of Designation 6704 (State Highway 22 - Karaka to Pukekohe) and 6705 (State Highway 22 Road Widening – Karaka to Pukekohe) from the property at 332 Karaka Road, Drury, Auckland 2578, namely that:

- Partial removal of these Designations is made because these designations are no longer required for the NZTA's work programme for State Highway 22. At this stage, the current emerging proposed option for the corridor outside 332 Karaka Road is a median barrier and edge barriers with consequential road widening to allow for adequate median and edge shoulders. This will be contained within the realigned designation 6704.

### 3.0 Recommendation

That pursuant to Section 182 of the Resource Management Act 1991 the partial removal of Designation 6704 (State Highway 22 - Karaka to Pukekohe) and 6705 (State Highway 22 Road Widening – Karaka to Pukekohe) from the property at 332 Karaka Road, Drury, Auckland 2578 be **accepted** and the Auckland Unitary Plan (Operative in Part) designation overlay and text in Chapter K Designations be amended accordingly.

Prepared by :

**Sisira Jayasinghe**  
Planner, Planning Central & South

Signature:

Date : 18 February 2019

Accepted by :

**Craig Ciarncross**  
Team Leader, Planning Central & South

Signature :

Date :

18/2/19.

### SCHEDULE OF ATTACHMENTS:

1. New Zealand Transport Agency request to the Auckland Council to amend the AUP
2. Form 23 - Copy of the notice served on the owners of land which Designations 6704 and 6705 relate to
3. Copies of Designation 6704 (State Highway 22 - Karaka to Pukekohe) and Designation 6705 (State Highway 22 Road Widening – Karaka to Pukekohe)



Form 23

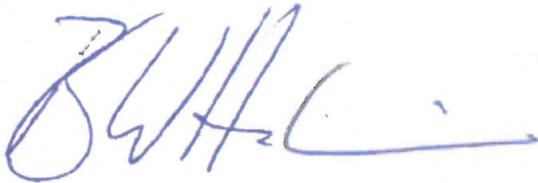
**NOTICE OF REMOVAL OF DESIGNATION OR PART OF DESIGNATION UNDER SECTION  
182 OF THE RESOURCE MANAGEMENT ACT 1991**

To: Attn: Craig Cairncross  
Team Leader – Planning, Central/South  
Auckland Council  
[Craig.Cairncross@aucklandcouncil.govt.nz](mailto:Craig.Cairncross@aucklandcouncil.govt.nz)  
Private Bag 92300  
Auckland 1442

Attn: Ross Singh  
332 Karaka Road  
RD2, Drury 2578  
Auckland  
[Ross.Singh@fonterra.com](mailto:Ross.Singh@fonterra.com)

- 1.0 **The New Zealand Transport Agency** gives notice that:
- (i) Part of Designation 6705 (State Highway 22 Widening – Karaka to Pukekohe) shall be removed from 332 Karaka Road, Drury, Auckland (see Appendix 1).
  - (ii) Part of Designation 6704 (State Highway 22 – Karaka to Pukekohe) shall be removed from 332 Karaka Road, Drury, Auckland and realigned with the (southern) property boundary adjoining State Highway 22 (see Appendix 1).
- 2.0 Both designations are contained in Chapter K Designations of the Auckland Unitary Plan (Operative in Part) and are shown as NZTA Designations 6705 and 6704 on the Auckland Council geospatial maps (located adjacent to State Highway 22).
- 3.0 The NZ Transport Agency intends to remove (in part) Designation 6705 and remove (in part) Designation 6704 from the property at 332 Karaka Road, Drury. The property is legally described as Lot 2-3, 5 Deposited Plan 384460, Parcel ID 6978855. The changes proposed to these Designations are indicated in Appendix 1.
- 4.0 The decision to remove (in part) Designation 6705 and remove (in part) Designation 6704 from 332 Karaka Road, Drury has been taken because this part of the designations are no longer required for the NZ Transport Agency's work programme for State Highway 22. At this stage, the current emerging proposed option for the corridor outside 332 Karaka Road is a median barrier and edge barriers with consequential road widening to allow for adequate median and edge shoulders. This will be contained within the realigned designation 6704.
- 5.0 The remaining area of Designation 6704 will continue under its' original purpose.
- 6.0 The NZ Transport Agency requests that Auckland Council) amends the Auckland Unitary accordingly as required by section 182 of the Resource Management Act 1991.

Signed by:



.....  
Bruce Hawkins  
Senior Planner – Consents and Approvals  
System Design and Delivery  
Pursuant to an authority delegated by NZ Transport Agency

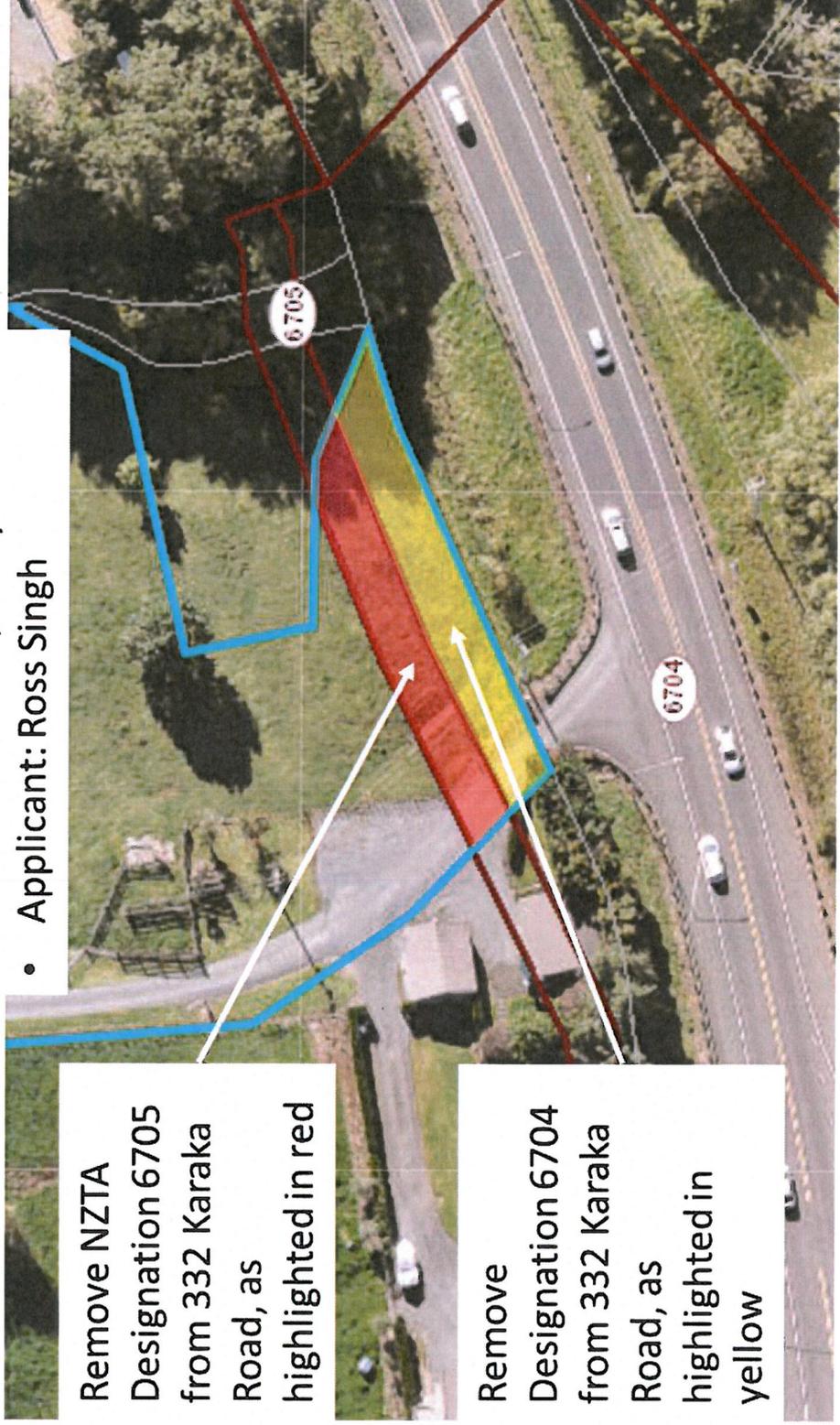
Date: 13<sup>th</sup> February 2019

Address for service of requiring authority  
Contact person: Mike Wood  
Telephone 021 9288756  
E-mail: [mike.wood@nzta.govt.nz](mailto:mike.wood@nzta.govt.nz)

Appendix 1: NZTA Designation 6704 and 6705 – Removal of Designation from 332 Karaka Road, Drury Auckland

**Site Details:**

- Lot 2-3, 5 Deposited Plan 384460
- 332 Karaka Road, Drury
- Applicant: Ross Singh



Remove NZTA Designation 6705 from 332 Karaka Road, as highlighted in red

Remove Designation 6704 from 332 Karaka Road, as highlighted in yellow



## 6704 State Highway 22 - Karaka to Pukekohe

Designation Number	6704
Requiring Authority	New Zealand Transport Agency
Location	State Highway 22 (Karaka Road and Paerata Road) from east of Woodlyn Drive, Karaka to Adams Drive, Pukekohe
Rollover Designation	Yes
Legacy Reference	Designation 88, Auckland Council District Plan (Franklin Section) 2000
Lapse Date	Given effect to (i.e. no lapse date)

### Purpose

State Highway - declared limited access road.

### Conditions

No conditions.

### Attachments

No attachments.



## 6705 State Highway 22 Road Widening - Karaka to Pukekohe

Designation Number	6705
Requiring Authority	New Zealand Transport Agency
Location	State Highway 22 (Karaka Road and Paerata Road) from east of Woodlyn Drive, Karaka to Adams Drive, Pukekohe
Rollover Designation	Yes
Legacy Reference	Designation 140, Auckland Council District Plan (Franklin Section) District Plan 2000
Lapse Date	Given effect to (i.e. no lapse date)

### Purpose

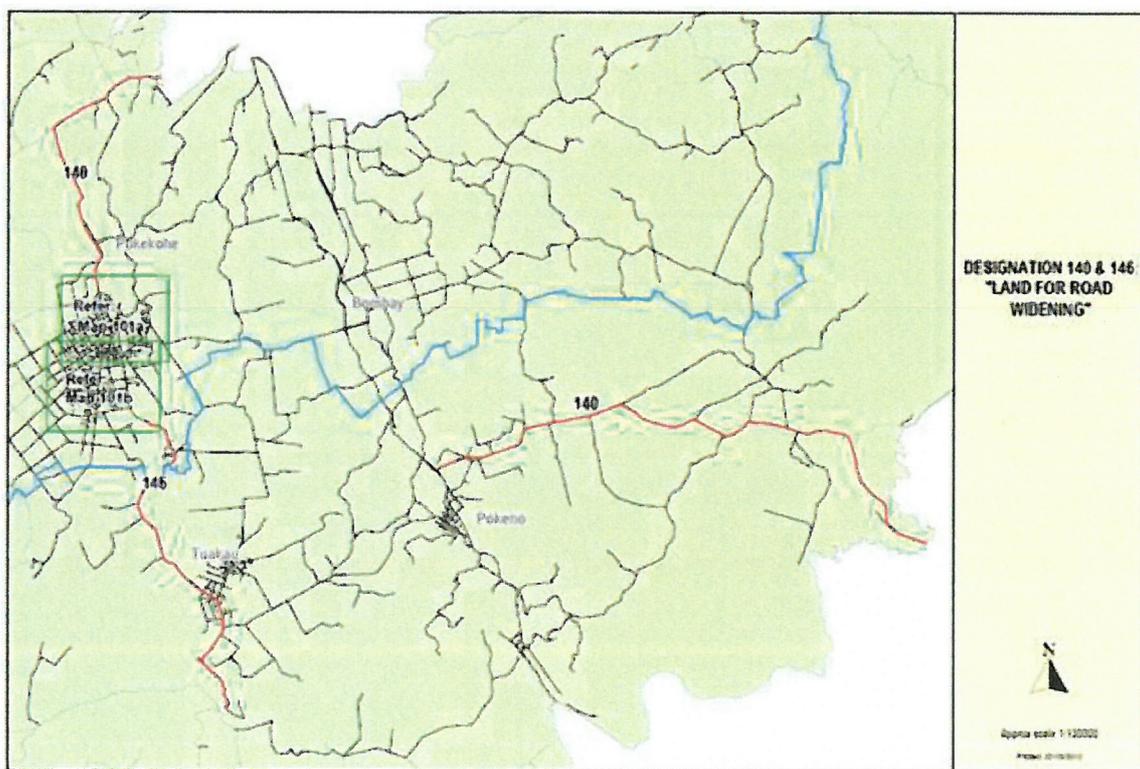
Land for road widening - 5m where indicated on Map 100, to a minimum width of 30m of road reserve.

### Conditions

No conditions.

### Attachments

#### Map 100 - Designation Land for Road Widening





## Form 23

<b>NOTICE OF REMOVAL OF DESIGNATION OR PART OF DESIGNATION UNDER SECTION 182 OF THE RESOURCE MANAGEMENT ACT 1991</b>
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To: Attn: Craig Cairncross  
Team Leader – Planning, Central/South  
Auckland Council  
[Craig.Cairncross@aucklandcouncil.govt.nz](mailto:Craig.Cairncross@aucklandcouncil.govt.nz)  
Private Bag 92300  
Auckland 1442

Attn: Ross Singh  
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RD2, Drury 2578  
Auckland  
[Ross.Singh@fonterra.com](mailto:Ross.Singh@fonterra.com)

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Signed by:



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Bruce Hawkins  
Senior Planner – Consents and Approvals  
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Pursuant to an authority delegated by NZ Transport Agency

Date: 13<sup>th</sup> February 2019

Address for service of requiring authority  
Contact person: Mike Wood  
Telephone 021 9288756  
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### Site Details:

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- 332 Karaka Road, Drury
- Applicant: Ross Singh

