

## UNITARY PLAN UPDATE REQUEST MEMORANDUM

**TO** Warren Maclennan, Manager Regional, North, West and Islands Planning

**FROM** Hannah Milatovic, Graduate Planner






**DATE** 18 August 2022

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



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

<b>Reason for update – Removal of designation</b>	
<b>Chapter</b>	AUP GIS viewer – Unitary Plan layer - Designations Chapter K – Schedules and designations – Auckland Transport
<b>Section</b>	N/A
<b>Designation only</b>	
<b>Designation # 1414</b>	<b>Public car park – Northcote – Auckland Transport</b>
<b>Designation # 1456</b>	<b>Pedestrian Mall – Northcote – Auckland Transport</b>
<b>Designation # 1457</b>	<b>Public off street parking – Northcote – Auckland Transport</b>
<b>Locations:</b>	1414 – 51 Pearn Crescent and 115 Lake Road Northcote – Lot 2 DP 52674 & Lot 63 DP 50766 1456 – Pearn Crescent, Pearn Place, Northcote Road, Allot 651 Parish of Takapuna, Allot 652 Parish of Takapuna, Allot 653 Parish of Takapuna. 1457 – 32 College Road, Northcote, Lot 2 DP 68002
<b>Lapse Date</b>	Given effect to (i.e. no lapse date)
<b>Purpose</b>	Public car parking purposes.
<b>Changes to text (shown in underline and strikethrough)</b>	Chapter K – delete Designation 1414, Designation 1456 and Designation 1457 from Schedules and designations – Auckland Transport  Refer to <b>Attachment C.</b>
<b>Changes to diagrams</b>	N/A
<b>Changes to spatial data</b>	Removal of Designation 1414, Designation 1456 and Designation 1457 from AUP GIS viewer – Unitary Plan Layer – Designations  Refer to <b>Attachment D.</b>
<b>Attachments</b>	Attachment A – Section 182 request Attachment B – Section 182 report and approval Attachment C – Updated text D1414, D1456, D1457 (Strikethrough/ underlined) Attachment D –Updated GIS Viewer

<p><b>Prepared by:</b> Hannah Milatovic Graduate Planner</p>	<p><b>Text Entered by:</b> Sarah El Karamany Planning Technician</p>
<p><b>Signature:</b></p> 	<p><b>Signature:</b></p> 
<p><b>Maps prepared by:</b> Natalia Liana Geospatial Specialist</p>	<p><b>Reviewed by:</b> Jo Hart Senior Policy Planner – Regional, North, West and Islands.</p>
<p><b>Signature:</b></p> 	<p><b>Signature:</b></p> 
<p><b>Signed off by:</b> Warren MacLennan Manager Planning – Regional, North, West and Islands.</p>	
<p><b>Signature:</b></p> 	

## **Attachment A – Section 182 request**

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

**To:** Auckland Council  
Private Bag 92300  
Auckland 1142  
Att: Eryn Shields – Team Leader – Planning - Plans & Places

**From:** Auckland Transport  
Private Bag 92250  
Auckland 1010

**28 July 2022**

### Removal of Designations 1414, 1456 and 1457 from the Auckland Unitary Plan (Operative in Part)

Auckland Transport (AT) gives notice to Auckland Council (AC) under section 182 of the Resource Management Act 1991 (RMA), that it no longer requires the following designations under the Auckland Unitary Plan (Operative in Part) (“AUP(OP)”):

- **Designation 1414 – Public Car Park - full removal**
- **Designation 1456 – Pedestrian Mall – full removal**
- **Designation 1457 – Public off-street parking – full removal**

The above designations relate to the following site addresses and legal descriptions covered under Table 1. Their locations are shown under Figure 1.

**Table 1 – land to which designations relate**

Designation Reference	Address and Legal Description	Purpose	Type of designation removal	Owner
1414	51 Pearn Crescent and 115 Lake Road, Northcote  Lot 2 DP 52674  Lot 63 DP 50766	Public car park	Full removal	Auckland Council

1456	Pearn Crescent, Pearn Place, Northcote  Road, Allot 651 Parish of Takapuna, Allot 652 Parish of Takapuna, Allot 653 Parish of Takapuna	Pedestrian Mall	Full removal	Auckland Council
1457	32 College Road, Northcote  Lot 2 DP68002	Public off street parking	Full removal	Auckland Council

**Figure 1 – location of designations under AUP OP planning map**



The details of the Designations 1414, 1456 and 1457 can be found under **Attachment One** of this letter. The original text of the designations can be located under Chapter K of the AUP (OP), on page 39/799, 164/799 and 165-169/799 respectively.

### Reasons for the removal of designations

Auckland Transport is seeking the full removal of Designations 1414, 1456 and 1457 for the following reasons:

- Eke Panuku has requested AT to consider the uplift the designations to enable the redevelopment of Northcote Town Centre. The designated areas are required for the redevelopment. The town centre will comprise a town square, community hub, open space, car parking and internal street network with the balance land sold to the market for a mix of retail, commercial and housing development; and
- Internal consultation has been undertaken with relevant AT departments and the

designations are no longer required by AT.

## Conclusion

Section 182(1) of the RMA enables a requiring authority to remove a designation or part of a designation if it no longer wants it.

Section 182(2) requires that as soon as reasonably practicable after receiving a notice under section 182(1), the territorial authority shall, without using the process in Schedule 1, amend its district plan accordingly.

As such, AT requests Auckland Council to amend the AUP (OP) accordingly as required by section 182 of the Resource Management Act 1991 as soon as reasonably practicable.

Acknowledgement is requested upon the receipt of this letter and as well as an indicative timeframe from AC in respect for the uplift of these three designations in their entirety.

Yours sincerely,

  
Jane Small

**Group Manager – PMO, Strategic Programmes and Property**

**Integrated Networks Division**

Auckland Transport

20 Viaduct Harbour Avenue, Auckland 1010

**DDI** 09 447 4893 | **P** 09 355 3553 | **M** 021 355 112

[Jane.Small@at.govt.nz](mailto:Jane.Small@at.govt.nz) | [www.at.govt.nz](http://www.at.govt.nz)

## Attachment One – Auckland Transport Designations 1414, 1456 & 1457 under AUP (OP)

### **Designation 1414:**

#### 1414 Car Park - Pearn Crescent

Designation Number	1414
Requiring Authority	Auckland Transport
Location	51 Pearn Crescent and 115 Lake Road, Northcote
Rollover Designation	Yes
Legacy Reference	Designation 136, Auckland Council District Plan (North Shore Section) 2002
Lapse Date	Given effect to (i.e. no lapse date)

#### **Purpose**

Public car park.

#### **Conditions**

No conditions.

#### **Attachments**

No attachments.

### **Designation 1456:**

#### 1456 Pedestrian Mall - Northcote

Designation Number	1456
Requiring Authority	Auckland Transport
Location	Pearn Crescent, Northcote
Rollover Designation	Yes
Legacy Reference	Designation 143, Auckland Council District Plan (North Shore) 2002
Lapse Date	Given effect to (i.e. no lapse date)

#### **Purpose**

Pedestrian mall.

#### **Conditions**

No conditions.

#### **Attachments**

No attachments.

## **Designation 1457:**

### 1457 Car Park - College Road

Designation Number	1457
Requiring Authority	Auckland Transport
Location	32 College Road, Northcote
Rollover Designation	No
Legacy Reference	N/A
Lapse Date	Given effect to (i.e. no lapse date)

### Purpose

Public off-street parking, including ongoing maintenance, repairs and like for like replacement works to the existing parking facility and minor operational improvements to the same.

#### **Works exempt from providing an Outline Plan of Works**

Auckland Transport shall be exempt from providing an Outline Plan of Works for the following works, subject to the conditions of this designation.

1. Maintenance, repairs and like for like replacement including the following elements:
  - a. Vehicle access related assets and facilities (including but not limited to markings, ramps, speed humps, kerbs, berms, bollards, barriers, traffic separators and islands);
  - b. Communications, water supply and energy supply infrastructure;
  - c. Stormwater drainage and other surface water management infrastructure;
  - d. Earthworks;
  - e. Pruning and removal of all non-scheduled vegetation within the site; and
  - f. Temporary traffic management necessary to implement works.
  
2. Minor operational improvements including those involving the installation of new 'parking infrastructure' including the following elements:
  - a. Changes to the parking layout, including the location and configuration of parking bays, access and circulation areas within the designated site, provided that the total number of public parking bays is not increased;
  - b. Resurfacing of floors, at-grade, and metalled parking surfaces;
  - c. Re-marking of parking bays, access ways, and other painted markings on the parking surfaces;
  - d. Bicycle stands, racks, cages and other forms of bicycle storage;
  - e. Pay and display machines, kiosks, and other types of ticket dispensers and ticket booths;
  - f. Customer service booths;
  - g. Barrier arms;
  - h. Parking sensors;
  - i. Signage relating to parking information, management and enforcement;
  - j. Lighting;
  - k. CCTV cameras; and
  - l. Toilet facilities.
  
3. Any changes to the mix of the function of the parking (short / long term);
  
4. Maintenance, repairs and like for like replacement of all vehicle access related assets and facilities within the designated site (including but not limited to markings, ramps, speed humps, kerbs, berms,

Auckland Unitary Plan Operative in part

1



bollards, barriers, traffic separators and islands);

5. Maintenance, repairs and like for like replacement of all stormwater drainage and other surface water management infrastructure within the site, including any treatment devices utilising planting;

6. Installation of new stormwater management infrastructure (including treatment devices) to avoid, remedy or mitigate localised flooding or surface water problems on the site;

7. Maintenance, pruning and removal of all non-scheduled vegetation within the site;

8. In the case of parking buildings and structures, maintenance, repairs and like for like replacement of parts of the building / structure (including but not limited to a building's interior and exterior cladding, cavities, roofs, doors, windows, lifts, stairwells and lighting, electrical and electronic systems);

9. Maintenance and replacement of communications, water supply and energy supply infrastructure necessary to support the above;

10. Earthworks to implement any of the above; and

11. Temporary traffic management necessary to implement any of the above.

12. For the avoidance of doubt, in the case of mixed use buildings, the specified works provided for by the designation only applies to the proportion of the building/structure dedicated to non ancillary public parking.

**Works requiring an Outline Plan of Works**

Auckland Transport shall prepare an Outline Plan of Works for any increase in the total number of public parking bays within the designated site, provided that this does not involve any new or extended parking structure or building.

For the avoidance of doubt, any new or extended parking structure or building falls outside the scope of this designation.

**Conditions**

**Construction Hours**

1. Construction (including all works) shall be limited to the following hours, with the exception of emergency works pursuant to Sections 330 and 330B of the RMA:

Weekdays 7am - 10pm;

Saturdays 8am - 5pm;

Sundays & Public Holidays No work

**Construction Noise Limits and Mitigation**

2. Any construction works and related activities on the site shall be conducted so as to ensure that the resultant noise, as measured in accordance with the requirements of NZS 6803:1999 Acoustics – Construction Noise, meets the following noise limits all days of the year.

Day	Time Period	Duration of Work	
		Short term duration (less than 15 consecutive calendar days)	Long term duration
		Leq (dBA) (30 min)	Leq (dBA)

Weekdays	7am – 10pm	80	70
Saturdays	8am – 5pm	75	70

During construction, the principles for managing construction noise set out within New Zealand Standard 6803: 1999, Acoustics – Construction Noise shall be formally adopted.

### Construction Vibrations

3. Any vibrations from construction activities shall comply with the following:

i. Blasting and pile driving activities must be controlled to ensure any resulting ground vibration does not exceed the limits set out in Table 1 of DIN 41503 (1999): Structural vibration – Part 3 Effects of vibration on structures when measure on the foundation or the horizontal plane of the highest floor of an affected building.

ii. Stationary vibrating, reciprocating and rotating machinery and all piping, ducting and other equipment attached to such machinery must be installed and maintained so that any resulting vibration does not exceed the limits of the following table when measured in adjacent buildings or areas of buildings under different ownership from the source of the vibration:

Affected occupied building or area	Time of day	Maximum vibration level in rms velocity (mm/s) between 8 and 80Hz
Buildings in a heavy industry or light industry zone	All	0.80
Buildings for commercial activities	All	0.40
Habitable rooms of buildings designed for residential use	7am-10pm	0.20
Sleeping areas of buildings designed for residential use	10pm-7am	0.14
Surgery rooms of health care facilities	All	0.10

### Sediment Control during Earthworks

4. Any stormwater runoff arising from earthworks shall be contained and treated via an appropriate sediment control device to avoid additional sedimentation load being discharged into the public stormwater system. The location and specification of the erosion and sediment control device(s) shall be in accordance with Auckland Council Technical Publication 90 *Erosion and Sediment Control Guideline for Land Disturbing Activities in the Auckland Region* or similar design.

### Tree Protection Measures

5. Any trees on site shall be retained wherever possible. Prior to any site works, temporary tree protective fencing shall be erected around the base of trees to be retained. The temporary tree protection fences can be constructed using orange plastic mesh (or equivalent), but this must be supported by waratahs (or equivalent) placed firmly into the ground. The waratahs will have two stands of wire attached to them (top and bottom) and the orange plastic mesh must be fastened to the wires at 1 metre intervals (top and bottom). Any sediment control measures can be fixed to the lower of the temporary tree protection fence, but must be otherwise be installed to the manufacturer's standards. No works, storage of materials, cement/concrete washings and leaching of chemicals, tracking of any machinery, stockpiling of spoil, trenching or alteration of soil grade, or other

contamination shall occur within those areas demarcated by a temporary protective fence. All temporary protective fences shall remain in place throughout the duration of the construction works.

#### **Complaints Management**

6. A complaints management system shall be developed and implemented for construction works on the site. It must specify the responsible persons for maintaining the complaints register, procedures to be followed in investigating and resolving complaints and procedures for reporting complaints to Auckland Transport and Auckland Council.

#### **Complaints Received: Construction Noise or Vibration**

7. If any complaints are received regarding construction noise and/or vibration, monitoring and reporting shall be undertaken as required by Auckland Council to establish whether the activities are complying with the above requirements, and what action is required to ensure compliance.

#### **Prior notice of construction activities**

8. Neighbouring properties in the immediate vicinity of construction areas shall be given prior notice in writing of the commencement of construction activities no less than 5 working days before, and shall be informed about the expected duration of the works.

#### **Network Utilities**

9. The Requiring authority shall adopt best practice techniques for construction to ensure that all Network Utility Operators' infrastructure located on the site is protected and that public safety is ensured. The Requiring authority shall advise all Network Utility Operators at least 10 working days prior to the commencement of any work potentially affecting Network Utility Operators' infrastructure.

#### **Archaeological and Heritage**

10. Subject to condition 11, if any archaeological sites, including human remains are exposed during site works, then the following procedures shall apply:

- i. Immediately after it becomes apparent that an archaeological or traditional site has been exposed, all site works in the immediate vicinity shall cease; and
- ii. The Requiring authority shall immediately secure the area so that any artefacts or remains are untouched; and
- iii. The Requiring authority shall notify tangata whenua, the Heritage New Zealand and Auckland Council (and in the case of human remains, the New Zealand Police) as soon as practicable that an archaeological site has been exposed so that appropriate action can be taken. Works shall not commence in the immediate vicinity of the archaeological site until any approval required from the Heritage New Zealand is obtained.

11. Condition 10 shall not apply where the Requiring authority holds all relevant approvals under the Historical Places Act 1993, apart from the requirement to contact the New Zealand Police in the event of discovery of human remains.

#### **Damage to Adjacent Properties**

12. The Requiring authority and its contractors shall, in addition to complying with all other construction related conditions, take all reasonable steps to prevent or mitigate any nuisance or damage to adjacent properties during construction. The Requiring authority will reinstate any property damaged during construction, including any instability or collapse of land or boundary treatments, or provide compensation to the affected owner if reinstatement is not possible.

#### **As-Built Plans**

13. The Requiring authority shall provide one set in hard copy and one set in electronic data file (via

Auckland Unitary Plan Operative in part

4

CD or email) of as-built plans for the Council's property files. The as-built plans shall be prepared in accordance with the requirements of the Auckland Council Development Code, detailing all engineering works completed.

#### **Access**

14. That at all times reasonable physical access be maintained to other properties.

15. Auckland Transport is deemed to have given its written approval (as requiring authority) under sections 176 or 178 of the RMA to enable Vector Limited (Vector), or any other party authorised by Vector, to undertake an activity for the purposes of operating, maintaining or upgrading Vector's existing infrastructure on land in which Vector has a property interest, whether or not that is authorised by an existing Vector designation, where such works are provided for under the Electricity Act 1992 or an existing easement, and provided that Vector, or any other party authorised by Vector will:

- Give Auckland Transport 10 days' written notice of its intention to undertake such works, except for emergency works (as defined in the National Code of Practice for Utility Operators' Access to Transport Corridors 2011 (or any replacement of the Code) when prior notice is not required. In the case of emergency works, notice of the works must be given to Auckland Transport as soon as is reasonably practicable before, or after the works are completed;
- Meet any necessary health and safety requirements;
- Undertake, to the extent reasonably practicable, the works in a way to avoid or minimise effects on the operation of the carpark; and
- Remedy at Vector's cost any physical damage Vector causes to the car park facility as soon as reasonably practicable after completion of the works.

Advice Note: Vector has acknowledged that Auckland Transport takes no responsibility for any damage resulting from the Vector works approved pursuant to this condition. For the avoidance of doubt, Auckland Transport is not giving requiring authority approval for any works beyond the scope of any existing property right, designation, or rights under the Electricity Act 1992.

#### **Attachments**

No attachments.

**Attachment B – Section 182 report and  
approval**

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



**To:** Eryn Shields, Team Leader – Regional, North, West and Islands Planning

**From:** Hannah Milatovic, Graduate Planner – Regional, North, West and Islands Planning

**Date:** 10 August 2022

**Subject:**

Removal of Designation 1414: Public Carpark, Designation 1456: Pedestrian Mall, and Designation 1457: Public Off Street parking in the Auckland Unitary Plan (Operative in Part).

## Summary

Auckland Council has received a request from Auckland Transport under section 182 of the Resource Management Act 1991 (RMA), dated 28 July 2022, to remove in full Designation 1457: Public Carpark, Designation 1456: Pedestrian Mall, and Designation 1457: Public Off Street parking.

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

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

It is recommended that the removal of Designation 1414: Public Carpark, Designation 1456: Pedestrian Mall, and Designation 1457: Public Off Street parking be accepted.

## Recommendation

1. That the section 182 request from Auckland Transport for the removal of Designation 1414: Public Carpark, Designation 1456: Pedestrian Mall, and Designation 1457: Public Off Street parking in the Auckland Unitary Plan (Operative in part) (AUP) be **accepted** for the following reasons:
  - uplifting the designations enables the redevelopment of Northcote town centre.
  - Auckland Transport no longer requires the designations.
2. That Designation 1414: Public Carpark, Designation 1456: Pedestrian Mall, and Designation 1457: Public Off Street parking be removed, as soon as reasonably practicable, in the Designation overlay and Chapter K Designations in the AUP.

## 1. Description

### 1.1. References

<b>Designation number:</b>	Designation 1414 – Public Car Park Designation 1456 – Pedestrian Mall Designation 1457 – Public off-street parking
<b>Lodgement date:</b>	28 July 2022
<b>Requiring authority:</b>	Auckland Transport
<b>Reporting officer:</b>	Hannah Milatovic, Graduate Planner – Regional, North, West and Islands Planning
<b>Site address:</b>	Designation 1414 – 51 Pearn Crescent and 115 Lake Road, Northcote, Lot 2 DP 52674 & Lot 63 DP 50766.  Designation 1456 – Pearn Crescent, Pearn Place, Northcote Road Allot 651 Parish of Takapuna, Allot 653 Parish of Takapuna.  Designation 1457 – 32 College Road, Northcote, Lot 2 DP 68002.
<b>UP Zoning:</b>	Designation 1414 – Business – Town Centre Zone Designation 1456 – Business – Town Centre Zone and Open Space – Community Zone. Designation 1457 – Business – Town Centre Zone

## 2.0 Background

### 2.1 Details of designation

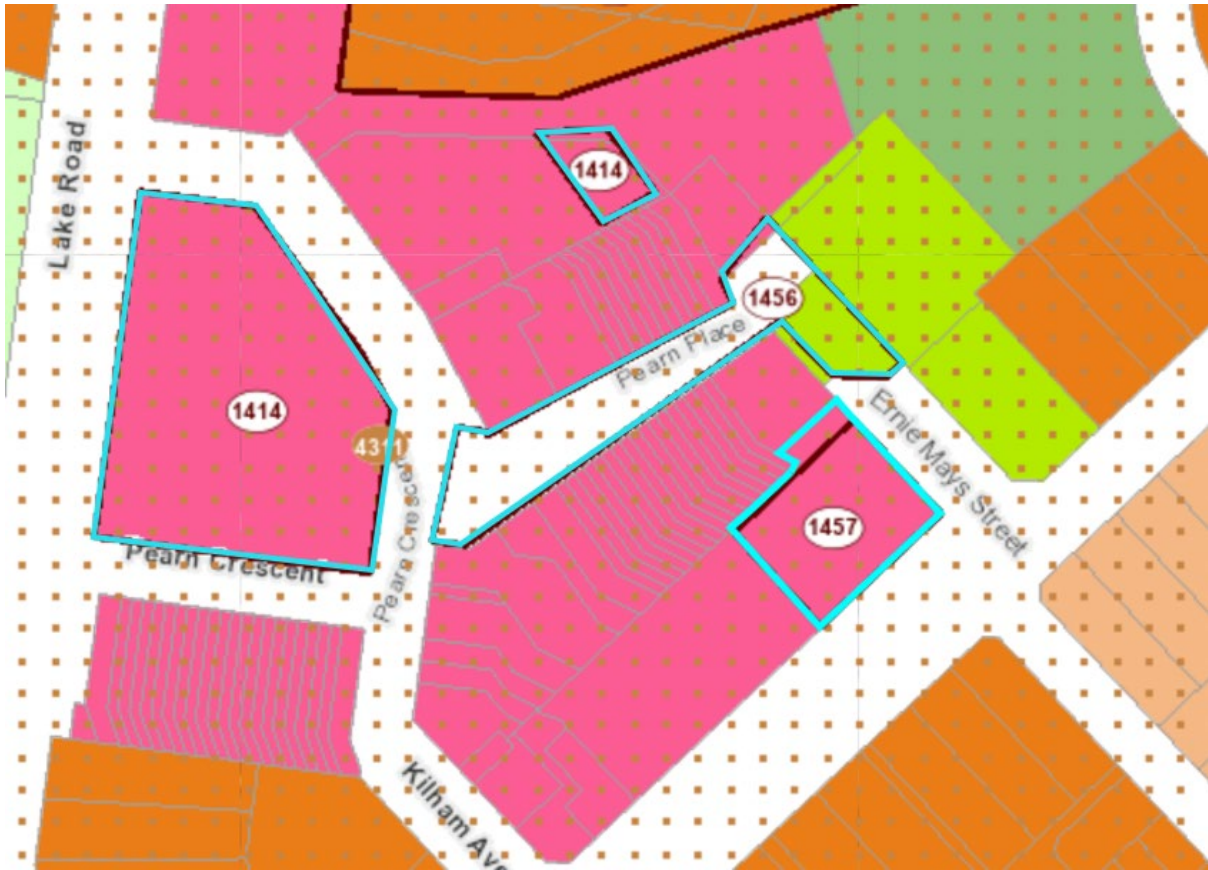
Designation 1414 Car park - 51 Pearn Crescent and 115 Lake Road, Northcote was rolled over from the legacy Auckland Council District Plan (North Shore Section) 2002 into the AUP.

Designation 1456 Pedestrian Mall – Pearn Crescent, Northcote was rolled over from the legacy Auckland Council District Plan (North Shore) 2002.

Designation 1457 Public off street carparking – 32 College Road, Northcote was included in the AUP as a new notice of requirement and has no legacy reference.

### 1.2 Land affected by removal

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



**Figure 1: AUP(OP) GIS Viewer map of Designation 1414, Designation 1456, and Designation 1457 (outlined in blue)**

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

Eke Panuku requested that Auckland Transport considered the uplift of the designations to enable the redevelopment of the Northcote Town Centre.

Auckland Transport has agreed to Eke Panuku's request for the removal of Designations 1414, 1456, and 1457 as the designations are no longer required by Auckland Transport.

The three designations subject to the section 182 removal request are located within the designation boundaries as shown above in Figure 1. All three sites have been identified as having development potential in Unlock Northcote, a high level framework plan for the redevelopment of Northcote town centre. Unlock Northcote identifies the measures that Eke Panuku will follow before any urban development can occur on the identified sites including 'the uplifting of parking designations, where they occur' as detailed within the High Level Project Plan.

Part of the land within Designation 1456 is currently zoned Open Space – Community Zone. Recreation activities and development in this zone are limited in scale and intensity. Buildings and activities provided for in this zone primarily accommodate community buildings and activities including, libraries, arts and cultural centres, marae, community houses, halls, early childhood learning and recreation centres. The site would need to be rezoned before development, if not related to a permitted activity within the Open Space – Community Zone, could occur on the site without being assessed as a discretionary, restricted discretionary, or non-complying activity.



The three designations are located within the Kaipātiki Local Board area. Eke Panuku provides regular updates on its projects including those related to Unlock Northcote. There is also information relating to the need to uplift these designations within the Northcote Town Centre Renewal High level plan chapter 2.1 and chapter 6.

Engagement was carried out by Eke Panuku regarding the project at Northcote Town Centre with the Kaipātiki Local Board on Wednesday 15 September 2021 advising of the section 182 notice to remove Designation 1414, Designation 1456, and Designation 1457.

Eke Panuku has ongoing engagement with the Kaipātiki Local Board in regard to the Unlock Northcote project.

### **1.3 Delegated authority to consider alterations to designations**

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

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

### **1.4 Relevant Statutory Provisions**

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

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

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

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

The removal of a designation is an administrative process. The statutory requirement is for the requiring authority to give notice that it no longer wants a designation.

Auckland Transport has requested the full removal of Designation 1414, Designation 1456, and Designation 1457. Therefore section 182(5) does not apply.

It is considered that Auckland Transport has provided sufficient justification for the removal of Designation 1414 – Public carpark, Designation 1456 – Pedestrian Mall, and Designation 1457 – Public off street carparking for the following reasons:

- uplifting the designations enables the redevelopment of the Northcote town centre
- Auckland Transport no longer requires the designations.

## 2.0 Recommendation

That pursuant to Section 182 of the Resource Management Act 1991 that the removal of Designation 1414 – Public carpark, Designation 1456 – Pedestrian Mall, and Designation 1457 – Public off street carparking be **accepted** and the Auckland Unitary Plan (Operative in part) designation layer and text in Chapter K Designations be amended accordingly.

**Prepared by:** Hannah Milatovic  
Graduate Planner  
Regional, North, West and Islands Planning

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

**Declined**

**by:**

**Signature:**



**Signature:**



Date: 16 August 2022

### **SCHEDULE OF ATTACHMENTS:**

**Attachment A:** Auckland Transport s182 Notice of Removal

18 August 2022

Auckland Transport  
Private Bag 92250  
Auckland 1010

Attention: Jane Small  
Kimberly Li

By email: Jane.Small@at.govt.nz

Dear Jane

**Section 182 Notice of requirement for the removal of a designation in the Auckland Unitary Plan (Operative in Part) for Designation 1414 Public car park, Designation 1456 Pedestrian Mall and Designation 1457 Public off street parking.**

I write to confirm that Auckland Council has made a decision to accept, on 16 August 2022, the section 182 for the full removal of Designation 1414, Designation 1456 and Designation 1457.

The Auckland Unitary Plan (Operative in part) GIS viewer map and Chapter K – Schedules and Designations: Auckland Transport will be amended in due course.

If you have any queries, please do not hesitate to contact me on phone 021 163 1452.

Yours sincerely



**Hannah Milatovic**  
**Graduate Planner**  
**Planning Regional, North, West and Islands**  
**Plans and Places**

**Attachment C – Updated text D1414,  
D1456, D1457 (Strikethrough/  
underlined)**

## Designation Schedule - Auckland Transport (1/3)

### North and West

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

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

1461	Public off-street parking ...	12 Channel View Road, Takapuna
1462	Public off-street parking ...	R78 Hurstmere Road, Takapuna
1463	Public off-street parking ...	20 Clarence Street, Devonport
1464	Public off-street parking ...	5 Trading Place, Henderson
1465	Public off-street parking ...	85 Hurstmere Road, Takapuna
1466	Public off-street parking ...	41 Glenmall Road, Glen Eden
1467	Road widening	Hobsonville Road, Hobsonville
1468	Road widening	State Highway 16 (Westgate to Whenuapai)
1469	Road widening and improvement works.	Albany Highway, Albany
1470	The construction, operation and maintenance of a new road and improvements to the existing Gills Road.	Between Gills Road, Albany (south of Living Stream Road) to Oteha Valley Road (opposite Appian Way), from south of Living Stream Road along Gills Road to east of Lucas Creek bridge.
1471	Roading purposes	Between Mansel Drive and Falls Road, Warkworth.
1472	Withdrawn	
1473	Roading purposes	Land between Northside Drive West, Massey North and Trig Road, Whenuapai
1474	Construction, operation and maintenance of a new road link and associated wetland and improvements to the existing Glenvar Road.	Glenvar Ridge Road, Long Bay
1476	Road – Medallion Drive Link	56 Fairview Avenue, Albany
1477	Road widening and improvement works.	Lincoln Road, Henderson
1478	Road – Matakana Road Link	State Highway 1 to Matakana Road, Warkworth
1479	Construction, operation and maintenance of a road, cycleways, pedestrian paths and associated infrastructure.	<p>Land from Argent Lane roundabout at the intersection with Old Pine Valley Road south through the properties of 10 and 36 Old Pine Valley Road, tying into the existing Pine Valley Road to the north of the property boundary with 1731 Dairy Flat Highway:</p> <ul style="list-style-type: none"> <li>• 10 Old Pine Valley Road (Sec 7 SO 315843, Sec 8 SO 315843, Pt Lot 5 DP 136559)</li> <li>• 36 Old Pine Valley Road (Lot 6 DP 136559)</li> <li>• The public road reserve between the parcels of land that form 10 Old Pine Valley Road.</li> </ul>

1480	Construction, operation and maintenance of a road, cycleways, pedestrian paths and associated infrastructure.	<p>Dairy Flat Highway from the edge of the Northern Motorway northbound Silverdale off-ramp to the intersection of Dairy Flat Highway and Pine Valley Road, continuing up Pine Valley Road to the northern property boundary of 1731 Dairy Flat Highway:</p> <ul style="list-style-type: none"> <li>• 1687 Dairy Flat Highway (Lot 1 DP 131154)</li> <li>• 1700 Dairy Flat Highway (Pt Lot 1 DP 68886)</li> <li>• 1731 Dairy Flat Highway (Sec 5 SO 315843, Sec 6 SO 315843, Pt Lot 1 DP 101886)</li> <li>• 1732 Dairy Flat Highway (Pt Lot 2 DP 68886)</li> <li>• The public road reserve on Pine Valley Road and Dairy Flat Highway</li> </ul>
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### 1414 Car Park – Pearn Crescent

Designation Number	1414
Requiring Authority	Auckland Transport
Location	51 Pearn Crescent and 115 Lake Road, Northcote
Rollover Designation	Yes
Legacy Reference	Designation 136, Auckland Council District Plan (North Shore Section) 2002
Lapse Date	Given effect to (i.e. no lapse date)

### Purpose

Public car park.

### Conditions

No conditions.

### Attachments

No attachments.

## 1456 Pedestrian Mall – Northcote

Designation Number	1456
Requiring Authority	Auckland Transport
Location	Pearn Crescent, Northcote
Rollover Designation	Yes
Legacy Reference	Designation 143, Auckland Council District Plan (North Shore) 2002
Lapse Date	Given effect to (i.e. no lapse date)

### Purpose

Pedestrian mall.

### Conditions

No conditions.

### Attachments

No attachments.

## 1457 Car Park – College Road

Designation Number	1457
Requiring Authority	Auckland Transport
Location	32 College Road, Northcote
Rollover Designation	No
Legacy Reference	N/A
Lapse Date	Given effect to (i.e. no lapse date)

## Purpose

Public off-street parking, including ongoing maintenance, repairs and like for like replacement works to the existing parking facility and minor operational improvements to the same.

### Works exempt from providing an Outline Plan of Works

Auckland Transport shall be exempt from providing an Outline Plan of Works for the following works, subject to the conditions of this designation.

1. Maintenance, repairs and like for like replacement including the following elements:
  - a. Vehicle access related assets and facilities (including but not limited to markings, ramps, speed humps, kerbs, berms, bollards, barriers, traffic separators and islands);
  - b. Communications, water supply and energy supply infrastructure;
  - c. Stormwater drainage and other surface water management infrastructure;
  - d. Earthworks;
  - e. Pruning and removal of all non-scheduled vegetation within the site; and
  - f. Temporary traffic management necessary to implement works.
  
2. Minor operational improvements including those involving the installation of new 'parking infrastructure' including the following elements:
  - a. Changes to the parking layout, including the location and configuration of parking bays, access and circulation areas within the designated site, provided that the total number of public parking bays is not increased;
  - b. Resurfacing of floors, at-grade, and metalled parking surfaces;
  - c. Re-marking of parking bays, access ways, and other painted markings on the parking surfaces;
  - d. Bicycle stands, racks, cages and other forms of bicycle storage;
  - e. Pay and display machines, kiosks, and other types of ticket dispensers and ticket booths;
  - f. Customer service booths;
  - g. Barrier arms;
  - h. Parking sensors;
  - i. Signage relating to parking information, management and enforcement;
  - j. Lighting;
  - k. CCTV cameras; and
  - l. Toilet facilities.
  
3. Any changes to the mix of the function of the parking (short / long term);
  
4. Maintenance, repairs and like for like replacement of all vehicle access related assets and facilities within the designated site (including but not limited to markings, ramps, speed humps, kerbs, berms,

bollards, barriers, traffic separators and islands);

5. Maintenance, repairs and like for like replacement of all stormwater drainage and other surface water management infrastructure within the site, including any treatment devices utilising planting;

6. Installation of new stormwater management infrastructure (including treatment devices) to avoid, remedy or mitigate localised flooding or surface water problems on the site;

7. Maintenance, pruning and removal of all non-scheduled vegetation within the site;

8. In the case of parking buildings and structures, maintenance, repairs and like for like replacement of parts of the building / structure (including but not limited to a building's interior and exterior cladding, cavities, roofs, doors, windows, lifts, stairwells and lighting, electrical and electronic systems);

9. Maintenance and replacement of communications, water supply and energy supply infrastructure necessary to support the above;

10. Earthworks to implement any of the above; and

11. Temporary traffic management necessary to implement any of the above.

12. For the avoidance of doubt, in the case of mixed use buildings, the specified works provided for by the designation only applies to the proportion of the building/structure dedicated to non ancillary public parking.

#### **Works requiring an Outline Plan of Works**

Auckland Transport shall prepare an Outline Plan of Works for any increase in the total number of public parking bays within the designated site, provided that this does not involve any new or extended parking structure or building.

For the avoidance of doubt, any new or extended parking structure or building falls outside the scope of this designation.

## **Conditions**

#### **Construction Hours**

1. Construction (including all works) shall be limited to the following hours, with the exception of emergency works pursuant to Sections 330 and 330B of the RMA:

Weekdays 7am – 10pm;

Saturdays 8am – 5pm;

Sundays & Public Holidays No work

#### **Construction Noise Limits and Mitigation**

2. Any construction works and related activities on the site shall be conducted so as to ensure that the resultant noise, as measured in accordance with the requirements of NZS 6803:1999 Acoustics—Construction Noise, meets the following noise limits all days of the year.

Day	Time Period	Duration of Work	
		Short term duration (less than 15 consecutive calendar days)	Long term duration
		Leq (dBA) (30 min)	Leq (dBA)

Weekdays	7am—10pm	80	70
Saturdays	8am—5pm	75	70

During construction, the principles for managing construction noise set out within New Zealand Standard 6803: 1999, Acoustics—Construction Noise shall be formally adopted.

### Construction Vibrations

3. Any vibrations from construction activities shall comply with the following:

- i. Blasting and pile driving activities must be controlled to ensure any resulting ground vibration does not exceed the limits set out in Table 1 of DIN 41503 (1999): Structural vibration — Part 3 Effects of vibration on structures when measure on the foundation or the horizontal plane of the highest floor of an affected building.
- ii. Stationary vibrating, reciprocating and rotating machinery and all piping, ducting and other equipment attached to such machinery must be installed and maintained so that any resulting vibration does not exceed the limits of the following table when measured in adjacent buildings or areas of buildings under different ownership from the source of the vibration:—

Affected occupied building or area	Time of day	Maximum vibration level in rms velocity (mm/s) between 8 and 80Hz
Buildings in a heavy industry or light industry zone	-All	-0.80
Buildings for commercial activities	-All	-0.40
Habitable rooms of buildings designed for residential use	7am-10pm	-0.20
Sleeping areas of buildings designed for residential use	10pm-7am	-0.14
Surgery rooms of health care facilities	-All	-0.10

### Sediment Control during Earthworks

4. Any stormwater runoff arising from earthworks shall be contained and treated via an appropriate sediment control device to avoid additional sedimentation load being discharged into the public stormwater system. The location and specification of the erosion and sediment control device(s) shall be in accordance with Auckland Council Technical Publication 90 *Erosion and Sediment Control Guideline for Land Disturbing Activities in the Auckland Region* or similar design.

### Tree Protection Measures

5. Any trees on site shall be retained wherever possible. Prior to any site works, temporary tree protective fencing shall be erected around the base of trees to be retained. The temporary tree protection fences can be constructed using orange plastic mesh (or equivalent), but this must be supported by waratahs (or equivalent) placed firmly into the ground. The waratahs will have two stands of wire attached to them (top and bottom) and the orange plastic mesh must be fastened to the wires at 1 metre intervals (top and bottom). Any sediment control measures can be fixed to the lower of the temporary tree protection fence, but must be otherwise be installed to the manufacturer's standards. No works, storage of materials, cement/concrete washings and leaching of chemicals, tracking of any machinery, stockpiling of spoil, trenching or alteration of soil grade, or other

contamination shall occur within these areas demarcated by a temporary protective fence. All temporary protective fences shall remain in place throughout the duration of the construction works.

### **Complaints Management**

6. A complaints management system shall be developed and implemented for construction works on the site. It must specify the responsible persons for maintaining the complaints register, procedures to be followed in investigating and resolving complaints and procedures for reporting complaints to Auckland Transport and Auckland Council.

### **Complaints Received: Construction Noise or Vibration**

7. If any complaints are received regarding construction noise and/or vibration, monitoring and reporting shall be undertaken as required by Auckland Council to establish whether the activities are complying with the above requirements, and what action is required to ensure compliance.

### **Prior notice of construction activities**

8. Neighbouring properties in the immediate vicinity of construction areas shall be given prior notice in writing of the commencement of construction activities no less than 5 working days before, and shall be informed about the expected duration of the works.

### **Network Utilities**

9. The Requiring authority shall adopt best practice techniques for construction to ensure that all Network Utility Operators' infrastructure located on the site is protected and that public safety is ensured. The Requiring authority shall advise all Network Utility Operators at least 10 working days prior to the commencement of any work potentially affecting Network Utility Operators' infrastructure.

### **Archaeological and Heritage**

10. Subject to condition 11, if any archaeological sites, including human remains are exposed during site works, then the following procedures shall apply:

- i. Immediately after it becomes apparent that an archaeological or traditional site has been exposed, all site works in the immediate vicinity shall cease; and
- ii. The Requiring authority shall immediately secure the area so that any artefacts or remains are untouched; and
- iii. The Requiring authority shall notify tangata whenua, the Heritage New Zealand and Auckland Council (and in the case of human remains, the New Zealand Police) as soon as practicable that an archaeological site has been exposed so that appropriate action can be taken. Works shall not commence in the immediate vicinity of the archaeological site until any approval required from the Heritage New Zealand is obtained.

11. Condition 10 shall not apply where the Requiring authority holds all relevant approvals under the Historical Places Act 1993, apart from the requirement to contact the New Zealand Police in the event of discovery of human remains.

### **Damage to Adjacent Properties**

12. The Requiring authority and its contractors shall, in addition to complying with all other construction related conditions, take all reasonable steps to prevent or mitigate any nuisance or damage to adjacent properties during construction. The Requiring authority will reinstate any property damaged during construction, including any instability or collapse of land or boundary treatments, or provide compensation to the affected owner if reinstatement is not possible.

### **As-Built Plans**

13. The Requiring authority shall provide one set in hard copy and one set in electronic data file (via

CD or email) of as-built plans for the Council's property files. The as-built plans shall be prepared in accordance with the requirements of the Auckland Council Development Code, detailing all engineering works completed. \_\_\_\_\_

### **Access**

~~14. That at all times reasonable physical access be maintained to other properties.~~

~~15. Auckland Transport is deemed to have given its written approval (as requiring authority) under sections 176 or 178 of the RMA to enable Vector Limited (Vector), or any other party authorised by Vector, to undertake an activity for the purposes of operating, maintaining or upgrading Vector's existing infrastructure on land in which Vector has a property interest, whether or not that is authorised by an existing Vector designation, where such works are provided for under the Electricity Act 1992 or an existing easement, and provided that Vector, or any other party authorised by Vector will:~~

- ~~• Give Auckland Transport 10 days' written notice of its intention to undertake such works, except for emergency works (as defined in the National Code of Practice for Utility Operators' Access to Transport Corridors 2011 (or any replacement of the Code) when prior notice is not required. In the case of emergency works, notice of the works must be given to Auckland Transport as soon is as reasonably practicable before, or after the works are completed;~~
- ~~• Meet any necessary health and safety requirements;~~
- ~~• Undertake, to the extent reasonably practicable, the works in a way to avoid or minimise effects on the operation of the carpark; and~~
- ~~• Remedy at Vector's cost any physical damage Vector causes to the car park facility as soon as reasonably practicable after completion of the works.~~

~~Advice Note: Vector has acknowledged that Auckland Transport takes no responsibility for any damage resulting from the Vector works approved pursuant to this condition. For the avoidance of doubt, Auckland Transport is not giving requiring authority approval for any works beyond the scope of any existing property right, designation, or rights under the Electricity Act 1992.~~

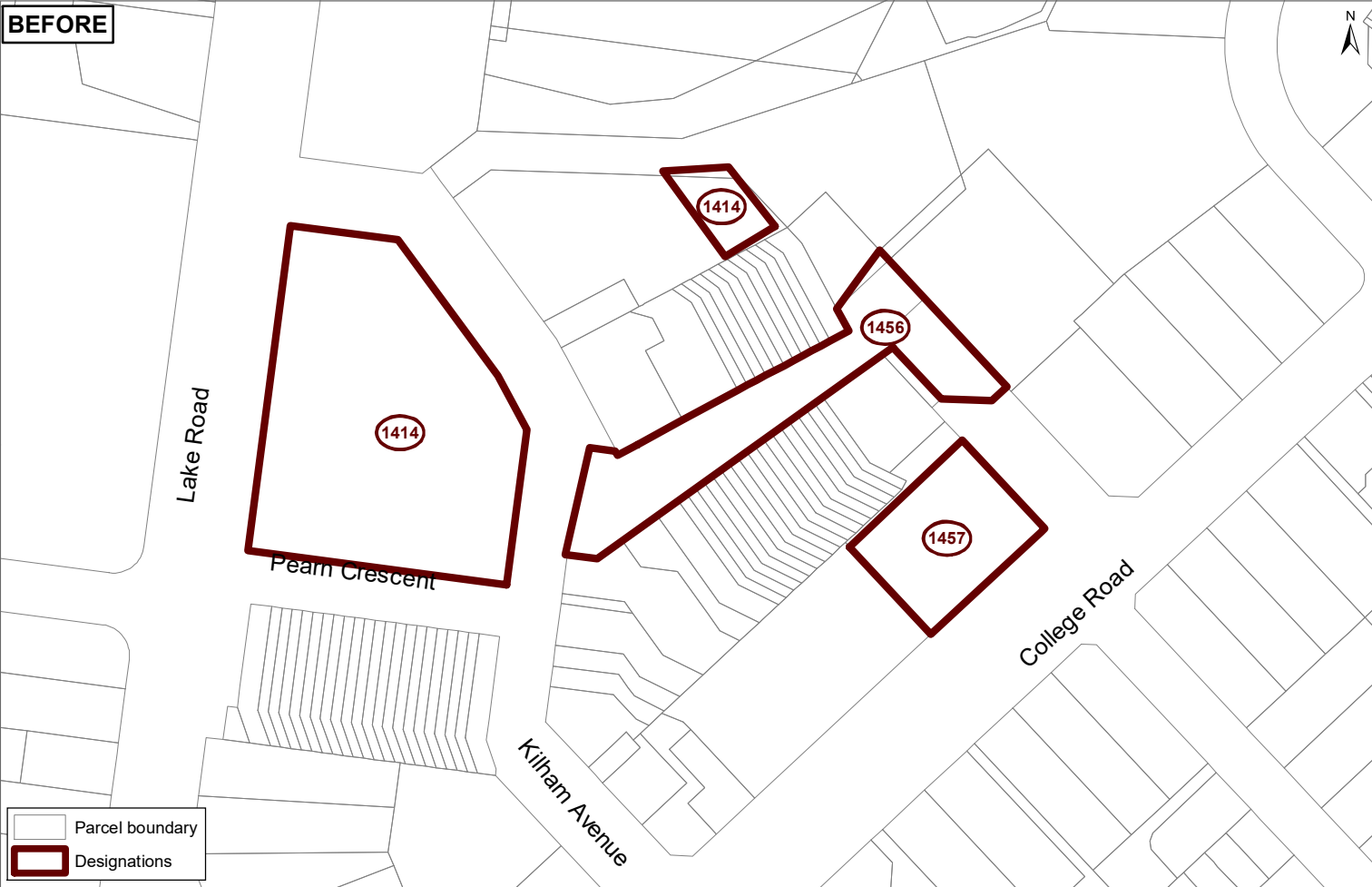
### **Attachments**

~~No attachments.~~

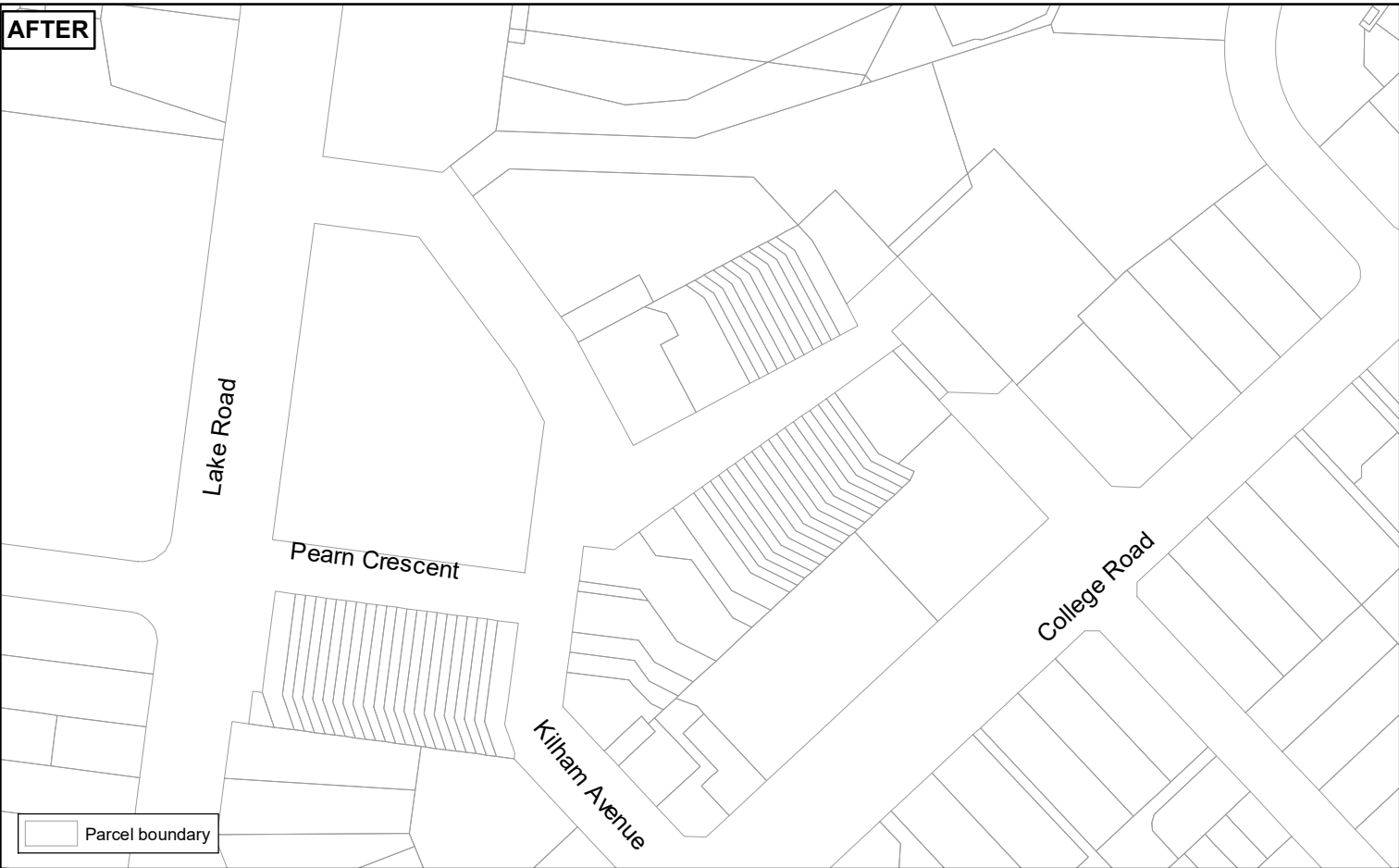
## **Attachment D –Updated GIS Viewer**



**BEFORE**



**AFTER**



0 15 30 60 Metres

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: 30/08/2022

## Removal of Designation 1414, 1456, 1457 Auckland Transport

