

UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Eryn Shields, Acting Manager Planning, Regional, North, West & Islands

FROM Emily Ip, Senior Policy Planner, Regional, North, West & Islands






DATE Thursday 26 November 2020

SUBJECT **Partial removal of Designation 9301 in the Auckland Unitary Plan Operative in part (15 November 2016) in accordance with section 182 of the Resource Management Act 1991**



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

Reason for update – Partial removal of Designation																
Chapter	Chapter K Designations AUP GIS Viewer															
Section	Schedules and Designations – Watercare Services Ltd															
Designation only																
Designation #9301	Schnapper Rock Road Pump Station and Reservoirs															
Locations:	53 Schnapper Rock Road, Schnapper Rock															
Lapse Date	Given effect to (i.e. no lapse date)															
Purpose	Water supply purposes - reservoirs, pump station and associated structures.															
Changes to text (shown in underline and strikethrough)	<p>Chapter K Designations</p> <p>Designation Schedule – Watercare Services Limited</p> <table border="1"> <thead> <tr> <th>Number</th> <th>Purpose</th> <th>Location</th> </tr> </thead> <tbody> <tr> <td>9301</td> <td>Water supply purposes - pump station, future reservoirs and associated structures</td> <td><u>Section 1 Survey Office Plan 555200</u>, 53 Schnapper Rock Road, Albany</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p>9301 Schnapper Rock Road Pump Station and Reservoirs</p> <table border="1"> <tbody> <tr> <td>Designation Number</td> <td>9301</td> </tr> <tr> <td>Requiring Authority</td> <td>Watercare Services Ltd</td> </tr> <tr> <td>Location</td> <td><u>Section 1 Survey Office Plan 555200</u>, 53 Schnapper Rock Road, Albany</td> </tr> </tbody> </table>	Number	Purpose	Location	9301	Water supply purposes - pump station, future reservoirs and associated structures	<u>Section 1 Survey Office Plan 555200</u> , 53 Schnapper Rock Road, Albany				Designation Number	9301	Requiring Authority	Watercare Services Ltd	Location	<u>Section 1 Survey Office Plan 555200</u> , 53 Schnapper Rock Road, Albany
Number	Purpose	Location														
9301	Water supply purposes - pump station, future reservoirs and associated structures	<u>Section 1 Survey Office Plan 555200</u> , 53 Schnapper Rock Road, Albany														
Designation Number	9301															
Requiring Authority	Watercare Services Ltd															
Location	<u>Section 1 Survey Office Plan 555200</u> , 53 Schnapper Rock Road, Albany															
Changes to diagrams	N/A															
Changes to spatial data	Remove Designation 9301 from Section 2 Survey Office Plan 555200 – refer to attachment 2															
Attachments	Attachment 1: Section 182 report Attachment 2: Updated GIS Viewer															

<p>Prepared by: Emily Ip Senior Policy Planner</p>	<p>Text Entered by: Harry Barnes Planning Technician</p>
<p>Signature:</p> 	<p>Signature:</p> 
<p>Maps prepared by: Aching Konyak Geospatial Specialist</p>	<p>Reviewed by: Emily Ip Senior Policy Planner</p>
<p>Signature:</p> 	<p>Signature:</p> 
<p>Signed off by: Eryn Shields Acting Manager Planning – Regional, North, West & Islands</p>	
<p>Signature:</p> 	

Attachment 1: Section 182 report

Partial 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: Emily Ip, Senior Policy Planner – Regional, North, West and Islands Planning
Date: 23 November 2020
Subject: Partial removal Designation 9301 in the Auckland Unitary Plan

Summary

Auckland Council has received a request from Watercare Services Limited (Watercare) under section 182 of the Resource Management Act 1991 (RMA), dated 29 October 2020, to remove in part Designation 9301: Water supply purposes – pump station, reservoir and associated structures.

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

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 Watercare Services Limited for the partial removal of Designation 9301: Water supply purposes – pump station, reservoir and associated structures in the Auckland Unitary Plan be **accepted** for the following reasons:
 - Part of the site is no longer required for the future construction and ongoing operation, maintenance and protection of planned reservoirs, pump station and associated structures; and
 - Partial removal of Designation 9301 will facilitate the sale of this portion of the property on the open market.
2. That Designation Designation 9301: Water supply purposes – pump station, reservoir and associated structures be partially removed, as soon as reasonably practicable, in the Designation overlay in the Auckland Unitary Plan.

1. Description

1.1. References

Designation number:	Designation 9301: Water supply purposes – pump station, reservoir and associated structures
Lodgement date:	29 October 2020
Requiring authority:	Watercare Services Limited
Reporting officer:	Emily Ip
Site address:	53 Schnapper Rock Road, Schnapper Rock
UP Zoning:	Residential – Large Lot

2.0 Background

2.1 Details of designation

Watercare currently own the site at 53 Schnapper Rock Road and the entire site is under Designation 9301. The purpose of Designation 9301 is Water supply purposes – pump station, reservoir and associated structures.

1.2 Land affected by removal

The section 182 notice of removal and related documents are provided in **Attachments A to D**.

The designation is currently shown in the AUP maps as follows (Figure 1):

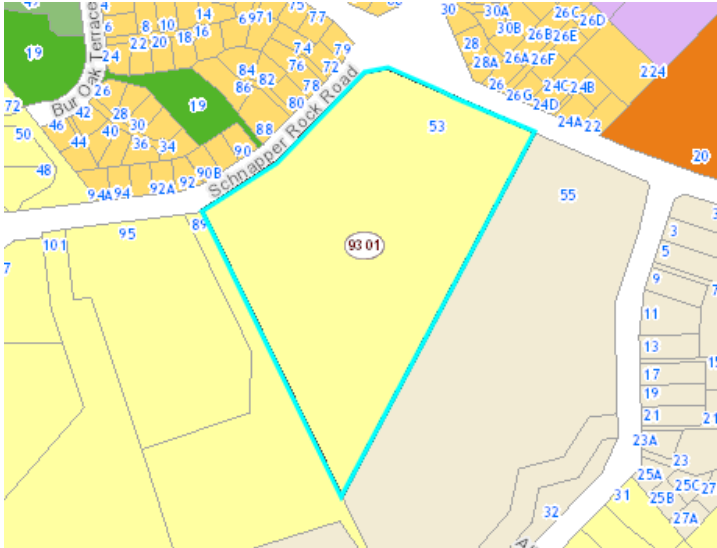


Figure 1: Current AUP zoning and Designation 9301

Watercare has provided a site plan showing the extent of the designation which is to be partially removed (Figure 2 and Attachment D). Watercare seeks to remove Designation 9301 from the land to be known as Section 2 Survey Office Plan 555200 which is 3.9889 ha. The remainder of the site to be known as Section 1 Survey Office Plan 555200 (1.0 ha) will remain under Designation 9301.

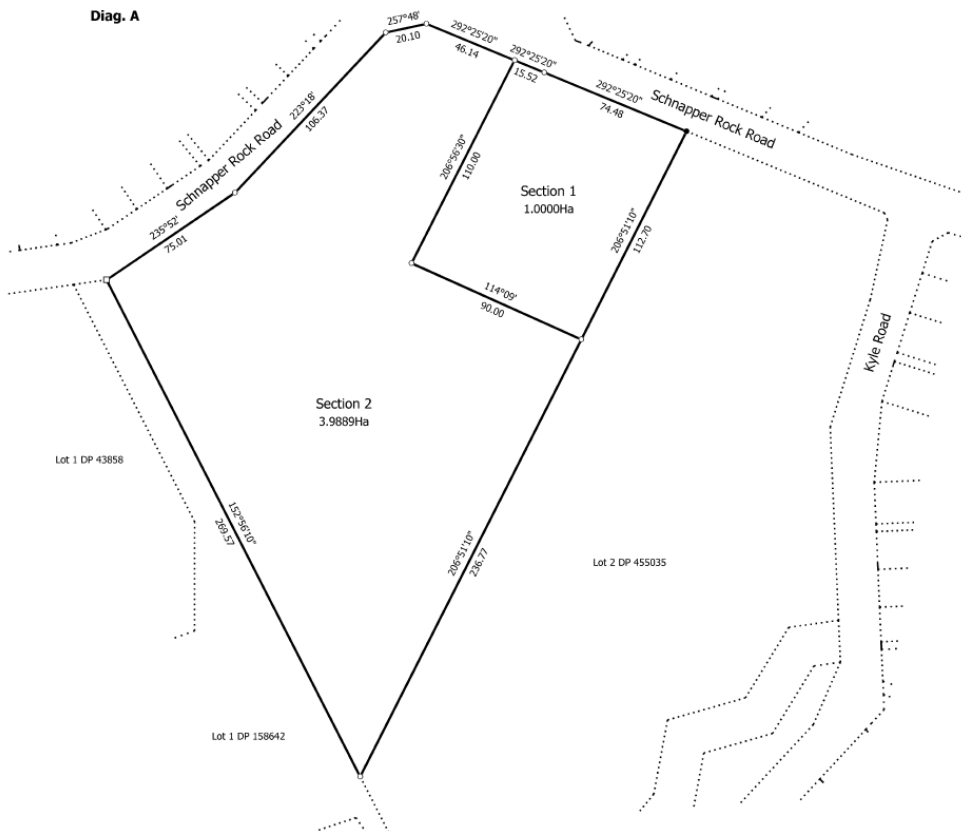


Figure 2: Draft site plan post-subdivision

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 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 – Regional, North, West and Islands Planning (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 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 Watercare has provided sufficient justification for the partial removal of Designation 9301: Water supply purposes – pump station, reservoir and associated structures for the following reasons:

- Part of the site is no longer required for the future construction and ongoing operation, maintenance and protection of planned reservoirs, pump station and associated structures; and
- Partial removal of Designation 9301 will facilitate the sale of this portion of the property on the open market.


2.0 Recommendation

That pursuant to section 182 of the Resource Management Act 1991 that the partial removal of Designation 9301: Water supply purposes – pump station, reservoir and associated structures be **accepted** and the Auckland Unitary Plan Operative in part designation overlay be amended accordingly.

Prepared by: Emily Ip
Senior Policy Planner –
Regional, North, West and
Islands Planning

Signature:

Accepted by: Eryn Shields
Team Leader – Regional,
North, West and Islands
Planning

Signature: 

Date: 23 November 2020

SCHEDULE OF ATTACHMENTS:

- Attachment A:** Section 182 notice of removal of part of Designation 9301
- Attachment B:** Certificate of title (current title Lot 1 DP 455035, pre-subdivision)
- Attachment C:** AUP GIS map of current Designation 9301 on Lot 1 DP 455035
- Attachment D:** Title plan – SO 555200 (LINZ draft certificates of title post-subdivision)

Attachment A: Section 182 notice of removal of part of Designation 9301

29 October 2020

Auckland Council
Private Bag 92300
Auckland 1143
[By Email]

Attention: Warren Maclennan
Manager – Planning North-West

Re: Removal of part of Watercare Designation 9301 (legacy reference Designation 97, Auckland Council District Plan North Shore Section 2002) at 53 Schnapper Rock Road, Schnapper Rock ; currently legally described as Lot 1 DP 455035.

We write in pursuant to Section 182(1) of the Resource Management Act to undertake the following:

Reduce the area of Designation 9301 purpose “water supply purposes - pump station, future
- reservoirs and associated structures” under the Auckland Unitary Plan Operative in Part.

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

- Lot 1 DP 455035

The part of the designation to be removed is:


- The land shown as “Section 2 Survey Office Plan 555200 (area 3.9889 Ha)” on the attached file “Title Plan – SO 555200” (Draft Certificates of Title, post subdivision).

Please find attached:

- Form 23 – Notice of Removal/Removal of Part of Designation
- Certificate of Title (current title Lot 1 DP 455035, pre subdivision)
- AUP GIS Map – Current Designation 9301 on Lot 1 DP 455035
- Title Plan – SO 555200 (LINZ Draft Certificates of Title, post subdivision)

Watercare requests the Auckland Council amend the AUP Operative in Part accordingly as required by Section 182 of the Resource Management Act 1991.

Yours sincerely



Mark Bourne
Head of Servicing and Consents
Watercare Services Limited

Form 23

Notice of removal of designation or heritage order or part of designation or heritage order

Section 182 Resource Management Act 1991

To Auckland Council

Watercare Services Limited gives notice under Section 182 (1) to Auckland Council that it no longer requires part of the following designation:

- Designation 9301 purpose "water supply purposes – reservoirs, pump station and associated structures" under the Auckland Council Unitary Plan Operative in Part (legacy reference Designation 97, Auckland Council District Plan North Shore Section 2002) at 53 Schnapper Rock Road, Schnapper Rock ; currently legally described as Lot 1 DP 455035 within Certificate of Title (CT) 584919

Watercare Services Limited currently own the designated area in its entirety and have opted to subdivide the property after an internal review identified part of the area that was no longer required for the future construction and on-going operation, maintenance and protection of planned reservoirs, pump station and associated structures at 53 Schnapper Rock Road. Land Information New Zealand have advised that the new legal descriptions for the subdivided land comprised in RT 584919 will be Section 1 Survey Office Plan 555200 (area 1.0000 Ha) & Section 2 Survey Office Plan 555200 (area 3.9889 Ha).

Removal of the designation from the land to be known as Section 2 Survey Office Plan 555200 (area 3.9889 Ha) will facilitate the sale of this portion of the property on the open market. The proposed amendment to the current designation boundary is shown in the plans included with this notice.

Watercare Services Limited requests that Auckland Council amend the AUP accordingly as required by Section 182 of the Resource Management Act 1991.

.....
Signature on behalf of requiring authority
Mark Bourne
Head of Servicing & Consents
Watercare Services Limited

29.10.2010

.....
Date

Address for service of requiring authority:

Watercare Services Limited
Private Bag 92521
Wellesley Street
Auckland 1141
022 6579509
Rod.Finlayson@water.co.nz
Rod Finlayson

Telephone:

Email:

Contact person:

Attachment B: Certificate of title (current title Lot 1 DP 455035, pre-subdivision)



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



Search Copy


R.W. Muir
Registrar-General
of Land

Identifier 584919
Land Registration District North Auckland
Date Issued 27 November 2012

Prior References

NA52/147

Estate Fee Simple
Area 4.9891 hectares more or less
Legal Description Lot 1 Deposited Plan 455035

Proprietors

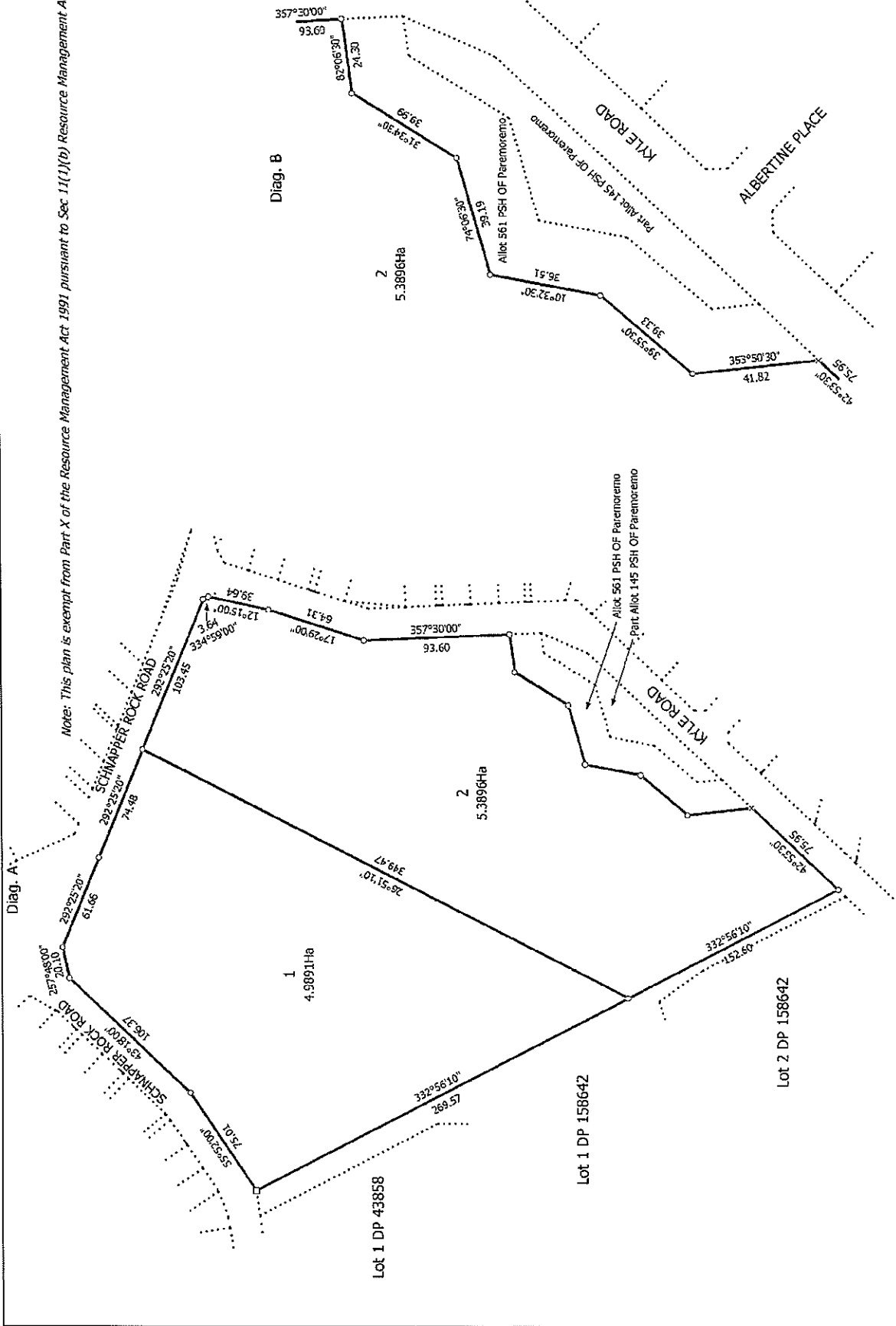
Watercare Services Limited

Interests

C480523.2 CAVEAT BY THE AUCKLAND REGIONAL COUNCIL - 14.5.1993 AT 1.57 PM



Note: This plan is exempt from Part X of the Resource Management Act 1991, pursuant to Sec 11(1)(b) Resource Management Act 1991



T 1/1

Land District: North Auckland
Digitally Generated Plan
Generated on: 04/12/2012 4:51pm Page 2 of 2

LOTS 1 AND 2 BEING A SUBDIVISION OF ALLOTMENT 146 PARISH OF PAREMOREMO

Surveyor: Bruce MacLeod Frith
Firm: Beco Infrastructure Ltd

Title Plan
DP 455035

Deposited on: 27/11/2012

Attachment C: AUP GIS map of current Designation 9301 on Lot 1 DP 455035



Info

Legend

Results

- Unitary Plan Appeals and Plan Modifications
- Unitary Plan Management Layers
 - Information
 - Rural Urban Boundary (RUB) —
 - Precincts
 - Overlays
 - Controls
 - Designations
 - Designations
 - Airspace Restriction Designations
- Unitary Plan Landbase
- Unitary Plan Zones

[View the full legend](#)



NZTM : 1751062, 5930960

0 50 100m

Attachment D: Title Plan – SO 555200 (LINZ Draft Certificates of Title, post-subdivision)



Title Plan - SO 555200

Survey Number SO 555200
Surveyor Reference 3126234/221 Watercare Schnapper Rock Road
Surveyor Vicki Leigh Webster
Survey Firm Beca Limited
Surveyor Declaration

Survey Details

Dataset Description Sections 1 & 2
Status Initiated
Land District North Auckland
Submitted Date
Survey Class Class A
Survey Approval Date
Deposit Date

Territorial Authorities

Auckland Council

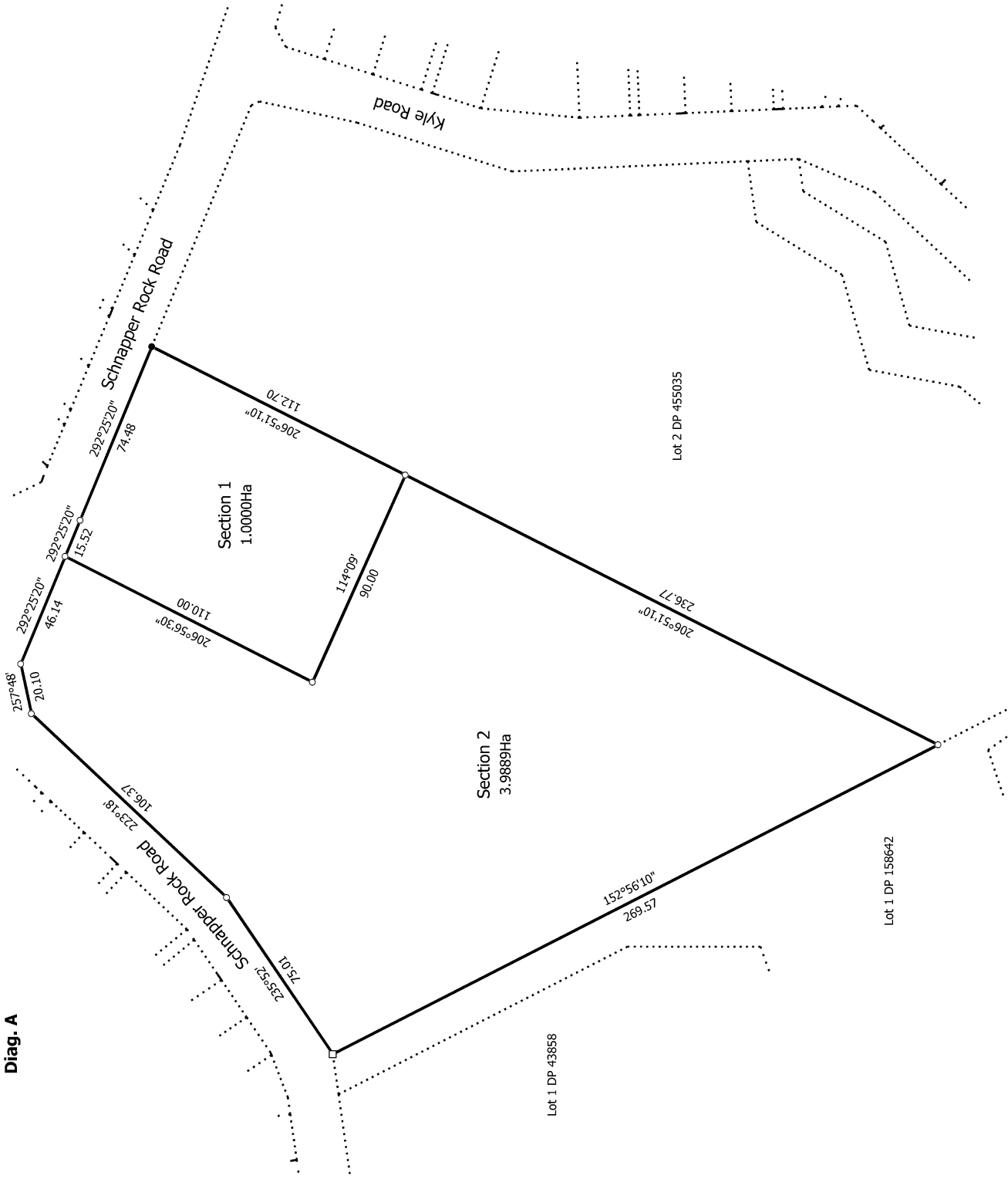
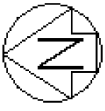
Comprised In

RT 584919

Created Parcels

Parcels	Parcel Intent	Area	RT Reference
Section 1 Survey Office Plan 555200	Legalisation	1.0000 Ha	
Section 2 Survey Office Plan 555200	Legalisation	3.9889 Ha	
Total Area		<u>4.9889 Ha</u>	

Diag. A



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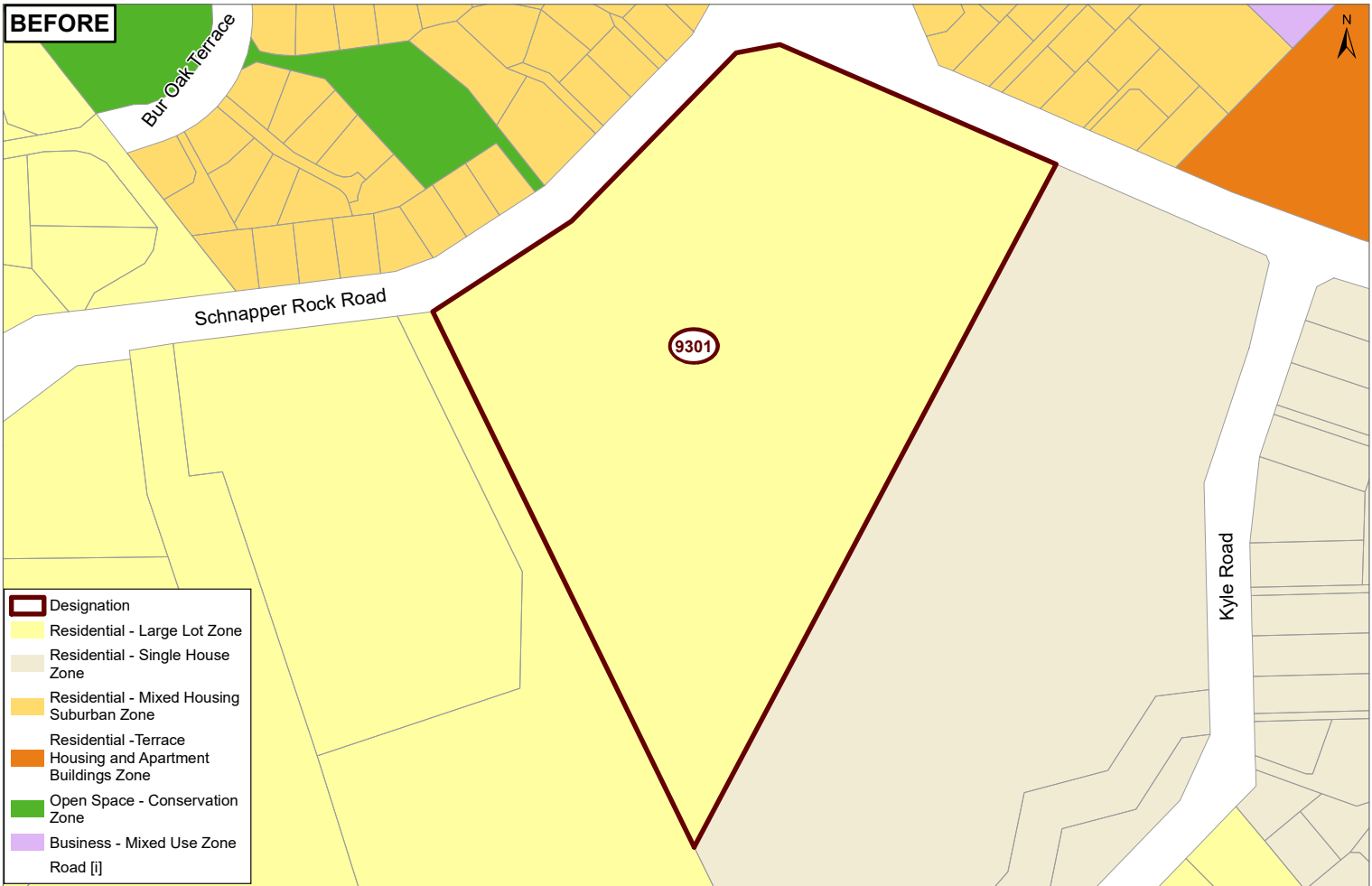
Title Plan
SO 555200
DRAFT

Surveyor: Vicki Leigh Webster
Firm: Beca Limited

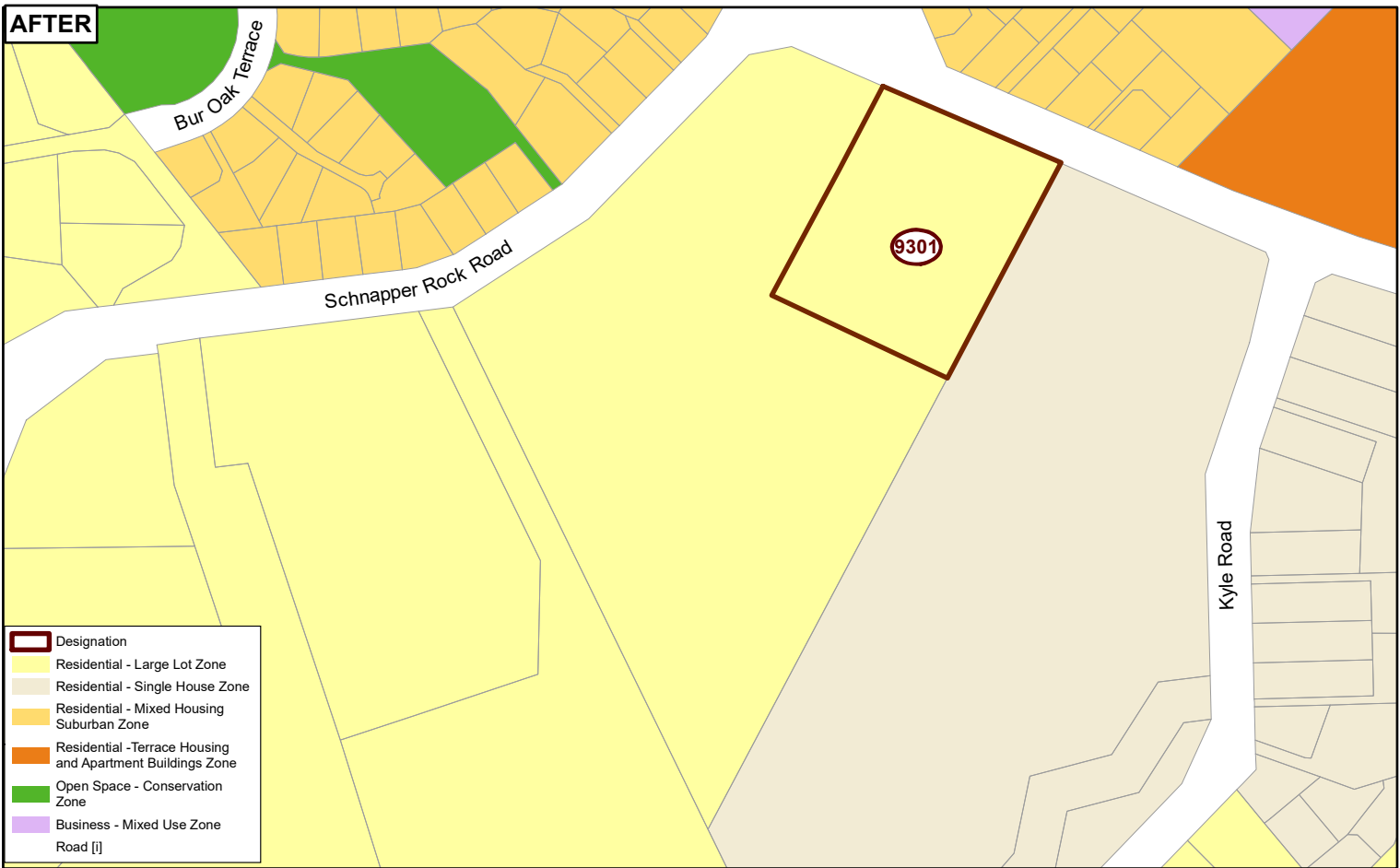
Sections 1 & 2

Attachment 2: Updated GIS Viewer

BEFORE



AFTER



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: 3/12/2020

Alteration to Designation - ID 9301



Plans and Places