

## UNITARY PLAN UPDATE REQUEST MEMORANDUM

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

**FROM** Jo Hart, Senior Policy Planner, Planning Regional, North, West and Islands





**DATE** 31 March 2021

**SUBJECT** **Partial removal of a designation in accordance with s182 for Designation 9375: Northern Interceptor Phases 3 and 6) of 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 – Partial uplift of Designation 9375</b>	
<b>Chapter</b>	AUP GIS viewer
<b>Section</b>	AUP GIS viewer
<b>Designation #9375</b>	Northern Interceptor Phase 3 and 6
<b>Locations:</b>	From 56 The Concourse, Henderson 4-6 Hobsonville Road, West Harbour; and from 15 The Knoll, Greenhithe to Rosedale Wastewater Treat Plant
<b>Lapse Date</b>	Subject to section 185(1) of the this designation will lapse 20 years from the date it is included in the Auckland Unitary Plan.
<b>Purpose</b>	Wastewater purposes – Northern Interceptor wastewater pipelines, pumping stations, and associated infrastructure.
<b>Changes to text (shown in underline and strikethrough)</b>	N/A
<b>Changes to diagrams</b>	N/A
<b>Changes to spatial data</b>	Removal of Designation notation and boundary from the property at 169 Bush Road, Rosedale.
<b>Attachments</b>	Attachment A: Section 182 report and decision Attachment B: Updated GIS Viewer

<b>Prepared by:</b> Jo Hart Senior Policy Planner	<b>Maps prepared by:</b> Shelley Glassey Geospatial Analyst
<b>Signature:</b> 	<b>Signature:</b> 
<b>Reviewed by:</b> Jo Hart Senior Policy Planner	<b>Signed off by:</b> Warren MacLennan Manager Planning – Regional, North, West and Islands
<b>Signature:</b> 	<b>Signature:</b> 

# Attachment A: Section 182 report and decision

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



**To:** Eryn Shields, Team Leader – Planning Regional, North West and  
**From:** Jo Hart, Senior Policy Planner, Planning Regional, North West and Islands  
**Date:** 29/03/2021

**Subject:** Partial removal of land located at 169 Bush Road, Rosedale from Designation 9375 (Northern Interceptor Phases 3 and 6) in the Auckland Unitary Plan (Operative in part).

## Summary

Auckland Council has received a request from Watercare Services Limited under section 182 of the Resource Management Act 1991 (RMA), dated 9 March 2021, to remove in part Designation 9375 from 169 Bush Road, Rosedale.

A section 182(1) request is required to uplift the existing designation in part from land which has been deemed to be no longer required for the purposes of the designation. Watercare and the landowner have a private agreement to construct the required infrastructure along a different alignment within the property at 169 Bush Road, Rosedale.

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 9375 in the Auckland Unitary Plan (Operative in part) be **accepted** for the following reasons:
  - Watercare Services Limited have advised that part of the designation which affects 169 Bush Road, Rosedale is no longer required for the purposes of the designation. Watercare and the landowner have a private agreement to construct the required infrastructure along a different alignment within the property at 169 Bush Road, Rosedale.
2. That a partial removal of Designation 9375 be undertaken on the parcel of land located at 169 Bush Road, Rosedale, as soon as reasonably practicable, along with an amendment to the Designation overlay in the Auckland Unitary Plan (Operative in part).

## 1. Description

### 1.1. References

<b>Designation number(s):</b>	9375
<b>Requiring authority:</b>	Watercare Services Limited
<b>Reporting officer:</b>	Jo Hart
<b>Site address:</b>	From 56 the Concourse, Henderson 4-6 Hobsonville Road, West Harbour; and from 15 the Knoll, Greenhithe to Rosedale Wastewater Treatment Plant.
<b>UP Zoning:</b>	Various

## 2.0 Background

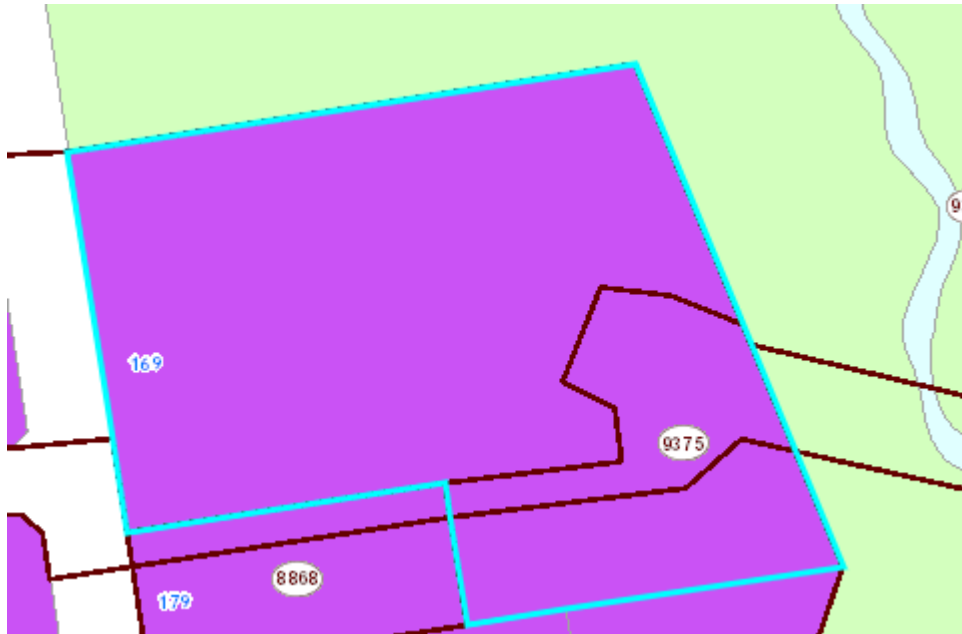
### 2.1 Details of designation

Designation 9375 (Northern Interceptor Phase 3 and 6) is designated for the purpose of “Wastewater purposes – Northern Interceptor wastewater pipelines, pumping stations, and associated infrastructure”.

The notice of requirement was lodged to the Auckland Council District Plan (North Shore Section) in May 2016. The confirmed designation was incorporated in the Auckland Unitary Plan (Operative in part)(AUP) in 2017 in accordance with Section 175 of the Resource Management Act 1991.

### 1.2 Land affected by removal

The part of the designation that affects the land at 169 Bush Road, Rosedale, is currently shown in the AUP maps as follows:



The area outlined in blue is the property boundary of 169 Bush Road, Rosedale. The area in brown notated 9375 within the property boundary is the part of the designation which is no longer required by Watercare Services Limited for the purpose of the designation.

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

The Team Leader - Planning North/West (Plans and Places Tier 5) has delegated authority, in accordance with 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 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 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 Watercare Services Limited has provided sufficient justification for the partial removal of land located at 169 Bush Road, Rosedale for Designation 9375 (Northern Interceptor Phase 3 and 6) for the following reason:

- Watercare Services Limited have deemed that part of the designation which affects 169 Bush Road, Rosedale is no longer required for the purposes of the

designation. There is a private agreement with the landowner to construct the required infrastructure along a different alignment within the property at 169 Bush Road, Rosedale.

## 2.0 Recommendation

That pursuant to Section 182 of the Resource Management Act 1991 that the partial removal of Designation 9375 (Northern Interceptor Phase 3 and 6) be **accepted** and the Auckland Unitary Plan (Operative in part) designation overlay be amended accordingly.

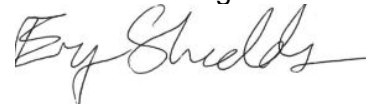
**Prepared by:** Jo Hart  
Senior Policy Planner  
Regional, North West and Islands Planning



**Signature:**

Date: 29/03/2021

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

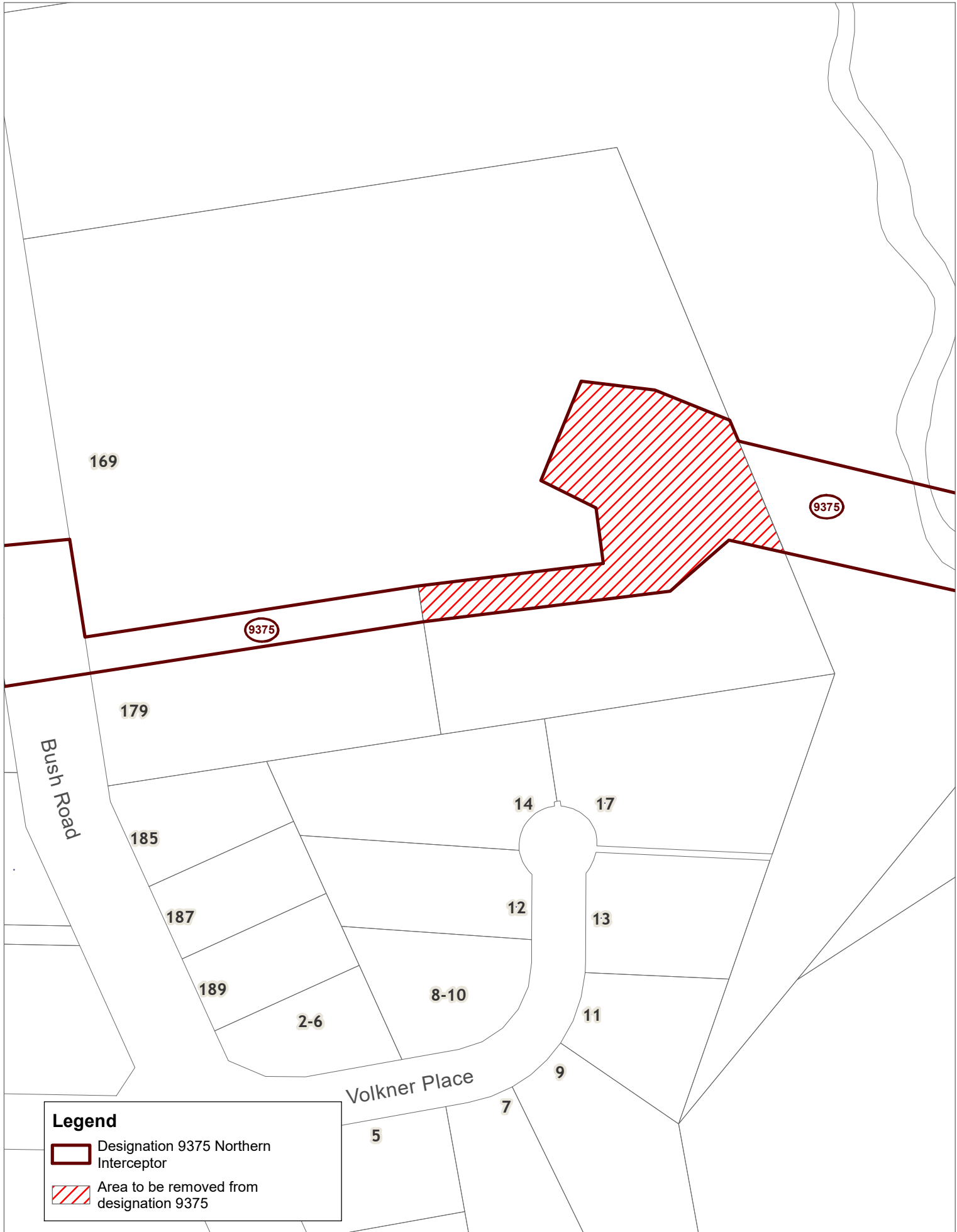


**Signature:**

### **SCHEDULE OF ATTACHMENTS:**

**Attachment A:** Watercare Services Limited s182 Notice of Removal

## Attachment B: Updated GIS Viewer



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: 3/06/2021

## Remove Designation 9375 from 169 Bush Road, Rosedale



Plans and Places