

TO Warren MacLennan




FROM Dave Paul

DATE 11 January 2025

SUBJECT Update requested to the Auckland Unitary Plan
(Operative in Part 2016) (AUP)

I request an update to the AUP as outlined below:

Reason for update	RMA Section 182 Partial Removal of designation confirmed
Chapter(s)	N/A
Designation only	
Designation #	6759
Locations:	State Highway 1, Silverdale Interchange, Silverdale
Lapse Date	Given effect to (ie no lapse date)
Purpose	Motorway
Changes to text (shown in underline and strikethrough)	N/A
Changes to diagrams	N/A
Changes to spatial data	Amend the boundaries of Designation 6759 as shown in the attached plans.
Attachments	Attachment 1: Planner s182 report Attachment 2: NZTA request Attachment 3: Plans of amended designation

Maps prepared by: Mitesh Bhula Senior Geospatial Specialist	Text Entered by: N/A Planning Technician
Signature: 	Signature:
prepared by: Dave Paul Planner	Reviewed by: Peter Vari Team Leader
Signature: 	Signature: 

Authorised by:

Warren MacLennan
Manager Planning - Regional, North, West &
Islands

A handwritten signature in black ink that reads "Warren MacLennan." The signature is written in a cursive style with a period at the end.

Signature:

Attachment 1: Planner s182 report

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



To: Peter Vari - Team Leader, North, West and Islands

From: Dave Paul Senior Policy Planner North West and Islands

Date: 13 January 2025

Subject:

Partial removal Designation 6759 NZ Transport Agency Waka Kotahi - Motorway - State Highway 1, Silverdale Interchange, Silverdale in the Auckland Unitary Plan

Summary

Auckland Council has received a request from NZ Transport Agency Waka Kotahi under section 182 of the Resource Management Act 1991 (RMA), dated 4 November 2024, to remove in part Designation 6759 - Motorway - State Highway 1, Silverdale Interchange, Silverdale in the Auckland Unitary Plan.

A section 182(1) request is required to uplift the existing designation in part from land which has been deemed surplus by the NZ Transport Agency Waka Kotahi (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 pursuant to Section 182 of the Resource Management Act 1991 the section 182 request from NZ Transport Agency Waka Kotahi for the partial removal of Designation 6759 - Motorway - State Highway 1, Silverdale Interchange, Silverdale in the Auckland Unitary Plan be **accepted** because the land is no longer required for the ongoing operation or maintenance or mitigation of effects of the work authorised by the designation.
2. That Designation 6759 - Motorway - State Highway 1, Silverdale Interchange, Silverdale be partially removed, as soon as reasonably practicable, in the Designation overlay in the Auckland Unitary Plan.

1. Description

1.1. References

Designation number:	6759 - Motorway - State Highway 1, Silverdale Interchange, Silverdale
Lodgement date:	4 November 2024
Requiring authority:	NZ Transport Agency Waka Kotahi
Reporting officer:	Dave Paul - Senior Policy Planner
Site address:	59 Sidwell Road, Upper Orewa, Lot 9000 DP 521442 Pampas Drive, Pine Valley, Lot 9004 DP 532924 97 Ahutoetoe Road, Pine Valley, Lot 9004 DP 555742 97 Ahutoetoe Road, Pine Valley, Lot 9005 DP 555742 2 Frederica Crescent, Upper Orewa, Lot 2013 DP 584886 22 Frederica Crescent, Upper Orewa, Lot 2023 DP 584886 225 Wainui Road, Silverdale, Lot 14 DP 501398 161 Ahutoetoe Road, Pine Valley, Lot 7011 DP 551096
UP Zoning:	Residential - Single House Zone Open Space – Conservation Zone Strategic Transport Corridor Zone

2.0 Background

2.1 Details of designation

The purpose of the designation is “Motorway”. New Zealand Transport Agency is the requiring authority for designation 6759.

State Highway 1 was constructed to its current form around 25 years ago and upgraded to include the Millwater Interchange around 10 years ago. Some of the land which was designated for the work at that time is not required for the ongoing operation or maintenance of the existing state highway.

1.2 Land affected by removal

The designation is currently shown in the AUP maps as follows (blue lines show sections of designation affected):





Figure 1 Northern section of designation where uplift to occur



Figure 2 Southern section of designation where uplift to occur

NZTA has provided site plans showing the extent of the designation which is to be partially removed (refer to **Attachment A**).

1.3 Delegated authority to consider alterations to designations

The Team Leader - Planning North, West and Islands (Plans and Places Tier 5) has delegated authority, in accordance with Schedule 2A of the Auckland Council Delegations: Chief Executive Officer (updated October 2024), 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 – Planning North, West and Islands (Plans and Places Tier 5) and accepted or declined.

1.4 Relevant Statutory Provisions

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

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

It is considered that NZTA has provided sufficient justification for the partial removal of Designation 6759 - Motorway - State Highway 1, Silverdale Interchange, Silverdale. The reason for the partial uplift is that the part of the designation to be removed is no longer required for the on-going operation, maintenance, or mitigation of effects of the work authorised by the designation.

The balance of Designation 6759 will be retained.

Prepared by: Dave Paul
Senior Policy Planner
North, West and Islands

Accepted by: Peter Vari
Team Leader
North, West and Islands

Signature:



Signature:



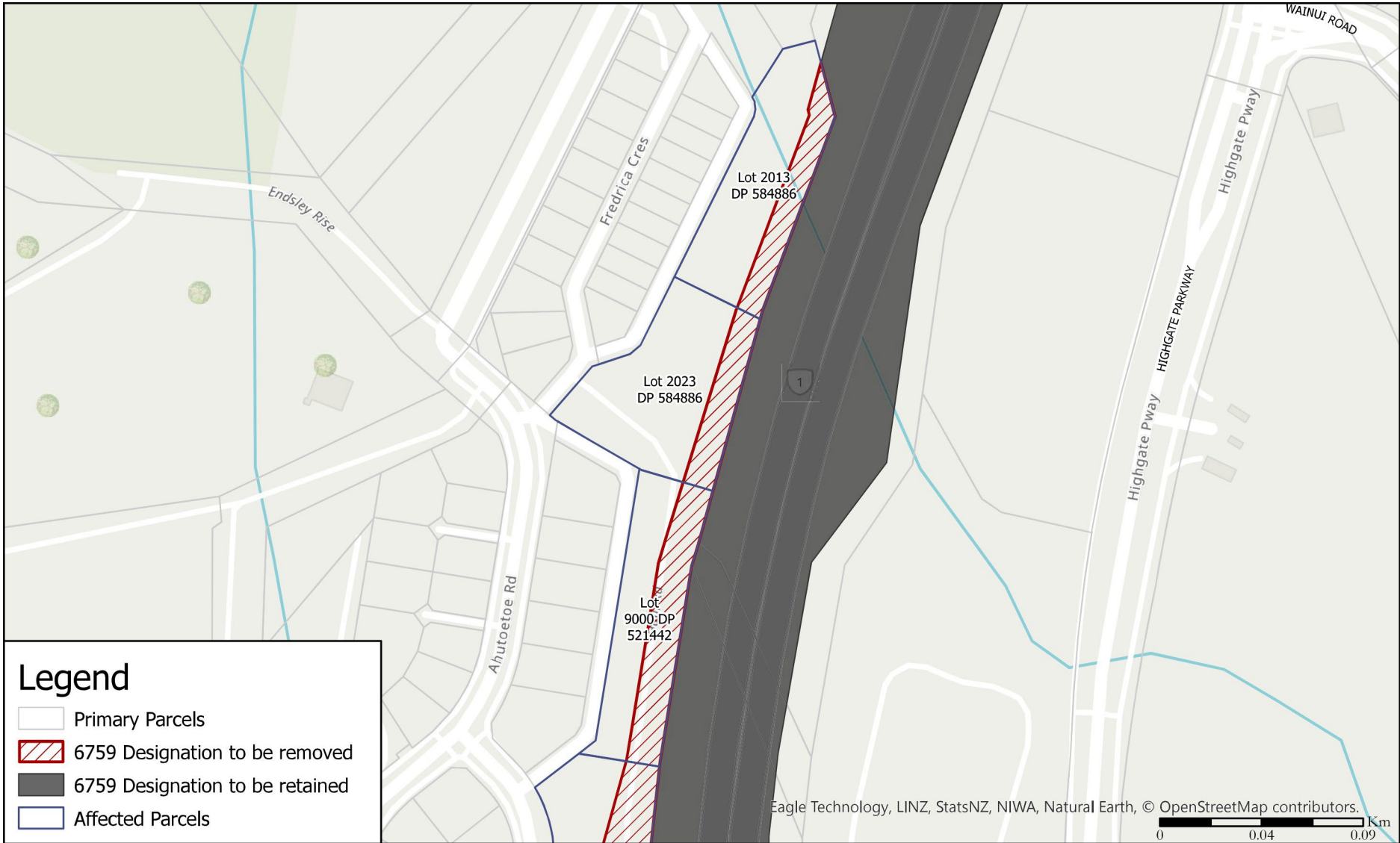
Date: 13 January 2025

14 January 2025

SCHEDULE OF ATTACHMENTS:

Attachment A: Plans of s182 Notice of Removal

Attachment A: Plans of s182 Notice of Removal



State Highway 1 Silverdale, Partial Designation Removal

Proposed partial removal of Designation 6759, State Highway 1: Silverdale to the Auckland Unitary Plan in accordance with section 182 of the Resource Management Act.





Legend

-  Primary Parcels
-  6759 Designation to be removed
-  6759 Designation to be retained
-  Affected Parcels



State Highway 1 Silverdale, Partial Designation Removal

Proposed partial removal of Designation 6759, State Highway 1: Silverdale to the Auckland Unitary Plan in accordance with section 182 of the Resource Management Act.





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Proposed partial removal of Designation 6759, State Highway 1: Silverdale to the Auckland Unitary Plan in accordance with section 182 of the Resource Management Act.





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-  Primary Parcels
-  6759 Designation to be removed
-  6759 Designation to be retained
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State Highway 1 Silverdale, Partial Designation Removal

Proposed partial removal of Designation 6759, State Highway 1: Silverdale to the Auckland Unitary Plan in accordance with section 182 of the Resource Management Act.



Attachment 2: NZTA request

REMOVAL OF DESIGNATION OR PART OF DESIGNATION

November 2024

NZ Transport Agency Waka Kotahi
Designation 6759, State Highway 1: Silverdale

Form 23

Notice of Removal of Part of Designation Under Section 182 of the Resource Management Act 1991

To: Auckland Council
Private Bag 92300
Victoria Street West
Auckland 1142

From: NZ Transport Agency Waka Kotahi
Private Bag 106602
Auckland City 1143

Pursuant to Section 182 of the Resource Management Act 1991 (RMA) NZ Transport Agency Waka Kotahi (NZTA) gives notice that it no longer requires part of designation 6759 included in the Auckland Unitary Plan (Operative in Part).

The designation is listed in the Schedules to Chapter K and shown on the Auckland Unitary Plan e-plan maps. The purpose of the designation is Motorway. New Zealand Transport Agency is the requiring authority for designation 6759.

The designation is to be removed from the land listed in Table 1 in Attachment A. The area of the designation to be removed is shown on the plan in Attachment B, and in the shapefile provided.

The part of the designation to be removed is no longer required for the on-going operation, maintenance, or mitigation of effects of the work authorised by the designation.

The balance of designation 6759 will be retained.

NZTA requests the Council amends the Auckland Unitary Plan accordingly as required by section 182 of the RMA.

Signed by:



Perri Unthank

Principal Planner, Poutiaki Taiao / Environmental Planning
Transport Services

Pursuant to authority delegated by NZ Transport Agency Waka Kotahi

7 November 2024

Address for Service:

NZ Transport Agency Waka Kotahi
Private Bag 106602
Auckland City 1143

Attention: Perri Unthank

Ph: (09) 953 5182

E-mail: perri.unthank@nzta.govt.nz (alternative contact consents@nzta.govt.nz)

Attachment A – Properties subject to removal of part of designation

Attachment B – Plan of designation to be part removed

Attachment A

Properties subject to removal of part of designation 6759

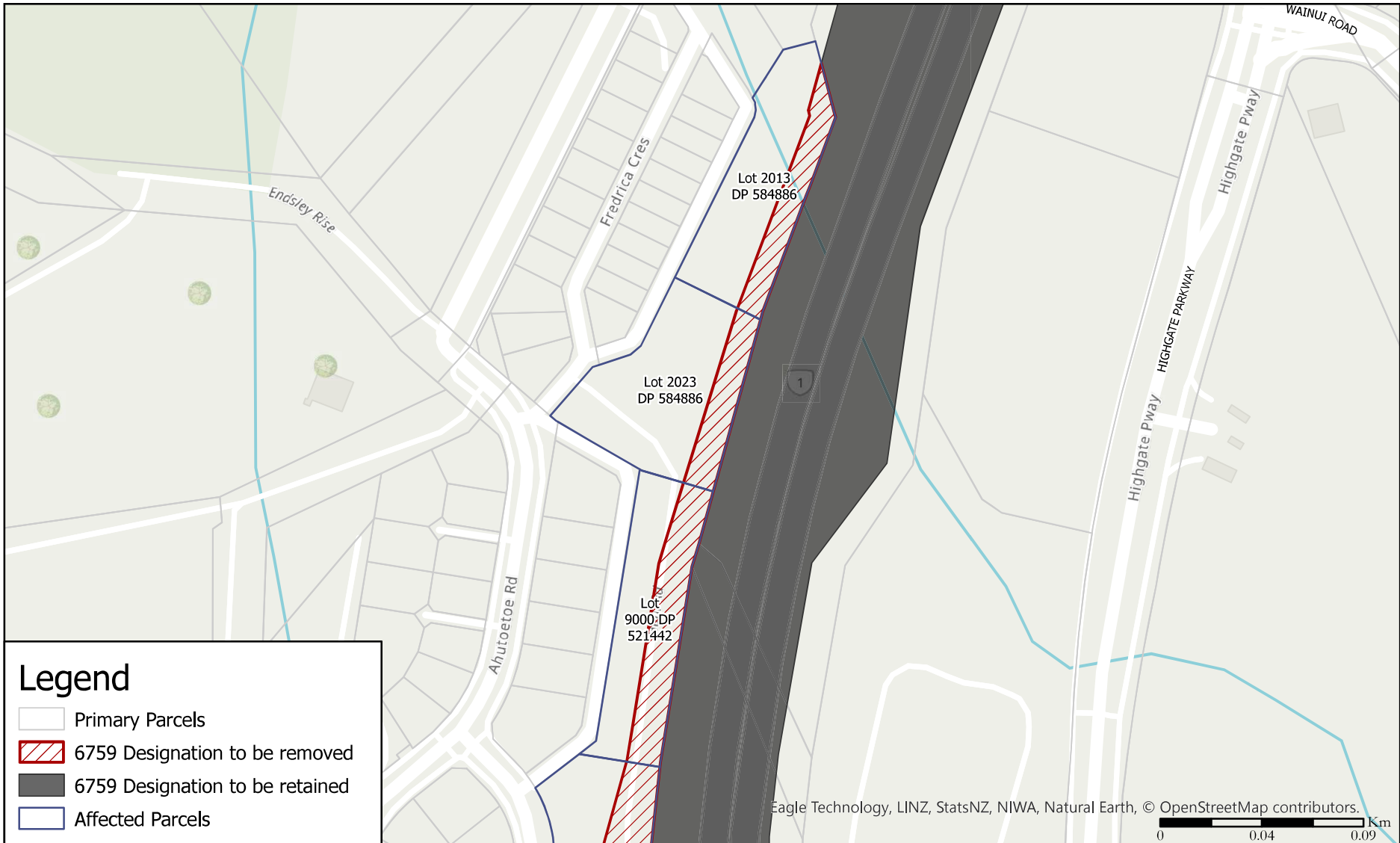
1. Land owners/occupiers

The designation is to be removed from the following land:

Legal Description	Certificate of Title	Address
Lot 14 DP 501398	749198	225 Wainui Road, Silverdale
Lot 2013 DP 584886	1103260	2 Frederica Crescent, Upper Orewa
Lot 2023 DP 584886	1103270	22 Frederica Crescent, Upper Orewa
Lot 9000 DP 521442	868636	59 Sidwell Road, Upper Orewa
Lot 9004 DP 532924	906852	Pampas Drive, Pine Valley
Lot 9004 DP 555742	1087627	97 Ahutoetoe Road, Pine Valley
Lot 9005 DP 555742	1087627	97 Ahutoetoe Road, Pine Valley
Lot 7011 DP 551096	951500	161 Ahutoetoe Road, Pine Valley

No other person is likely to be affected by the removal of the designation.

Attachment B
Plan of designation to be part removed – Designation 6759



Legend

- Primary Parcels
- 6759 Designation to be removed
- 6759 Designation to be retained
- Affected Parcels

Eagle Technology, LINZ, StatsNZ, NIWA, Natural Earth, © OpenStreetMap contributors.

State Highway 1 Silverdale, Partial Designation Removal

Proposed partial removal of Designation 6759, State Highway 1: Silverdale to the Auckland Unitary Plan in accordance with section 182 of the Resource Management Act.

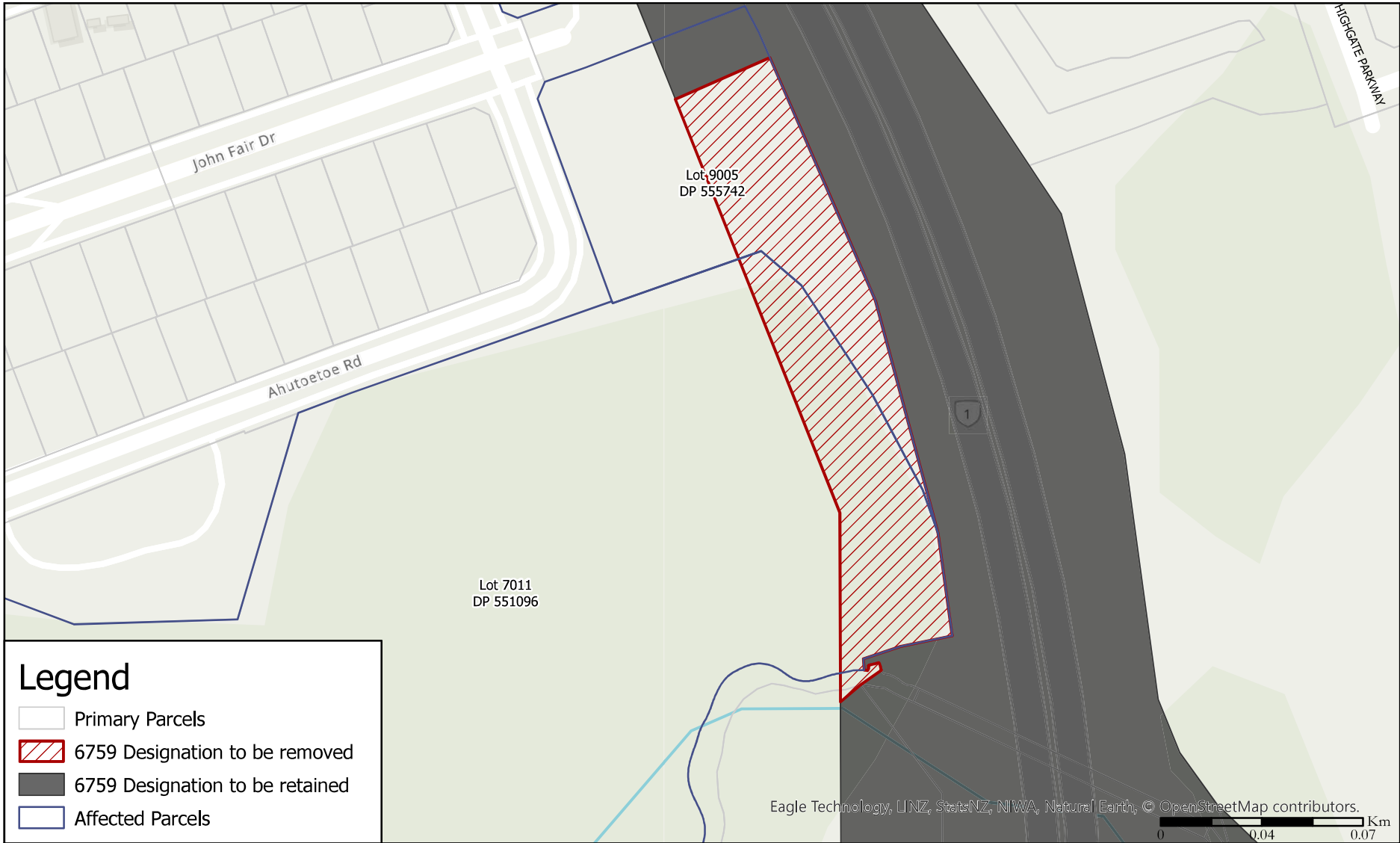




State Highway 1 Silverdale, Partial Designation Removal

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Proposed partial removal of Designation 6759, State Highway 1: Silverdale to the Auckland Unitary Plan in accordance with section 182 of the Resource Management Act.





Legend

-  Primary Parcels
-  6759 Designation to be removed
-  6759 Designation to be retained
-  Affected Parcels



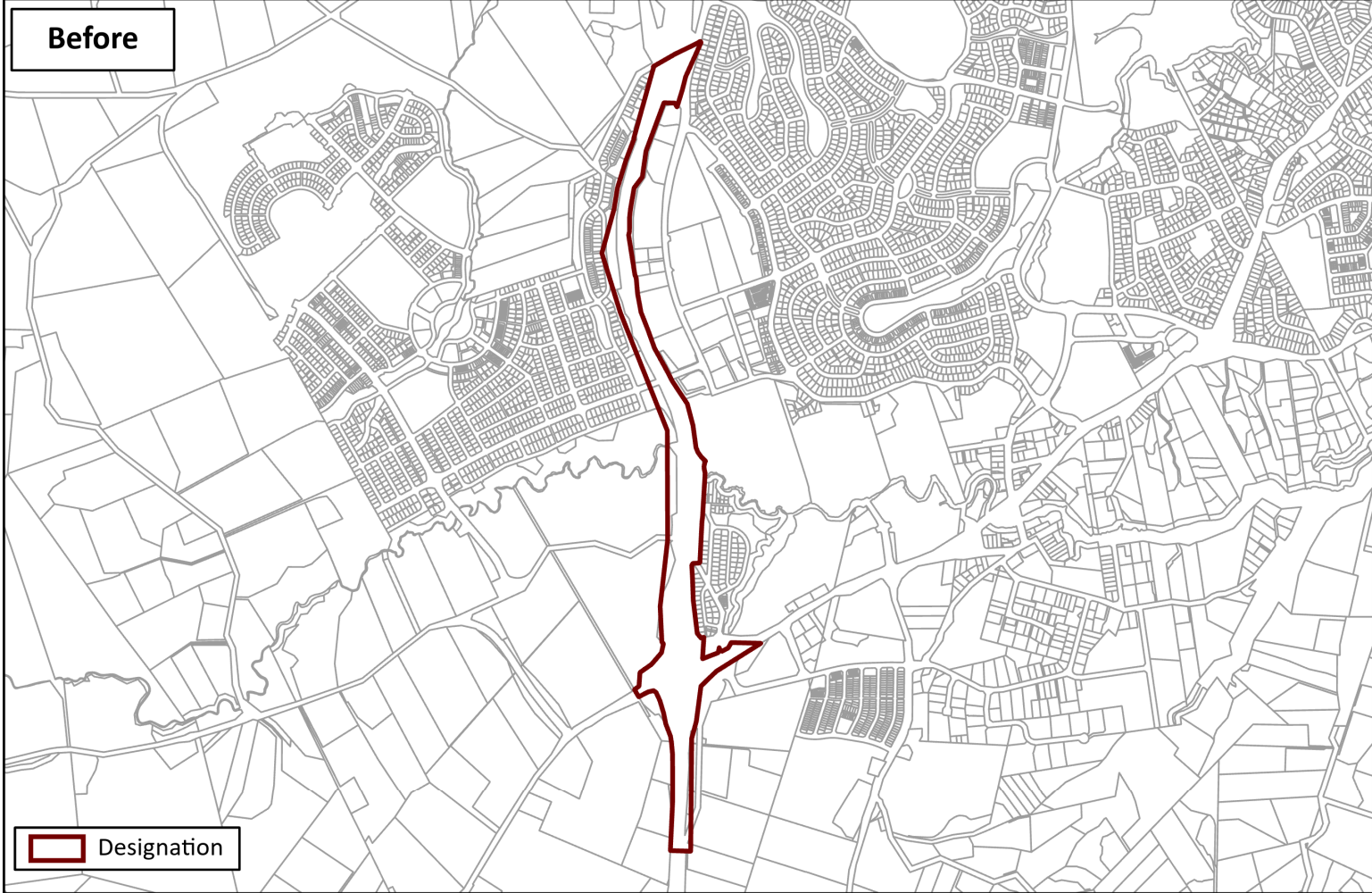
State Highway 1 Silverdale, Partial Designation Removal

Proposed partial removal of Designation 6759, State Highway 1: Silverdale to the Auckland Unitary Plan in accordance with section 182 of the Resource Management Act.



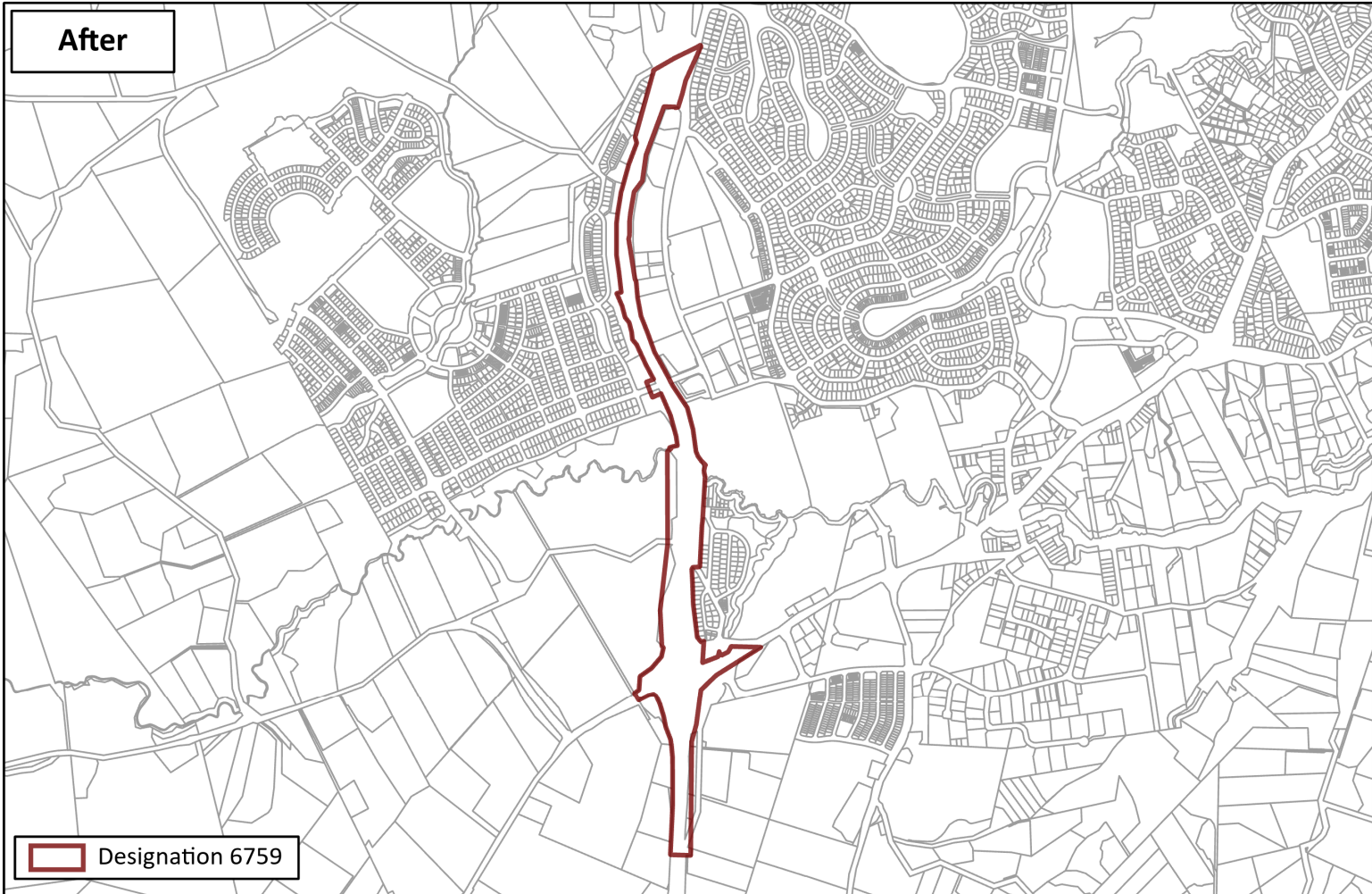
Attachment 3: Plans of amended designation

Before



Designation

After



Designation 6759

0 245 490 980 m

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.

Before and After Designation 6759