

TO Celia Davison, Manager Planning Central/South, Planning and Resource Consents Department

FROM Katrina David, Senior Policy Planner, Planning Central/South, Planning and Resource Consents Department


DATE 20 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
Chapter(s)	GEOMAPS Viewer - Designation Management Layer
Designation only	
Designation # 9560	Hays Creek Dam, Watercare Services Limited
Locations:	Designation: 120 Hays Creek Road and 902 Hunua Road, Drury. Site designation to be removed: 575 Creightons Road, Ardmore (LOT 1 DP 558958)
Lapse Date	Given effect to (i.e. no lapse date)
Purpose	Water supply purpose – Hays Creek Dam and catchment area
Changes to text (shown in underline and strikethrough)	NA
Changes to diagrams	NA
Changes to spatial data	Amend GEOMAPS Viewer - Designation Management Layer: <ul style="list-style-type: none"> Remove Designation 9560 from 575 Creightons Road, Ardmore (LOT 1 DP 558958) Please see Attachment 2.
Attachments	Attachment 1: s182 partial removal report Designation 9560 Attachment 2: Updated GIS Viewer

Maps prepared by: Mitesh Bhula Senior Geospatial Specialist	Text Entered by: Not applicable.
Signature: 	Signature:

Prepared by:

Katrina David
Senior Policy Planner

Reviewed by:

Craig Cairncross
Team Leader

Signature:



Signature:



Authorised by:

Celia Davison
Manager Planning – Central/South

Signature:



Attachment 1:
s182 partial removal report Designation 9560

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



To: Craig Cairncross, Team Leader, Planning Central/South

From: Katrina David, Senior Policy Planner, Planning Central/South

Date: 13 December 2024

Subject: Partial removal Designation 9560 Hays Creek Dam in the Auckland Unitary Plan (Operative in Part) - 575 Creightons Road, Ardmore

Summary

Auckland Council has received a request from Watercare Services Limited (**Watercare**) under section 182 of the Resource Management Act 1991 (**RMA**), dated 10 December 2024, to remove in part Designation 9560 Hays Creek Dam in the Auckland Unitary Plan (Operative in Part) (**AUP**).

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 9560 Hays Creek Dam in the Auckland Unitary Plan (Operative in Part) be **accepted** for the following reasons:
 - The extent of Designation 9560 that applies to 575 Creightons Road, Ardmore is no longer required by Watercare Services Limited for future water supply purposes.
2. That Designation 9560 Hays Creek Dam be partially removed, as soon as reasonably practicable, in the Designation Management Layer in the Auckland Unitary Plan (Operative in Part).

1. Description

1.1. References

Designation number:	9560 Hays Creek Dam
Lodgement date:	10 December 2024

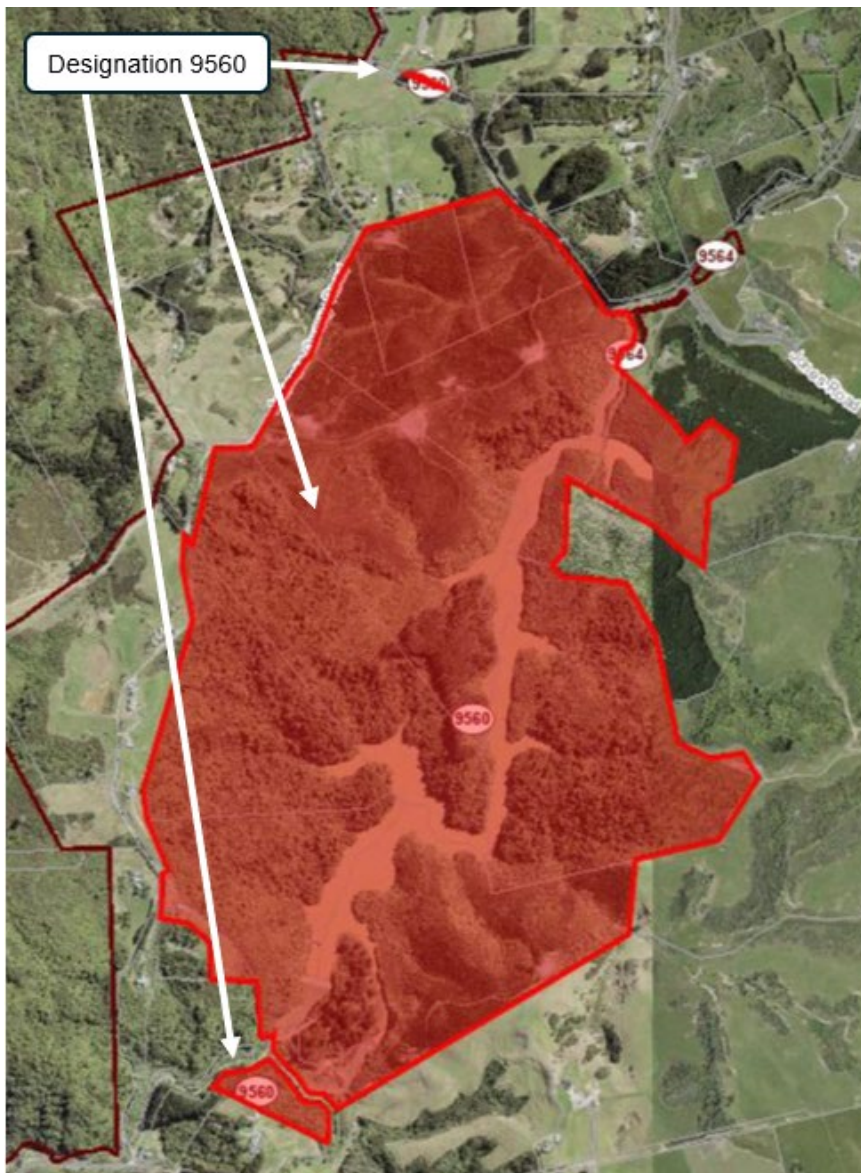
Requiring authority:	Watercare Services Limited
Reporting officer:	Katrina David
Site address:	575 Creightons Road, Ardmore (LOT 1 DP 558958)
AUP Zoning:	Rural – Mixed Rural Zone

2.0 Background

2.1 Details of designation

Chapter K of the AUP identifies that Designation 9560 Hays Creek Dam applies to 120 Hays Creek Road and 902 Hunua Road, Drury. The designation is for water supply purposes – Hays Creek Dam and catchment area. Figure 1 shows the existing extent of the designation in the AUP maps.

Figure 1: Existing extent of Designation 9560



2.2 Land affected by removal

Watercare advises that the part of Designation 9560 that currently applies to 575 Creightons Road, Ardmore is no longer required for future water supply purposes. See Attachment A.

Watercare advises that 575 Creightons Road, Ardmore was subdivided from the original property 120 Hays Creek Road, Drury.

Watercare has provided Figure 2 showing the portion of Designation 9560 to be removed from 575 Creightons Road.

Figure 2: Aerial map showing portion of Designation 9560 to be removed from 575 Creightons Road (Source: Watercare)



2.3 Consultation

Watercare advises they have notified the landowner of their intent to remove the designation from their property (575 Creightons Road) as required by section 182(1)(b) of the RMA. See Attachment B.

2.4 Delegated authority to consider alterations to designations

The Team Leader – Planning Central/South (Planning and Resource Consents Department Tier 5) has delegated authority, in accordance with Schedule 2A of the Auckland Council Delegations: Chief Executive’s Delegations Register, Version 1.7, updated October 2024, to exercise the Council’s functions, powers, duties and discretions under the RMA in relation to section 182 to approve a removal of a designation.

Accordingly this section 182 request to partially remove Designation 9560 can therefore be considered by the Team Leader – Planning Central/South (Planning and Resource Consents Department Tier 5) and accepted or declined.

2.5 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 has provided sufficient justification for the partial removal of Designation 9560 Hays Creek Dam for the following reasons:

- The extent of Designation 9560 that applies to 575 Creightons Road, Ardmore (LOT 1 DP 558958) is no longer required for future water supply purposes.
- The effect of the partial removal on the remaining designation will be no more than minor.

2.0 Recommendation

That pursuant to section 182 of the RMA that the partial removal of Designation 9560 Hays Creek Dam be **accepted** and the AUP Designation Management Layer be amended accordingly.

Prepared by: Katrina David
Senior Policy Planner
Planning Central/South

Accepted Craig Carirncross
Team Leader
Planning Central/South

Signature :



Signature :



Date : 13 December 2024

SCHEDULE OF ATTACHMENTS:

Attachment A: Watercare s182 Notice of Partial Removal of Designation 9560

Attachment B: Watercare letter to landowner of 575 Creightons Road regarding s182 Notice of Partial Removal of Designation 9560

10th December 2024

Craig Craincross
Team Leader Planning
Plans and Places
Auckland Council

Watercare Services Limited
73 Remuera Road, Remuera,
Auckland 1050, New Zealand
Private Bag 92521, Victoria Street West,
Auckland 1142, New Zealand
Telephone +64 9 442 2222
www.watercare.co.nz

Email: unitaryplan@aucklandcouncil.govt.nz
craig.cairncross@aucklandcouncil.govt.nz

Dear Craig,

PARTIAL REMOVAL OF PROPERTY UNDER S182 OF THE RESOURCE MANAGEMENT ACT

Under s182 of the Resource Management Act, 1991, Watercare Services Limited, as a Requiring Authority, is requesting to remove in part the existing designation 9560, located over 575 Creightons Road, Ardmore, Auckland 2582, LOT 1 DP 558958. This designation is noted as being:

Designation Number:	9560
Requiring Authority:	Watercare Services Ltd
Location:	120 Hays Creek Road and 902 Hunua Road, Drury
Rollover Designation:	Yes
Legacy Reference:	Designation 2, Auckland Council District Plan (Papakura Section) 1999
Lapse Date:	Given effect to (i.e. no lapse date)
Purpose:	Water supply purposes – Hays Creek Dam and catchment area.

The purpose of designation 9560 is for Water Supply Purposes – Hays Creek Dam and catchment area. The property 575 Creightons Road, Ardmore, was subdivided from the original property of 120 Hays Creeks Road, Drury. The property is considered by Watercare to be excess to requirement and no needed for the future Water Supply Purposes.

As 575 Creightons Road, Ardmore does not need to be covered by the designation, Watercare would like to remove the property from the existing designation layer shown in the AUP(OP) Geomaps Designation layer. Please see the GIS Shapefile for the file that shows the new layout of Designation 9560 that has 575 Creightons Road removed from the existing designation.

Should you have any queries about the above the request, please contact Paul Futter by email on paul.futter@water.co.nz.

Ngā mihi,



Tanvir Bhamji
Manager - Resource Consenting
Watercare Services Limited

Appendix 1 – Existing Designation under Auckland Unitary Plan (Operative in Part)

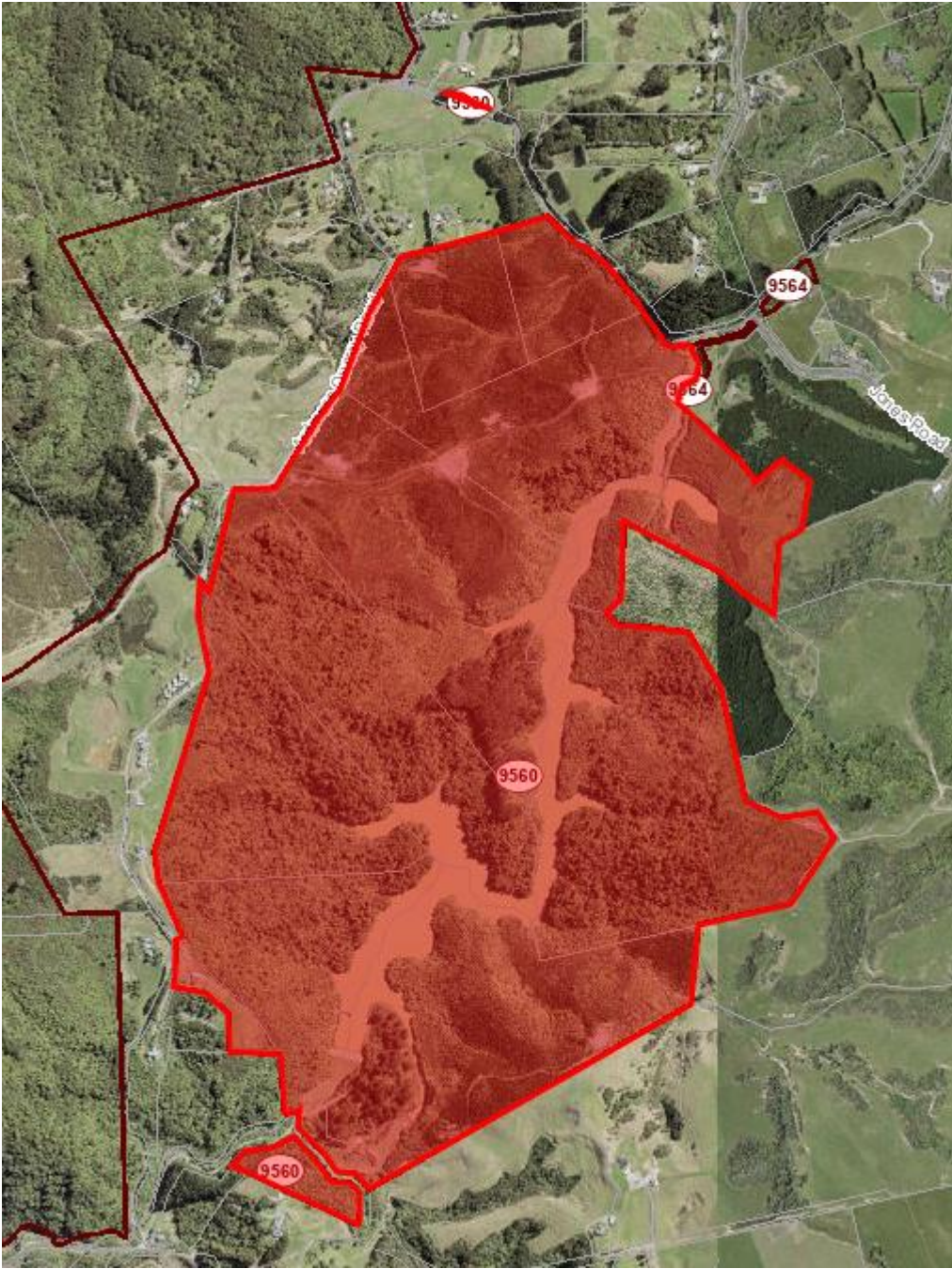
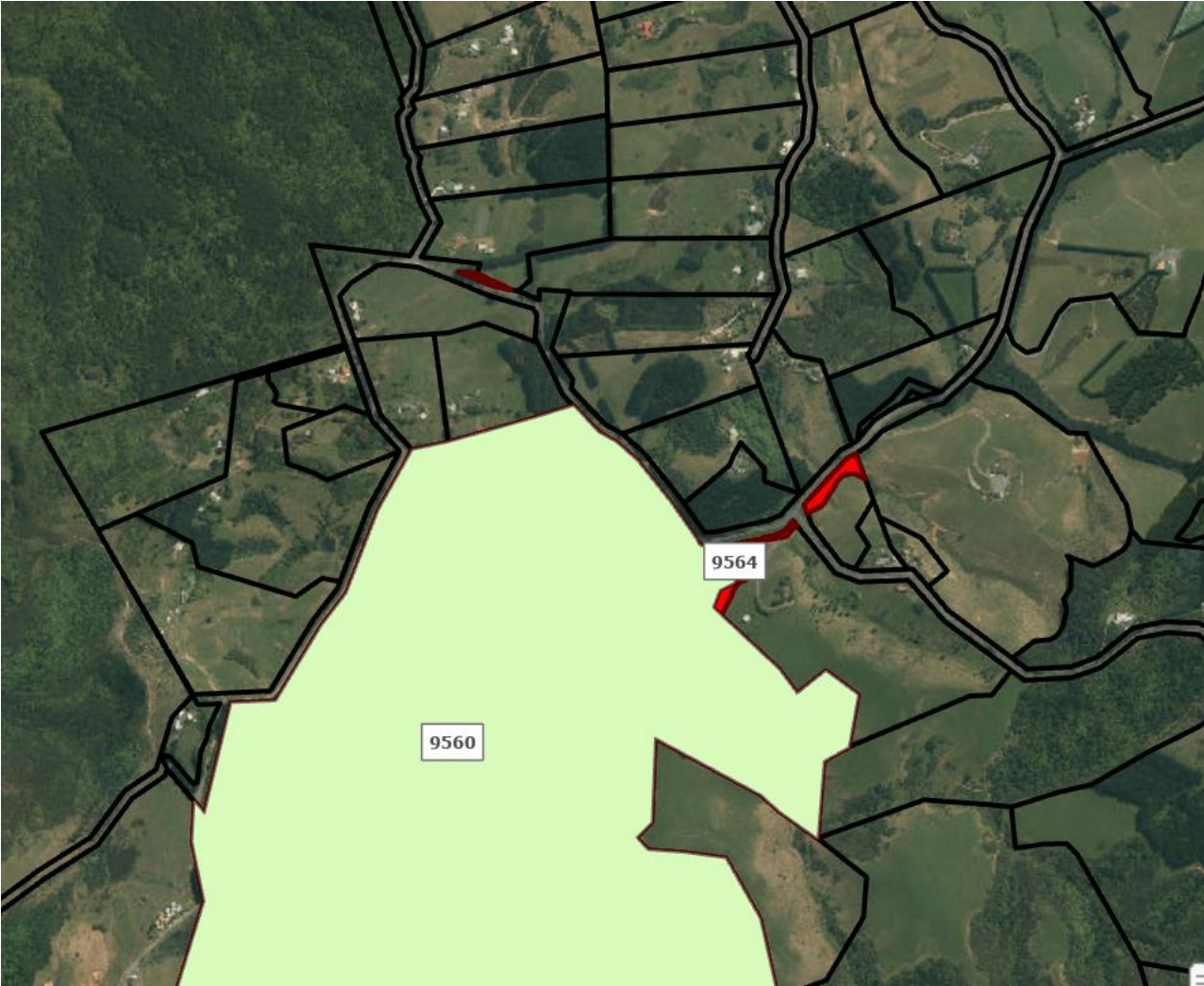


Figure 1 - Shown Designation within the AUP(OP)



Figure 2 – Portion of Designation to be removed

Appendix 2 – Designation without 55B Alnwick Street



10th December 2024

AM Smith & PA Smith
PO Box 72381,
Papakura,
Auckland 2244

Dear Alison & Philip,

PART REMOVE OF DESIGNATION 9560 UNDER S182 OF THE RESOURCE MANAGEMENT ACT

This letter is to advise you that as required under s182(1)(b) of the Resource Management Act, 1991, Watercare Services Limited is requesting Auckland Council to part remove Designation 9560 from your property.

This request of Auckland Council is to remove the designation from 575 Creightons Road, Ardmore, Auckland 2582, (LOT 1 DP 558958) will be carried out under section 182 of the Resource Management Act, 1991. Please see the image in Appendix 2 for the change to the designation.

Should you have any queries about the above request, please contact Paul Futter on 022 100 3878, or email: paul.futter@water.co.nz.

Ngā mihi,



Tanvir Bhamji
Resource Consents Manager
Watercare Services Limited

Appendix 1 – Existing Designation under Auckland Unitary Plan
(Operative in Part)

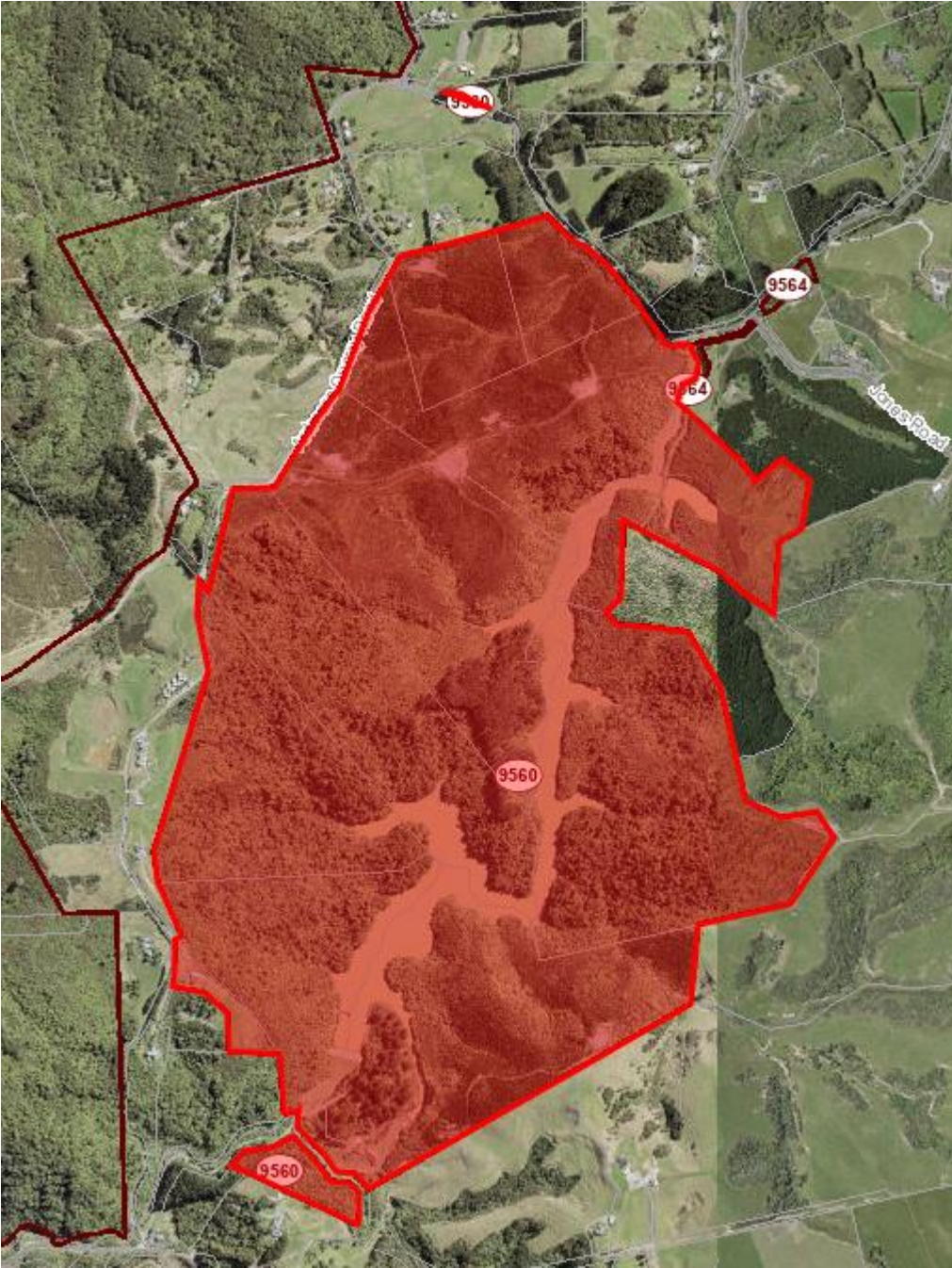
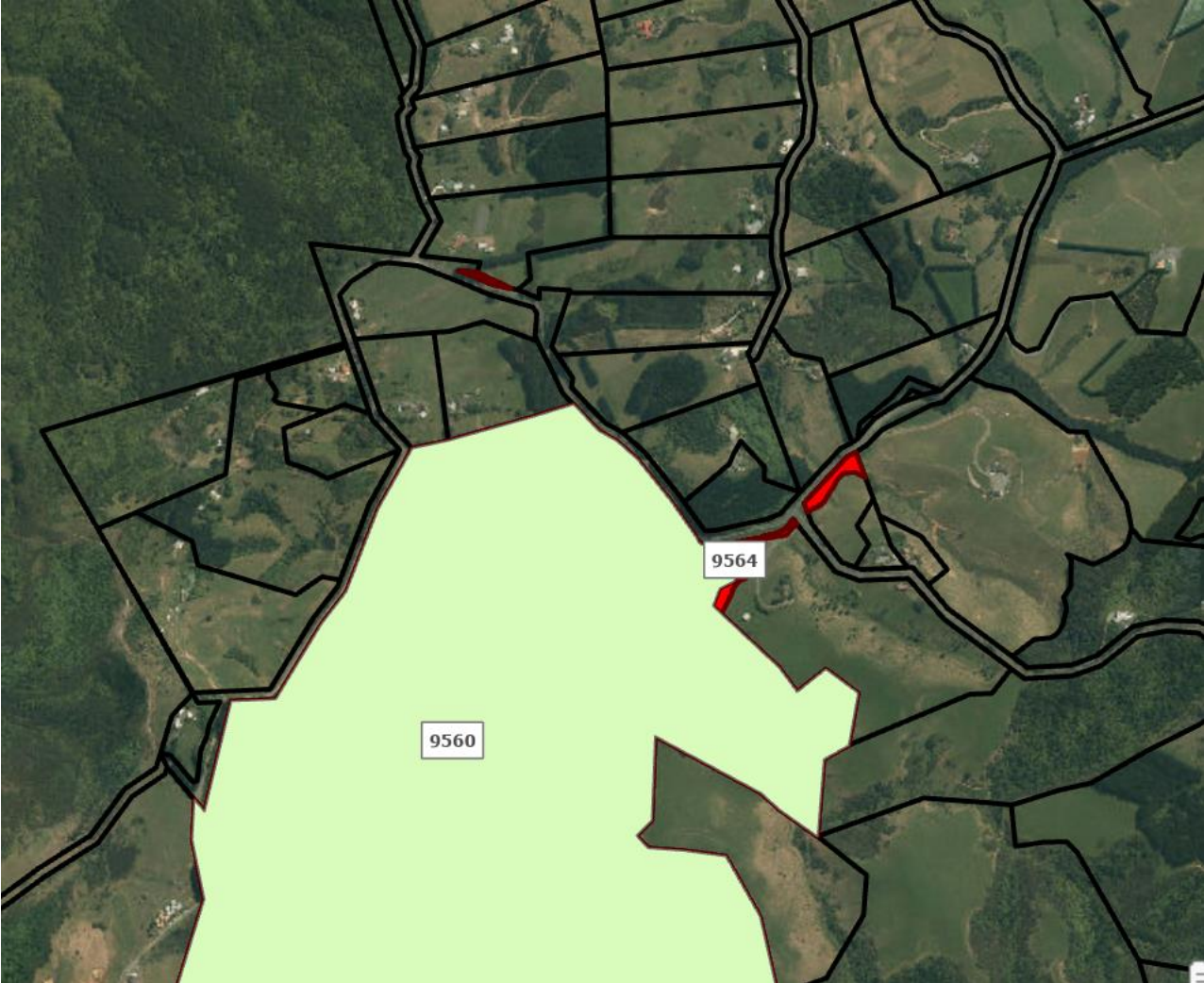


Figure 1 - Shown Designation within the AUP(OP)



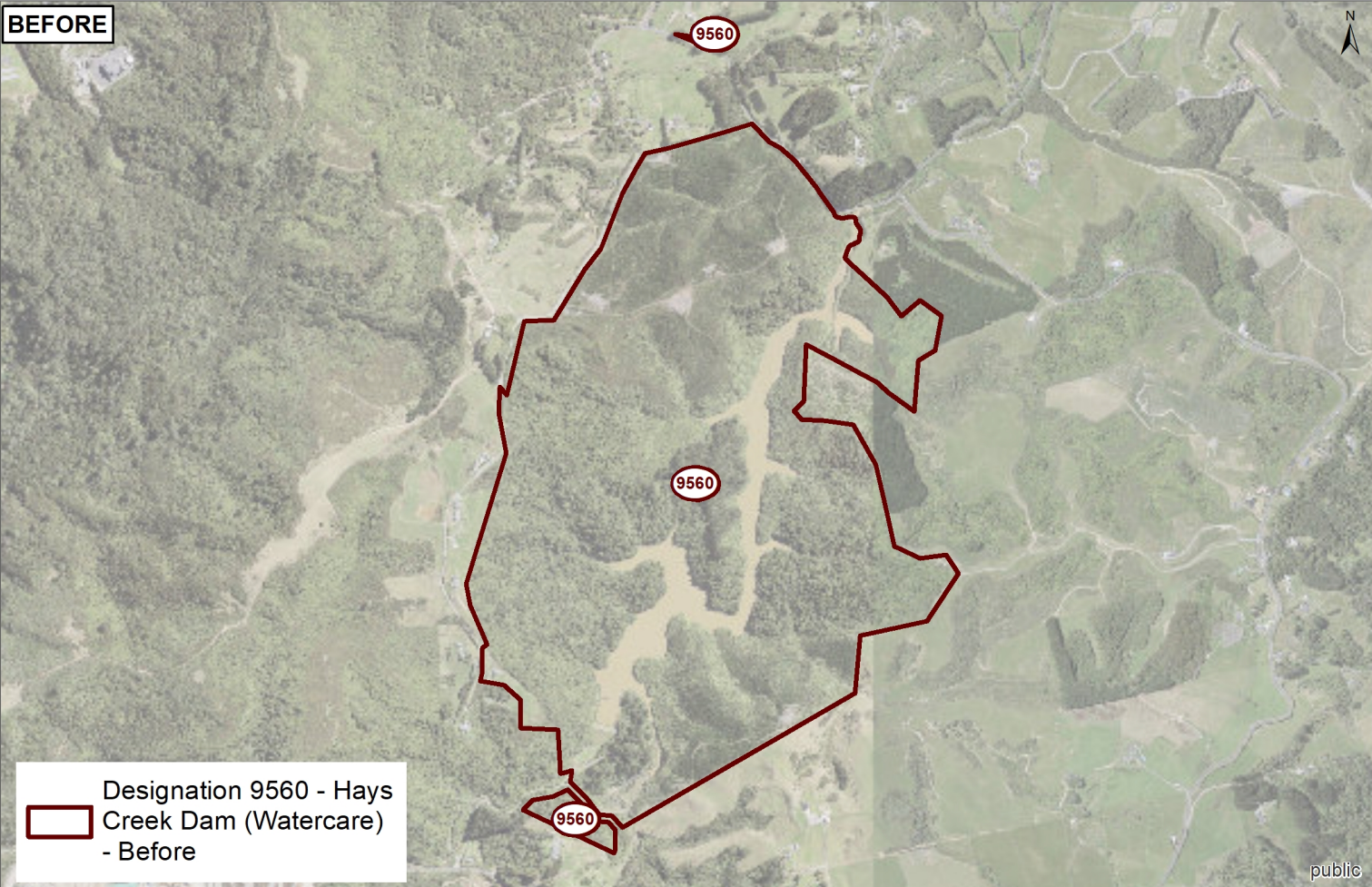
Figure 2 – Portion of Designation to be removed


Appendix 2 – Designation without 575 Creighton Road



Attachment 2:
Updated GIS Viewer

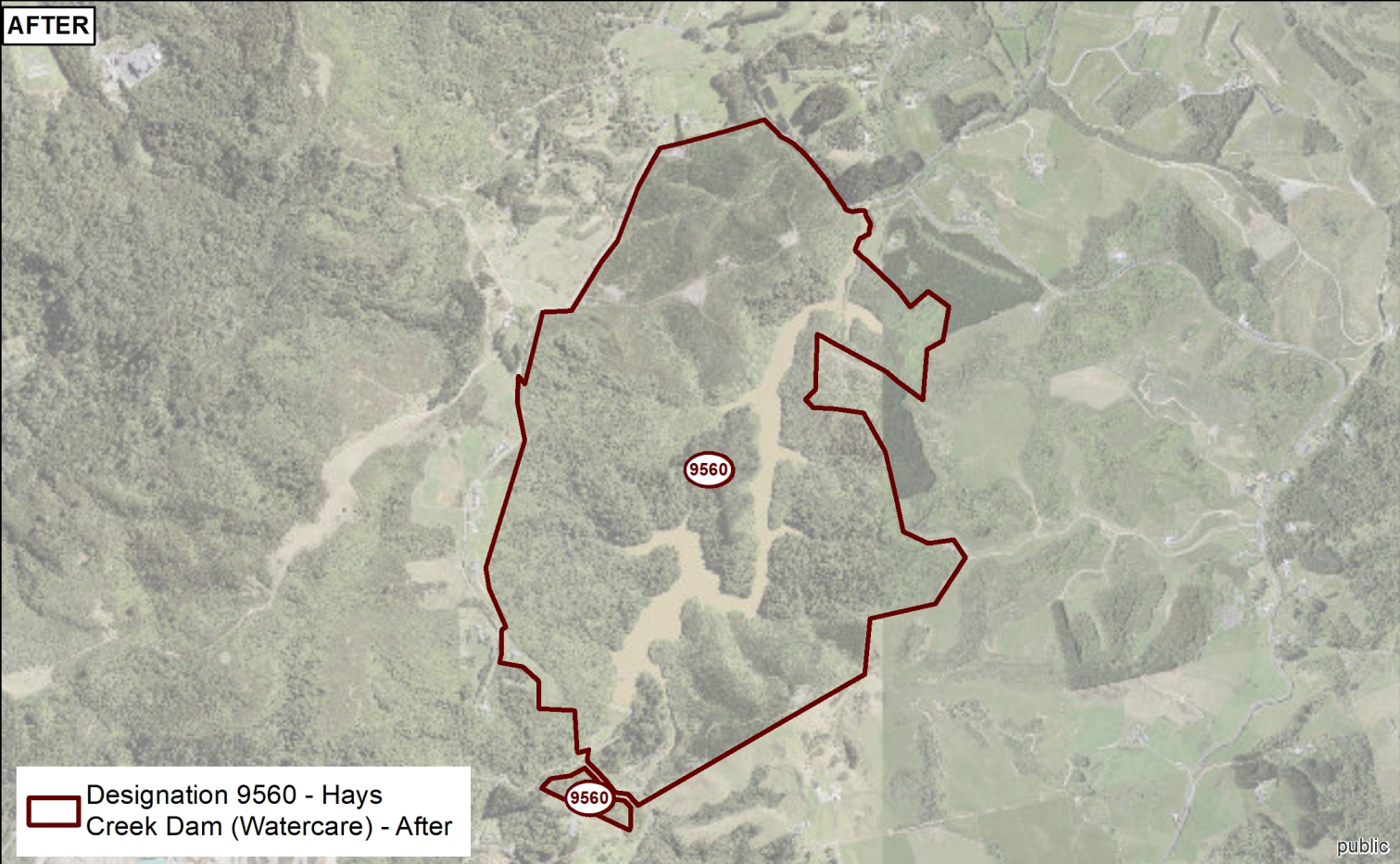
BEFORE




 Designation 9560 - Hays
 Creek Dam (Watercare)
 - Before

public

AFTER



 Designation 9560 - Hays
 Creek Dam (Watercare) - After

public

0 160 320 640 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: 20/01/2025

Designation 9560 - Hays Creek Dam (Watercare)



Plans and Places