

UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Celia Davison, Manager Planning Central/South
FROM Sisira Jayasinghe, Planner, Planning Central & South



DATE 18 September 2017
SUBJECT Designation to be updated in the AUPOP in accordance with s181 of the Resource Management Act 1991

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

Reason for update Removal of designation under S182 of the RMA	
Chapter	Chapter K
Section	Schedules and Designations
Designation only	
Designation #	Auckland Transport 1815
Location:	6, Butler Avenue, Papatoetoe
Lapse Date	Not applicable
Type of Designation	Removal
Purpose	Public off-street parking, including on-going maintenance, repairs and like for like replacement works to the existing parking facility and minor operational improvements to the same.
Changes to text (shown in underline and strikethrough)	See the attachment – Strikethrough version of Designation 1815.
Changes to diagrams	Not applicable
Changes to spatial data	Remove mapping of designation 1815 as per the attachment in the Auckland Unitary Plan Operative in part.
Attachments	Team Leader approved Decision Report

Prepared by: Sisira Jayasinghe

Text entered by: Bronnie Styles

Planner, Planning Central & South

Planning Technician

Signature:

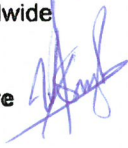
Signature:

Maps prepared by:

Reviewed by:

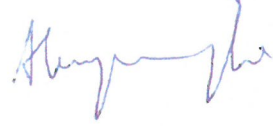
Aching Konyak –
Geospatial Analyst
Aucklandwide

Signature



Area Planner - Sistra Jayasinghe

Signature:



Manager



Signature



6 Henderson Valley Road, Henderson, Auckland 0612
Private Bag 92250, Auckland 1142, New Zealand
Ph 09 355 3553 Fax 09 355 3550

11 August 2017

Auckland Council
Private Bag 92300
Auckland 1142

Attention: John Duguid

Dear John

NOTICE TO REMOVE A DESIGNATION UNDER SECTION 182 OF THE RESOURCE MANAGEMENT ACT 1991

Please find attached a Form 23 Notice under Section 182(1) of the Resource Management Act 1991 advising Auckland Council that Auckland Transport is removing Designation 1815 from the Auckland Council Unitary Plan (Operative in Part) (AUP (OP)) located at 6 Butler Avenue Papatoetoe.

In accordance with section 182(1) the Form 23 notice has been sent to the landowner and occupier (Auckland Council) directly affected by the removal of Designation 1815. Please remove Designation 1815 from the AUP (OP) as soon as practicable.

Please direct all correspondence relating to this application to Patrick Buckley, Principal Planner. If you have any queries, please do not hesitate to contact Patrick on (09) 447 5439 or email patrick.buckley@at.govt.nz.

Yours faithfully

Richard Black
Acting Manager, Planning Integration Team



Form 23

Notice of removal of part of designation

Section 182 of the Resource Management Act 1991

To: Auckland City Council (owner and occupier)

Auckland Transport gives notice that it no longer requires designation being:

Designation 1815 for 'public off-street parking, including ongoing maintenance, repairs and like for like replacement works to the existing parking facility and minor operational improvements' in the Auckland Council Unitary Plan (Operative in Part).

The following title and as shown on the attached plan:

- NA1057/50.

Auckland Transport requests the territorial authority to amend the district plan accordingly as required by Section 182 of the Resource Management Act 1991.

Signature on behalf of requiring authority

.....
Jane Small

CAREY EDMONDS
CHIEF INFRASTRUCTURE
OFFICER

Date

11/8/17

Group Manager, Property and Planning

Auckland Transport

Address for service of requiring authority:

Auckland Transport

Private Bag 92250

Auckland 1142

Telephone: DDI +64 9 4475439, Mob 0212252623

Fax/email: patrick.buckley@at.govt.nz

Contact person: Patrick Buckley, Principal Planner, Planning Integration Team



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



Search Copy

R. W. Muir
Registrar-General
of Land

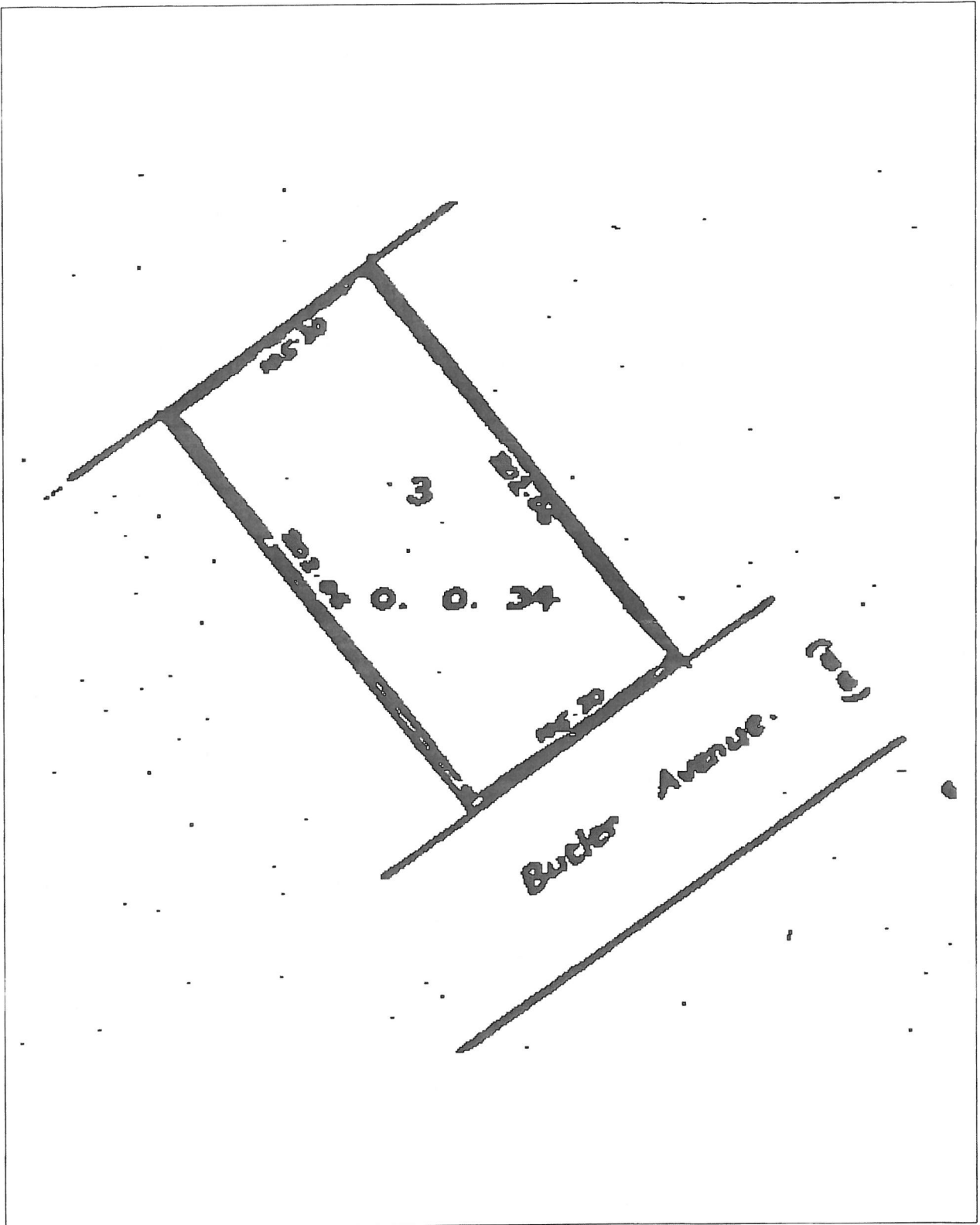
Identifier NA1057/50
Land Registration District North Auckland
Date Issued 11 November 1952

Prior References
NA272/293

Estate Fee Simple
Area 860 square metres more or less
Legal Description Lot 3 Deposited Plan 39245

Proprietors
Auckland Council

Interests
13370 Order in Council imposing Building Line Restriction - 28.9.1951



1815 Car Park - Butler Avenue

Designation Number	1815
Requiring Authority	Auckland Transport
Location	6 Butler Avenue, Papatoetoe
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 6803:1000 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) Leq (dBA) (30 min)	Long term duration 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~~

GD 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.

**SECTION 182(2) DECISION BY A
TEAM LEADER UNDER DELEGATED AUTHORITY**

**DECISION ON A NOTICE OF REMOVAL OF A DESIGNATION UNDER SECTION
182(2) OF THE RESOURCE MANAGEMENT ACT 1991 –
DESIGNATION 1815 CAR PARK – BUTLER AVENUE**

TEAM LEADER: Marc Dendale, Team Leader,
Planning Central & South, Auckland
Council

REQUIRING AUTHORITY: Auckland Transport

COUNCIL DECISION

Pursuant to section 182(2) of the RMA, the Auckland Transport is advised that the Notice of Removal to the Auckland Transport designation 1815 Car Park – Butler Avenue in the Auckland Unitary Plan has been considered under delegated authority and Council AGREES to uplift the designation 1815 Car Park – Butler Avenue from the portion of land as indicated on the map attached to the Notice and referenced by Council as Designation 1815. The amendment to the designation will be incorporated into the next scheduled update of the Auckland Unitary Plan without further formality.

REASONS FOR THE DECISION


The Auckland Transport for which the partial removal of designation is sought has confirmed that it no longer requires that part of the land within the designated-area.

The partial removal of the designation would have a less than minor effect on the Papatoetoe area. The Ōtara-Papatoetoe Local Board has agreed to the removal of the car park.

The removal of the designation is consistent with Part 8 of the Resource Management Act 1991.

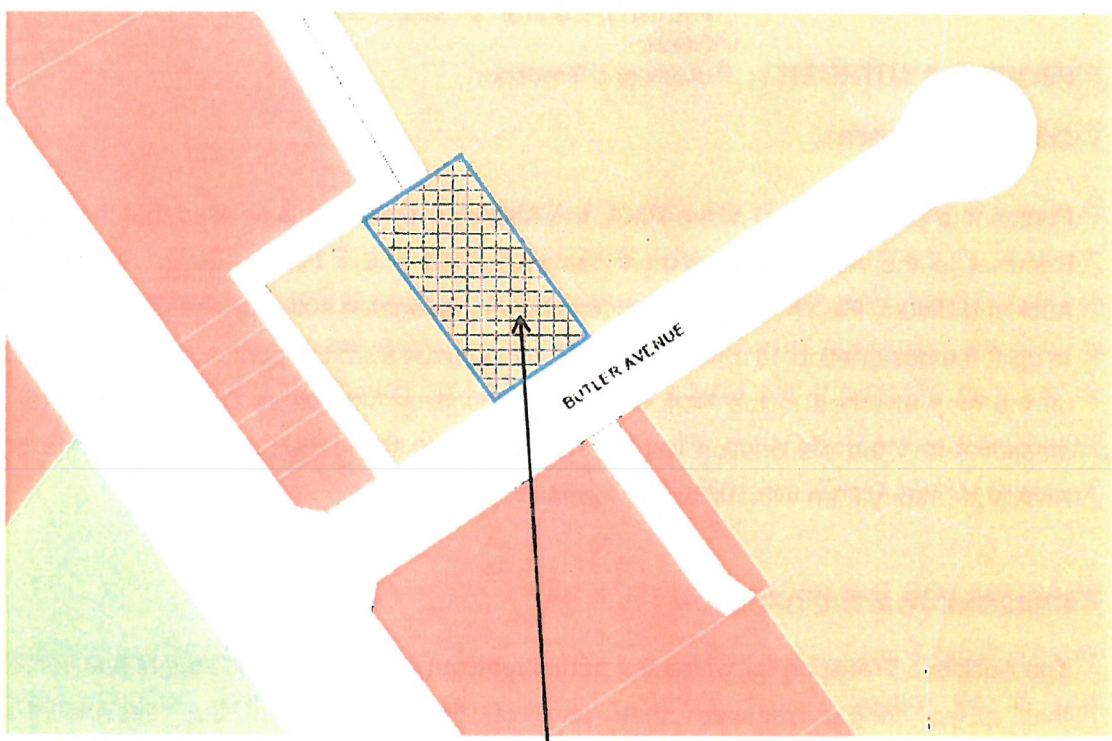
Name: Marc Dendale

Signed:

 _____

Date: 18 August 2017 _____

Map showing the removal of Designation 1815 at 6 Butler Avenue, Papatoetoe



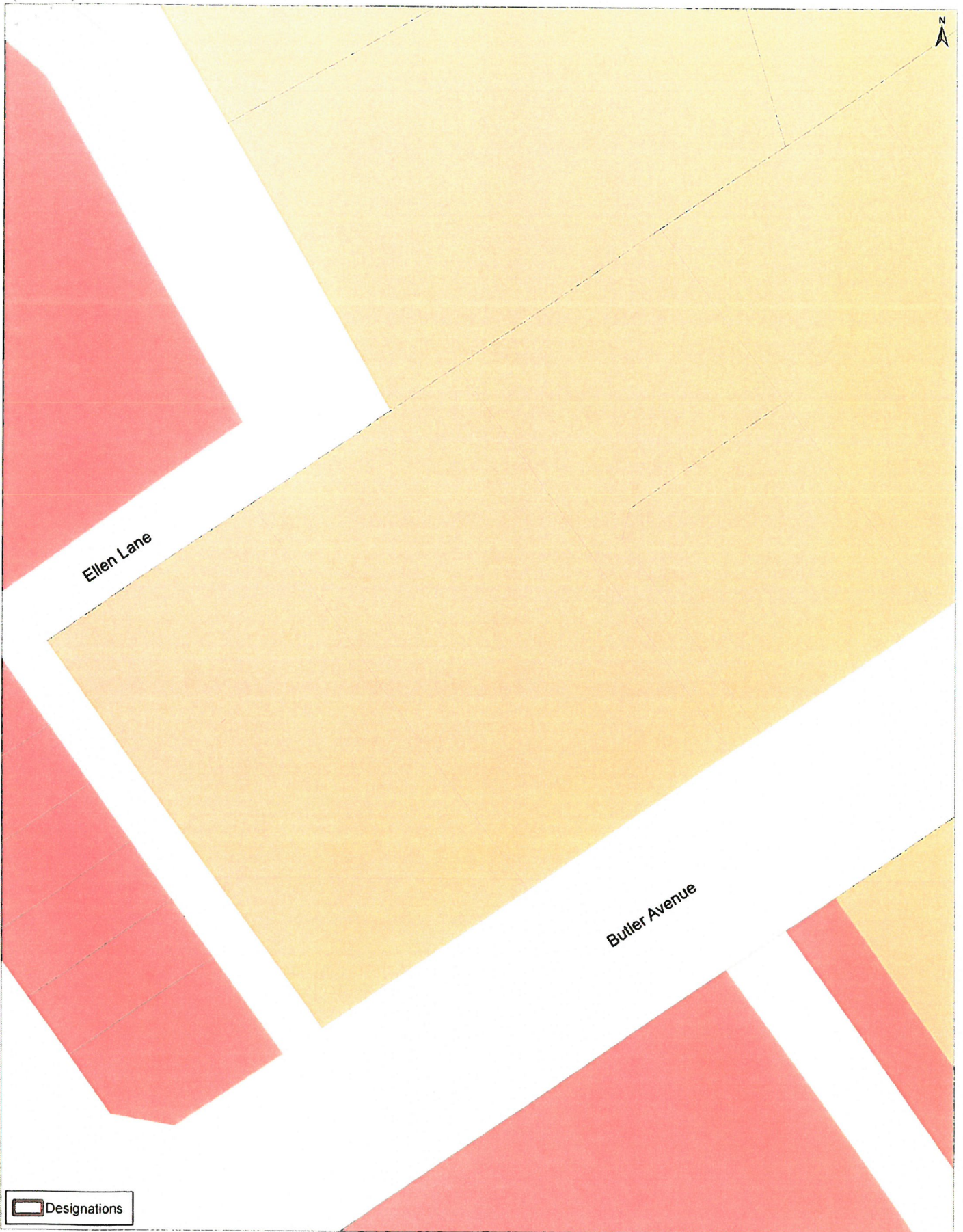
Designation 1815 to be removed


Designation Schedule - Auckland Transport (3/3)

South

Number	Description	Location
1800	Road widening	542 and 568 Ormiston Road, Flat Bush
1801	Road widening	1 Kerr Road, Manukau Central
1802	Road widening	128 Ormiston Road, Flat Bush
1804	Public off-street parking ...	143 Pakuranga Road, Pakuranga
1805	Car park and service lane	25A Parkhill Road and 20, 24 Uxbridge Road, Howick
1806	Road widening	109 and 129 Beachlands Road, 373, 460, 465, 469, 482, 492, 509, 529, 533, 600, 601-605, 639, 645-651, 650, 691, 702, 712, 722, 732, 746, 751, 758, 770, 781, 824, 830, 855, 865-867 and 897 Whitford-Maraetai Road and 49 and 110A Jack Lachlan Drive, Whitford (Stages 5, 6 and 7)
1807	New road (Whitford Bypass)	40, 51, 54, 58, 83, 133, 172, 173, 201, 227, 231, 230, 232, 238, 250, 257, 284, 330, 371, 374, 376 and 385 Whitford Park Road, 2, 21, 35, 91, 97, 101 and 401 Trig Road, 18, 24 and 30 Saleyard Road, 500 Brookby Road, 53 Polo Lane, 1 and 2 Turanga Road, 49 Clifton Road and 46, 53R, 104R, 109, 130, 150, 186, 299, 373 and 404 Whitford-Maraetai Road (Stages 1, 2, 3 and 4)
1808	Road widening	Ormiston Road and Chapel Road, Flat Bush
1809	Road widening	2, 5, 17, 22-38, 47-59, 56-60 and 67 Allens Road, 3-9 Smales Road, 1 and 2 Harris Road, 2 Ross Reid Place and 61 Sir William Avenue, East Tamaki
1810	Car parking asset	24 Hall St, Pukekohe
1811	Public off-street parking ...	27 Moore Street, Howick
1812	Public off-street parking ...	4 Tobin Street, Pukekohe
1813	Public off-street parking ...	21 Wallace Road, Papatoetoe
1814	Public off-street parking ...	9 Osterley Way, Manukau Central
1816	Public off-street parking ...	27 Charles Street, Papatotoe
1817	Public off-street parking ...	2 Davies Avenue, Manukau
1818	Public off-street parking ...	139 Kolmar Road, Papatoetoe
1819	Public off-street parking ...	41 Moore Street (Fencible Drive), Howick
1820	Public off-street parking ...	1-13 Maich Road, Papkura
1821	Public off-street parking ...	26-32 O'Shannessy Street, Papakura
1823	Public off-street parking ...	37 Coles Crescent, Papakura
1824	Public off-street parking ...	15 Eric Baker Place, Papatotoe
1825	Public off-street parking ...	1R Newbury Street, Otara
1826	Public off-street parking ...	129 Kew Lane, Otara
1827	Public off-street parking ...	21 Shirley Road, Papatoetoe

1828	Public off-street parking ...	9 Wellington Street (Picton Street), Howick
1829	Public off-street parking ...	7 Massey Avenue, Pukekohe
1830	Public off-street parking ...	4 Wellington Street, Howick
1831	Public off-street parking ...	1-49 Waddon Place and 121 Bader Drive, Mangere
1832	Public off-street parking ...	Constable Road (corner King Street), Waiuku
1833	Road widening	Flat Bush School Road and Murphys Road, Flat Bush
1834	Road widening	21 and 39 Flat Bush School Road and 66 Thomas Road, Flat Bush
1835	Upgrade intersection at East Tamaki, Ormiston and Preston Roads in Otara	267Z, 279, 279A, 279B, 279C, 279D, 279E, 279F, 279G, 279H, 279I, 283, 285 and 287 East Tamaki Road, 2, 4, 6, 1/6, 2/6, 3/6, 4/6, 5/6, 6/6, 7/6, 8/6 and 8 Ormiston Road and 208, 208A and 243 Preston Road
1836	The purpose of the designation is to enable the Requiring Authority to widen and upgrade the Redoubt Road-Mill Road Corridor. The public works are required in order to provide future corridor capacity to support growth identified within the Takanini and wider southern area and provide an alternate north/south corridor to State Highway 1.	Parts of Redoubt Road, Mill



 Designations



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: 8/16/2017

Removed Designation Schedule 1815



Plans and Maps

UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Warren MacLennan
FROM Alison Pye
DATE 05/09/2017



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

Reason for update - Designations to be updated in the Auckland Unitary Plan Operative in part in accordance with Section 181(2) of the Resource Management Act 1991	
Chapter	Chapter K Designations
Section	N/A
Designation only	
Designation #	RA - Watercare 9347 Snells Beach WWTP 9363 Snells WWTP Dwelling Exclusion Area
Location:	9347 Snells Beach WWTP Te Whau Creek, Hamilton Road, east of 287 and 309 Hamilton Road, Snells Beach. 9363 Snells WWTP Dwelling Exclusion Area Land surrounding the wastewater treatment ponds, Te Whau Creek, Snells Beach, including 287 and 309 Hamilton Road and 120 Hamatana Road.
Lapse Date	N/A
Type of Designation	Alteration
Purpose	9347 Snells Beach WWTP Purpose: Wastewater purposes - Wastewater Treatment Plant 9363 Snells WWTP Dwelling Exclusion Area Purpose: Wastewater purposes – exclusion of dwellings in the area surrounding the wastewater treatment plant.
Changes to text (shown in underline and strikethrough)	N/A
Changes to diagrams	N/A
Changes to spatial data	<p>As per shapefiles provided.</p>

Attachments	N/A
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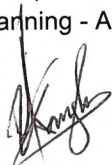
Prepared by:

Alison Pye
Principal Planner
Planning – North/West

Signature: 

Maps prepared by:

Aching Konyak –
Geospatial Analyst
Planning - Aucklandwide



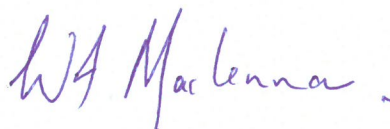
Signature

Reviewed by:

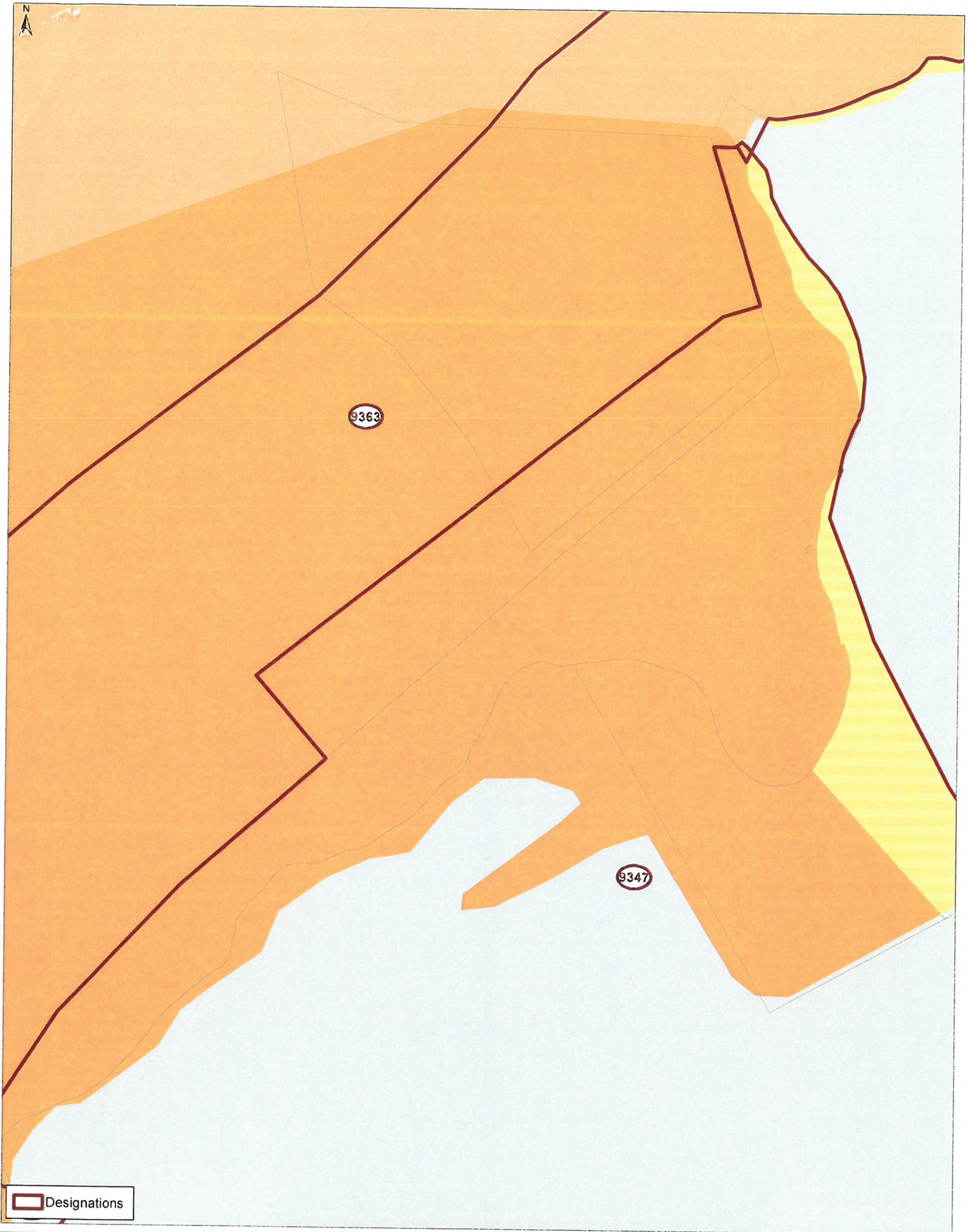
Alison Pye
Principal Planner
Planning – North/West


Signature: 

Warren MacLennan
Manager
Planning North/West



Signature



 Designations



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Date: 11/10/2017

Designation re-adjusted 9347 and 9363



Plans and Places

Form 18
Notice of requirement by Minister, local authority, or requiring authority for designation or
alteration of designation

Sections 168(1), (2) and 181 and clause 4 of First Schedule, Resource Management Act 1991

To Auckland Council

Watercare Services Limited (“Watercare”) gives notice of a requirement for an alteration to designations for a public work (or for a project or work or in respect of any land, water, subsoil, or airspace where a restriction is necessary for the safe or efficient functioning or operation of a public work or project or work).

The site to which the requirement applies is as follows:

Lot 1 DP 51685 and Lot 1 DP 193583, Hamatana Road, Snells Beach 0920 – as shown in Attachment 3A of the Designation Alteration Application.

The nature of the proposed public work (or project or work) is:

Watercare propose to purchase a parcel of land immediately adjacent to the existing Snells Wastewater Treatment Plant (“WWTP”) to enable to construction of the new WWTP to be undertaken without the need to decommission a section of the existing WWTP.

To provide for this, the existing designations for wastewater treatment purposes (#9347) and for the dwelling exclusion (#9363) would need to be altered accordingly. The WWTP designation boundary (#9347) would need to extend approximately 50m into the dwelling exclusion designation (#9347) to the north and would cover an area of approximately 11,800m².

* The nature of the proposed restrictions that would apply are:

It is proposed that there would be no new restrictions as a result of the proposed alteration to the existing designation boundaries.

The effects that the public work (or project or work) will have on the environment, and the ways in which any adverse effects will be mitigated, are:

Refer to the Designation Alteration Application.

In summary, Watercare consider that the only relevant potential effects related to the proposed alteration would relate to odour effects on neighbouring land owners. Watercare consider that any effects associated with the proposed alteration to the two existing designations associated with the site involving extending the designation for wastewater treatment services into the current dwelling exclusion designation would be negligible and not adversely affect the overarching purpose of the two designations. The new ‘state of the art’ treatment system fully encloses the main odour producing processes of the treatment plant. This, coupled with the provision of an Odour Management Plan and ‘no offensive or objectionable discharges beyond the boundary of the site’ as required as a condition of consent, will result in the effects of the proposed designation variation being less than minor.

Further, Watercare has gain the written approval from the land owners and adjacent land owners to the site.

Alternative sites, routes, and methods have been considered to the following extent:

N/A – this application relates to an alteration of existing designations only.

The public work (or project or work) and designation (or alteration) are reasonably necessary for achieving the objectives of the requiring authority because:

The alteration of these designations, including obtaining the necessary approvals / consents in a timely manner, would significantly assist Watercare in meeting their requirement to design, construct and commission the new Snells Beach WWTP within the consented 5 year timeframe as provided for in the recently granted resource consents for the project.

* The following resource consents are needed for the proposed activity and have (or have not) been applied for:

All the necessary resource consents have been granted for the new WWTP however, there may be a need to vary the location on the consents following any approval of the alterations to the existing designations.

The following consultation (or No consultation) has been undertaken with parties that are likely to be affected:

Watercare has gain the written approval from the immediate neighbouring landowners thus enabling Auckland Council to disregard any actual or potential effects of any nature on these parties.

Watercare Services Limited attaches the following information required to be included in this notice by the district plan, regional plan, or any regulations made under the Resource Management Act 1991.

- 1. Snells Beach Wastewater Treatment Plant - Designation Alteration Application*
- 2. Auckland Council – Decision Report – Warkworth and Snells Beach WWTP Resource Consent Applications*
- 3. Copy of NoR Application Fee Paid Invoice*



Mark Bourne,

Manager Infrastructure and Environmental Planning

On behalf of Watercare Services Limited

Signature of person giving notice
(or person authorised to sign
on behalf of person giving notice)

Date: 11 July 2017

Note to person giving notice

You must pay any charge payable to the territorial authority for the requirement or alteration to the requirement under the Resource Management Act 1991.

1. Background

1.1. Minor alteration to a designation

Auckland Council has received a request from Watercare Services Ltd under section 181(3) of the Resource Management Act 1991 (RMA), dated 11 July 2017, to alter two designations:

- Designation #9347 Snells Beach Wastewater Treatment Plan
- Designation #9363 Dwelling Exclusion Area – Snells Wastewater Treatment Plant.

The proposed alteration comprises moving the respective designation boundaries 50m northwards over a length of approximately 260m, thereby increasing the WWTP designation area by approximately 11,800m²; and reducing the dwelling exclusion designation area by the same amount. The width of the dwelling exclusion area will reduce from 150m to 100m over the affected length. The intended use of the additional area is the construction and operation of a new WWTP. Figure 1 below shows the existing and proposed designation boundaries.

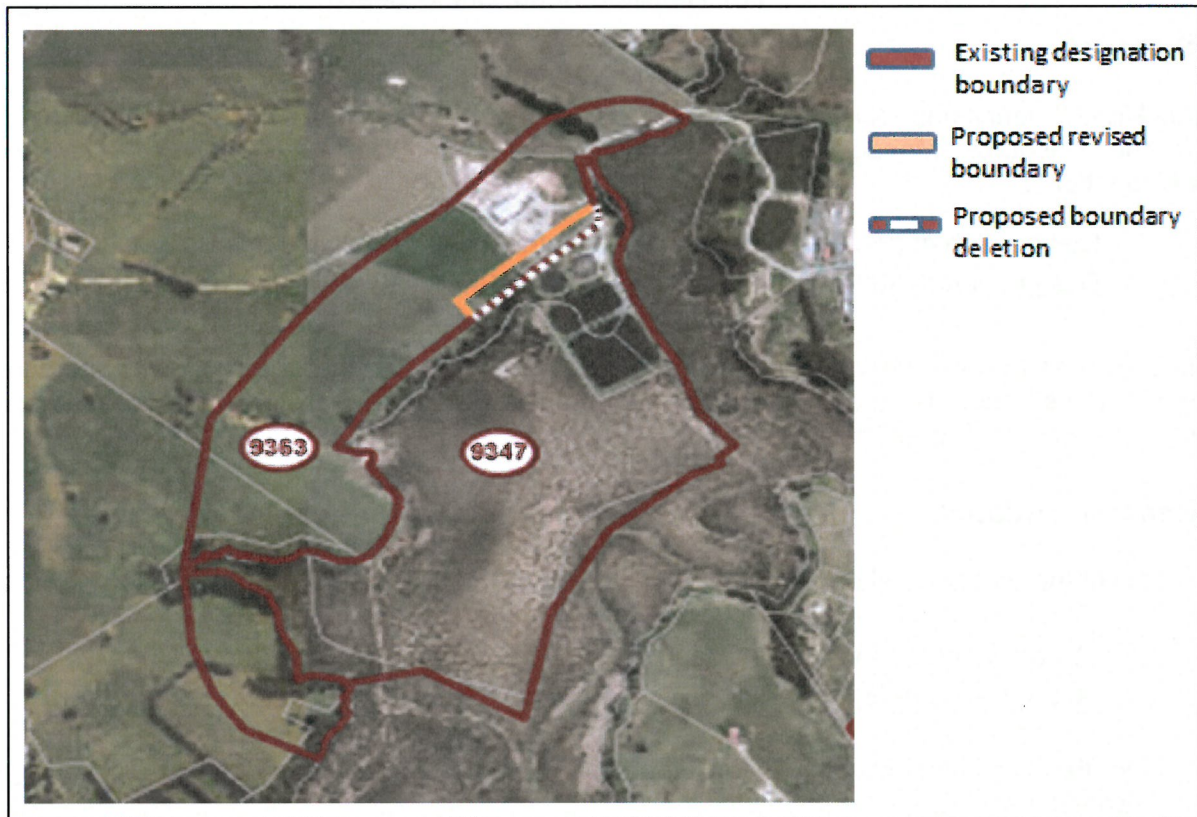


Figure 1 Existing and proposed boundaries of designations #9347 WWTP and #9363 Dwelling exclusion area

The background to Watercare's request is as follows:

On 21 March 2017, Watercare was granted resource consents to provide wastewater treatment and servicing for the Warkworth and Snells Beach communities. The consents included provision for both on-going and long-term discharge activities from the site (REG-67908 and REG-67909) and also included an Outline Plan of Works for the construction activities for both the short-term upgrade of the existing WWTP and the new WWTP to be sited within Watercare's existing WWTP site (LAN-67907).

Since the resource consents were granted Watercare has been provided the opportunity to purchase land immediately north of the existing WWTP site to provide an alternative location for

the new WWTP. The proposed new location will enable the existing WWTP to remain fully operational for the duration of the construction of the new WWTP, will avoid delays in the construction period for the new WWTP and remove the need for the construction of additional short-term treatment.

The proposed designation boundary alterations are to accommodate the above described change in location and to provide for a new WWTP layout.

1.2. Land affected by the alteration

The land affected by the alteration to the designation is located at Lot 1 DP 193583 (120 Hamatana Road, Snells Beach); and Lot 1 DP 204993 (287 Hamilton Road Snells Beach). The subject site is approximately 11,800m² and is located within the dwelling exclusion designation #9363.

The location of the site is shown in Figure 2

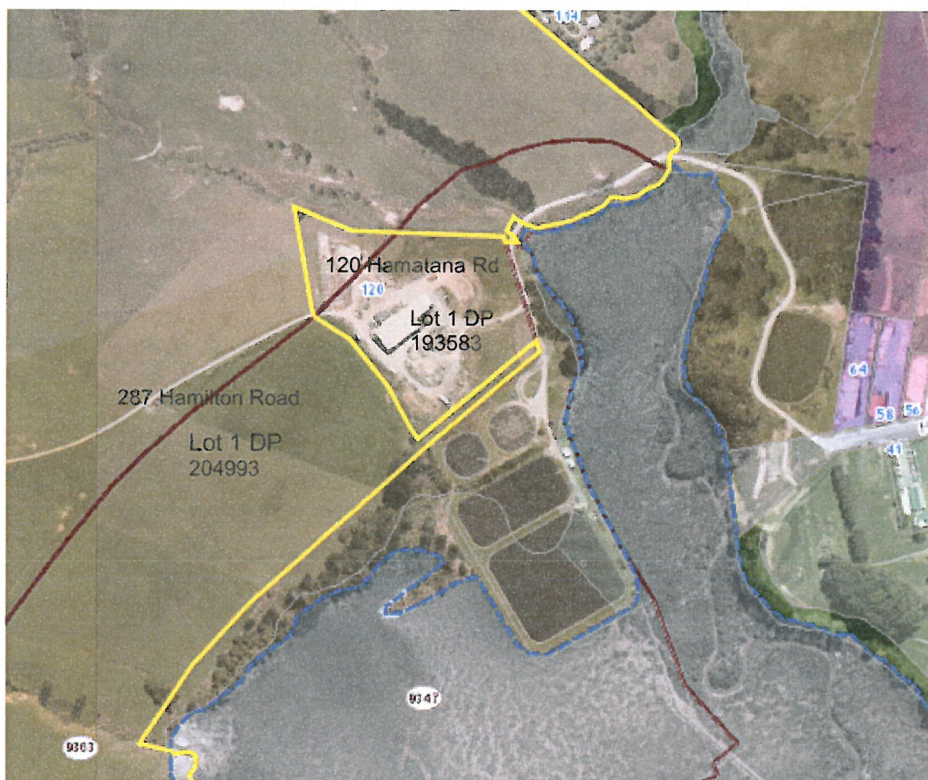


Figure 2: Aerial showing location 120 Hamatana Road and 287 Hamilton Road, Snells Beach

1.3. Description of the site and existing environment

Designations

The Snells Beach WWTP provides wastewater treatment for the communities of Snells Beach and Algies Bay and is located within the WWTP designation (#9347) which provides for the location and operation of the WWTP itself.

The adjoining land immediately north of the Snells Beach WWTP, is designated as 'dwelling exclusion area' (designation #9363). The purpose of the dwelling exclusion area is the provision of a buffer (approximately 150m width) to residential activities from effects of operations of the WWTP.

Landscape and land use

The existing and proposed WWTP sites are located on the coastal edge of a shallow tidal inlet in the upper reaches of the Mahurangi harbour. The land is zoned Rural Coastal under the Auckland Unitary Plan (Operative in Part).

Watercare has provided a landscape assessment 'Landscape Sensitivity Assessment – Snells Beach WWTP, Beca Consultants, 19 August 2016. The assessment identifies the WWTP site and inlet and coastal edge as having 'Moderate landscape sensitivity'. The proposed site for the new WWTP is identified as having 'low /moderate sensitivity.

The predominant land use in the surrounding catchment is pastoral farming. The Hamatana Saw Mill (immediately north of the existing WWTP) and the WWTP are a pocket of industrial activity in the catchment and present a highly modified landscape in the coastal rural setting.

Rural dwellings are located to the north of the WWTP - the nearest are 260m from the new WWTP site. The Snells Beach commercial area lies to the east of the WWTP (350m from the proposed WWTP site). Snells Beach residential township sits to the east of Mahurangi East Road (approx. 570m from the proposed WWTP). Goodall Reserve is located to the east and is separated from the WWTP by the tidal inlet (approx. 270m from the proposed WWTP)

Heritage values

Council records do not identify any natural environmental, cultural, historic or archaeological values in relation to the site.

1.4. Delegated authority

The Team Leader - Planning - North/West and Islands, Plans & Places 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 181(3).

The NoR can therefore be considered by the Team Leader – Planning - North/West and Islands, Plans & Places and confirmed or declined under section 181(3)(c).

1.5. Relevant statutory provisions

Section 181 "Alteration of designation" of the Resource Management Act 1991 states:

- (1) A requiring authority that is responsible for a designation may at any time give notice to the territorial authority of its requirement to alter the designation.*
- (2) Subject to subsection (3), sections 168 to 179 and 198AA to 198AD shall, with all necessary modifications, apply to a requirement referred to in subsection (1) as if it were a requirement for a new designation.*
- (3) A territorial authority may at any time alter a designation in its district plan or a requirement in its proposed district plan if-*
 - (a) The alteration-*
 - (i) Involves no more than minor changes to the effects on the environment associated with the use or proposed use of land or any water concerned; or*

- (ii) *Involves only minor changes or adjustments to the boundaries of the designation or requirement; and*
 - (b) *Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration; and*
 - (c) *Both the territorial authority and the requiring authority agree with the alteration –
and sections 168 to 179 and 198AA to 198AD shall not apply to any such alteration.*
- (4) *This section shall apply, with all necessary modifications, to a requirement by a territorial authority to alter its own designation or requirement within its own district.*

2. Analysis of the proposed alteration

The relevant matters to consider are contained in section 181(3) of the RMA as outlined above.

2.1. Assessment of Environmental effects (s181(3)(a)(i))

Watercare has provided an Assessment of Environmental Effects (AEE) with the NoR. The initial assessment is limited to the consideration of odour and landscape effects. Watercare considered that these are the only effects relevant to the proposed boundary adjustment and associated future relocation of the new WWTP. Subsequently, additional information on potential noise effects has been received from Watercare (refer attachment C), in response to email requests from council seeking comment on this matter.

Overall, it is Watercare's position that the effects associated with the designation alterations and subsequent relocation of the WWTP are consistent with those associated with the consented new WWTP and involves no more than minor changes to the effects on the environment.

Analysis of the effects of odour, landscape and noise is set out in the following paragraphs. The initial text sets out the analysis provided by Watercare, while the subsequent text under the heading "Reporting Officer Comment" sets out the author's analysis of each of the matters.

Odour

Watercare considers that the odour effects associated with the relocation of the WWTP will be less than minor.

As part of the AEE, Watercare has provided an odour assessment for the proposed relocated WWTP - '*Technical odour assessment – Revised plant location*', by CH2M Beca Limited, 2 June 2017. This assessment confirms that the proposed WWTP will use the same treatment technology as the consented WWTP and that the odour effects of the consented WWTP and new WWTP in the new location will be comparable, "*Overall the effects of the discharges to air from the proposed plant are considered to be similar to those associated with the consented upgraded plant design*".

The AEE from Watercare also highlights that the discharge permits for the WWTP (REG-6708 and REG-6709) set a number of conditions, including Air Quality Management (conditions 28-37) and

Odour Management Plan conditions (conditions 38-40) to address odour discharges from the site. The key condition is condition 29 which states:

29 Beyond the boundary of the site, there shall be no odour or dust caused by discharges from the site which in the opinion of an enforcement officer, is noxious, offensive or objectionable

Watercare anticipates that these consent conditions will not change as a result of any variation to the consents to facilitate relocation of the WWTP, and will be adhered to regardless of the location of the WWTP.

The AEE also highlights the technological improvements of the modern treatment system of the new WWTP which will result in significantly less odour than the existing WWTP, The AEE states *“This is a different and a significantly less odorous operation than is experienced at the current WWTP¹”*.

The proposed new WWTP comprises of the following: two biofilters, membrane bioreactor plants, UV disinfection, screens for grit removal, Waste Activated Sludge (WAS) storage and WAS thickening and dewatering. The technical report from Beca has advised that the main sources of odours are screening and grit removal and the thickening, dewatering and storage of WAS. The report notes that all these processes will be fully enclosed at the WWTP and force ventilated to biofilters before being discharged to the atmosphere². In comparison, the treatment process of the existing plant is comprised of: an effluent splitting chamber, a biofilter, two aerated lagoons and two oxidation ponds). The technical report identifies that the oxidation ponds and splitting chamber are the main sources of odour and that occasional algal growth in the ponds gives off higher than normal odour emissions. The report identifies the proposed WWTP represents a decrease in the surface area of wastewater that is exposed to the atmosphere and that this is a contributing factor to the expectation that the odour emission rates from the proposed WWTP will be less than the existing WWTP with its large aerated lagoons and oxidation ponds.

The AEE also identifies that the relocated WWTP increases separation distances between the WWTP and most nearby receptors, but acknowledges that the distance decreases in relation to some rural residential dwellings to the north. (separation distances are shown at Attachment F). Watercare is satisfied however that any odour effects on these dwellings are no more than minor as confirmed in the technical report from Beca. The technical report from Beca identifies that the distance between the treatment processes ‘with greatest odour potential’ and the nearest dwelling is 400m, and concludes that this distance in conjunction with the dwellings location - being down wind of the WWTP, make it unlikely that these dwellings would be affected by odour from the WWTP.

It should be noted that the improved technology and resulting reduction of odour is the main reason provided by Watercare in support of the stated intention to not amend the outer extent of the dwelling exclusion area designation boundary.

Visual and landscape

The AEE from Watercare expresses the view that the visual and landscape effects from the new WWTP site and layout will be comparable to those of the consented WWTP.

¹ Watercare Designation Alteration application p6

² Snells – Algies WWTP – Technical odour Assessment – Revised Plant Location, BECA 2017, pg12 (Appendix 2 to Designation Alteration application)

Watercare has not provided a landscape assessment for the WWTP at the proposed new location, but instead is relying on the landscape assessment carried out for the consented WWTP³ that is attached as Appendix 3 to the designation alteration application. The AEE highlights that the earlier landscape assessment identified that the consented location of the WWTP is in an area of moderate landscape sensitivity and that the new location is within an area of low/moderate landscape sensitivity. The AEE also notes that the buildings associated with the WWTP do not exceed the height limit applicable in the Coastal Rural Zone and the bulk and scale of the buildings is in keeping with the rural landscape, character and amenity of the zone.

The AEE acknowledges that no specific landscape conditions were included in the consent conditions of the Outline Plan of Works (for the consented WWTP); rather, there is an undertaking by Watercare (as per section 8.9.3.5. of the consented WWTP AEE) to provide a Landscape Plan for the WWTP to further enhance the wider site. The AEE goes on to acknowledge that the new site for the WWTP will take up the whole of the additional site area that relates to the proposed designation alteration and that any landscaping would be *“around the office area and any additional space available following the completion of the construction works”*.

The AEE concludes that *“moving the WWTP 50m north will not have any further visual effects on surrounding landscape... nor will it result in additional landscape effects”⁴... “the previously assessed visual and landscape effects are not significantly altered or require any specific controls or consent conditions”*.

Noise

The AEE from Watercare did not include comment on potential noise effects.

The issue of whether the potential for noise effects from the new WWTP would be comparable to the consented WWTP was raised by the council officers by email (informally). In response to the query, information on potential noise effects has been provided by Watercare and confirmed by Watercare’s technical experts (refer Attachment C)

Watercare considers that the potential noise effects are comparable based on application of noise mitigation measures outlined in the AEE to the consented WWTP. Section 8.9.3.6 of that AEE identifies the likely sources of noise and identifies that the installation of sound insulation of associated buildings ‘as required’, is the intended method of mitigation:

“The areas where most noise is likely to be generated are the blowers, the centrifuges, air compressors and large pumps. For all concept options it is planned to install this equipment in buildings to which sound insulation could be applied if this is required to comply with noise limits in the District Plan”⁵

The response from Watercare reconfirms that as part of the design and build process, Watercare proposes to use the noise limits identified within the underlying zone provisions as the basis for the final design standard for the new WWTP and provides the assurance *“Watercare undertake to comply with the limits to the best of their ability through specific design and provision of noise attenuation at the new WWTP, however, there does need to be some operational flexibility in order to provide the wastewater servicing for the wider community”⁶*. The email clarifies that Watercare will have an acoustic expert carry out background noise monitoring and model the (noise) emissions from the plant and provide any specific design requirements to meet the noise limits.

³ Appendix 3 to Designation Alteration Application ‘Landscape Sensitivity Assessment – Snells Beach WWTP, Beca Ltd (2016)

⁴

⁵ Email from L. Faithfull, Wednesday 26 July 2017 1:19pm

⁶ Email from L. Faithfull Wednesday 9 August 2017 3:49pm

Mr Nicholas Berry, Technical Director for Beca (Wastewater Engineering) confirms that the same approach to noise attenuation will be adopted as proposed in the consented plant. Email from Mr Berry provides an assurance that the level of sound insulation will be designed to meet noise limits (of the Auckland Unitary Plan), stating *"It is planned to install this equipment in buildings which will be acoustically treated to meet the required noise limits. To confirm the degree of acoustic attenuation required in the buildings, acoustic modelling will be carried out during design of the plant, once equipment has been selected and the noise from individual plant items is confirmed. It is my opinion that, with appropriate design to attenuate noise from equipment, the effects due to noise for the new proposed location will be similar to those for the consented plant"*⁷

Reporting Officer Comment:

Odour

Council's expert Paul Crimmins, Senior Consents and Compliance Advisor – Air Quality has considered the assessment of odour effects provided by Watercare. Mr Crimmins assessment (refer Attachment D) concurs with the view expressed by Watercare that the odour effects associated with the relocation of the WWTP will be less than minor. He advises that (his) odour assessment memo from September 2016 (refer attachment D) prepared for the WWTP air discharge consent is still valid for the new layout. That memo concluded that odour from the upgraded WWTP would be adequately controlled by the proposed odour control devices so that odour effects are less than minor at all locations beyond the boundary of the WWTP. Mr Crimmins assessment for this application states: *"I consider that the proposed change in layout to the upgraded WWTP does not change this previous conclusion"*.

Mr Crimmins' assessment has expressly considered the proposed reduction in width of the dwelling exclusion area designation. Mr Crimmins has advised that the proposal is not likely to cause significant adverse effects beyond the boundary of the designated dwelling exclusion area despite the buffer distance provided by this designation reducing as a result of the altered layout. Mr Crimmins memo concludes, *"Given the odour control devices to be employed, I consider that the WWTP shall continue to be adequately separated from sensitive receptors so that odour effects are less than minor at all off-site locations"*.

Both Watercare and Council experts agree in their view that the proposed designation boundary alterations and subsequent WWTP at the new location will result in potential odour effects comparable to those of the consented WWTP. That is, the environmental effects will be 'no more than minor'.

I accept the views of the experts that the environmental effects in terms of odour will be 'no more than minor'. Recognising the purpose of the exclusion area which is to protect against odour effects of the WWTP on residential properties, this is an important determination given the location of the new WWTP inside the Dwelling Exclusion Area designation. On this basis I also accept the view from Watercare that the reduced width of the Dwelling Exclusion Area does not require any compensatory extension to the outer boundary of the designation area an equivalent distance.

Landscape

Council's landscape expert Sally Peake has assessed the potential landscape and visual effects of the WWTP at the new site (Refer Attachment E). Ms Peake concurs with the AEE from Watercare that the effects of the WWTP at the new site will not be greater than the consented WWTP. Ms Peake notes that the landscape sensitivity and vulnerability to change is moderated by the existing

⁷ Email from Nicholas Berry to Luke Faithfull, Thursday 3 August 2017 3:13pm

environment which includes the existing WWTP and the Hamatana timber plant and associated plant and rubbish.

Ms Peake's assessment notes that the AEE from Watercare does not discuss landscape character change or visual amenity effects for neighbours. Ms Peake's assessment specifically considers the change in visual impacts to residents in the area. The assessment notes that the new WWTP site will be 50m closer to rural residents to the north, but is satisfied that the visual effects are mitigated by the intervening landform which is expected to screen views; and by existing vegetation which will form a backdrop to the extension area.

Ms Peake has commented that the proposed WWTP will take up all of the additional site area provided by the designation boundary alteration so that there is no space for any planting to mitigate effects (except around the office). Ms Peake is disappointed that the alteration has not considered the opportunity to integrate the development into the landscape to avoid or reduce mitigate landscape and visual effects.

I acknowledge Ms Peake's views on this matter but note that the proposed drawings from Watercare represent a worst case scenario. I also note that the consented WWTP application documentation provides an undertaking by Watercare to provide landscaping for the enhancement of the wider site to offset the effects of the activity. Notwithstanding, the undertaking is not reflected in a consent condition and I do not consider this approach to be good practice. In the interests of transparency I consider that the undertaking should be formalised in a landscaping condition. There is opportunity for this when a variation to the consents is applied for - to enable the WWTP to be constructed and operated in the new location. The OPW process allows the effects of the new WWTP to be considered afresh and for new conditions to be applied to ensure that effects are avoided, remedied or mitigated. I therefore do not consider that a corresponding condition to the WWTP designation is necessary.

Noise

With respect to noise, I am satisfied with the information provided by Watercare that noise emissions from the consented WWTP and the WWTP in the proposed new location will be comparable, based on the design requirements to meet district plan noise standards. I am therefore satisfied that the WWTP at the new location will result in no more than minor change to the potential noise effects on the environment.

Overall effects Assessment

Overall, I accept the experts conclusions that the odour, landscape and noise effects will be comparable to those of the consented WWTP and I consider that the consents process including the OPW process that will be undertaken in association with the required variation is sufficient to ensure that the potential adverse effects of the WWTP at the new site will be avoided, remedied or mitigated.

For the reasons outlined, I concur with Watercare's assessment that the alteration involves not more than minor change to the effects on the environment.

2.2. Assessment of minor changes or adjustments to the boundary (s181(3)(a)(ii))

The alteration to the designations involves the following changes to the boundary of the existing designation:

- Shifts the designation boundaries of the WWTP (designation #9347) approximately 50m northwards

- Adds 11,800m² to the WWTP (designation #9347), and decreases the dwelling exclusion area (designation #9363) by the same amount.

The WWTP designation comprises a total area of 258620m², the proposed alteration increases the designation area by 4.56%.

The dwelling exclusion area designation comprises a total area of 202078m². The proposed alteration decreases the area by 5.8%.

Proportionally, the proposed designation boundary adjustments are very small compared to the whole of their respective designation areas. I therefore conclude that they are consistent with the s181(3)(a)(ii) requirement that they be minor in scale.

2.3. Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners and occupiers agree with the alteration (s181(3)(b))

The requiring authority has given written notice to:

Stephen Neil Hamilton, Barbara Hamilton, Andrew Hamilton, Sharon Hamilton,	Hamatana Timber Limited 120 Hamatana Road, Snells Beach Lot 1 DP 193583
Stephen Neil Hamilton, Barbara Hamilton, Withers and Co Trustee Company Ltd	Lot 1 DP 204993

These are the only two areas of land directly affected and the agreement of the landowners to the proposed alteration has been provided.

Watercare has consulted with Ngati Manuhiri about the proposed designation boundary alteration and use of the site for the relocated new WWTP. An email from Ngati Manuhiri (refer Attachment C) confirms that no further comment is required from Ngati Manuhiri over and above that provided in the cultural values assessment undertaken in relation to the consented WWTP.

No other persons are considered to be directly affected.

2.4. Agreement of both the territorial authority and the requiring authority (181(3)(c))

The alteration to the designation has been requested by the requiring authority, and therefore it agrees to the alteration. Auckland Council agrees with the proposed alteration for the following reasons:

- The alteration involves no more than minor changes to the environmental effects
- The alteration involves only minor changes to the respective designation boundaries
- The owners and/or occupiers of all land directly affected by the proposed alteration have been given notice and agree with the proposed alteration
- Adherence with conditions of the Consents process and Outline Plan of Works process will ensure any potential adverse effects are avoided, remedied or mitigated.

3. CONCLUSIONS AND RECOMMENDATIONS

3.1. Conclusions

The proposed alteration meets the statutory tests of Section 181(3) of the Resource Management Act 1991, in that:

- The alteration involves no more than minor changes to the environmental effects*.
- Existing conditions/recommended conditions will ensure any potential adverse effects are avoided, remedied or mitigated.
- There are only minor adjustments to the boundaries of the existing designation*.
- The owners and/or occupiers of all land directly affected agree with the alteration.
- The council and the requiring authority agree with the alteration.

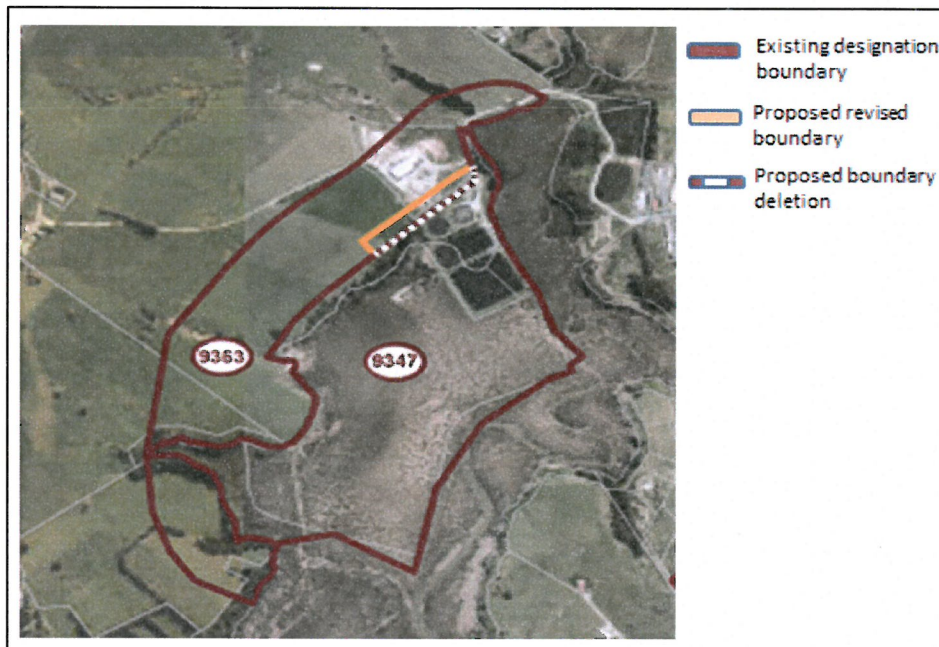
* The proposed alteration meets both s181(3)a)(i) and (ii) despite only needing to meet one of these provisions

3.2 Recommendation

1. That pursuant to Section 181(3) of the Resource Management Act 1991, Watercare's notice of requirement for an alteration to Designation #9347 (Snell Beach WWTP) and #9363 Dwelling Exclusion Area is **confirmed**.

4. Agreed alterations

The boundary alterations are shown below.



Report Prepared by:

Alison Pye, Principal Planner



Signed

Date: 5/9/2017

5. SECTION 181(3) DETERMINATION

Having read the council planner's report and recommendations on the notice or requirement, I am satisfied I have adequate information to consider the matters required by the Resource Management Act 1991 (the RMA) and to make a decision under delegated authority.

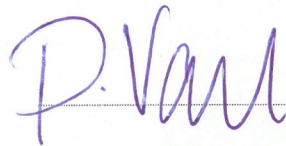
Accordingly, the notice of requirement for an alteration to Designation #9347 (Snell Beach WWTP – Wastewater Purposes) and Designation #9363 (Dwelling Exclusion Area – Wastewater Purposes – exclusion of dwellings in the area surrounding the wastewater treatment plant) is confirmed under section 181(3) of the RMA as agreed and set out in section 4 of this report.

Peter Vari

Team Leader Planning – North West and Islands

Signed:

Date:



5/9/2017

SCHEDULE OF ATTACHMENTS

A:	Snells Beach / Algies Bay Wastewater Treatment Plan Designation Alteration Application, 11 July 2017
B	Council request for additional information and response from Watercare
C	Watercare response to further information request
D	Council expert: Odour Assessment
E	Council expert: Landscape Assessment
F	Table showing Separation Distances of WWTP to nearby receptors