UNITARY PLAN UPDATE REQUEST MEMORANDUM

- TO Craig Cairncross, Team Leader
- FROM Joe McDougall, Policy Planner



DATE 29 September 2023

SUBJECT Designation alteration in accordance with s181(3) of the Resource Management Act of the Auckland Unitary Plan(AUP) Operative in part (15 November 2016)

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

Reason for update –designation – alteration		
Chapter	Chapter K	
Section	Watercare Services Limited	
Designation only		
Designation #	9562 Papakura Water Treatment Plant – Watercare Services Limited	
Locations:	241 Hunua Road, Drury and 245A Hunua Road, Drury	
Lapse Date	Given effect to (i.e. no lapse date)	
Purpose	Water supply purposes - water treatment plant and associated structures	
Changes to text (shown in underline and strikethrough)	Change designation text to include ' <u>and 245A</u> <u>Hunua Road'</u> in the location description. Refer to page 7 of the section 181(3) decision (Attachment A). Update the designation schedule to include ' <u>and</u> <u>245A Hunua Road'</u> in the location description.	
Changes to diagrams	Not applicable	
Changes to spatial data	Update the extent of designation as per map on page 9 of Attachment A.	
Attachments	Attachment A: Section 181(3) report and decision for Designation 9562 - Papakura Water Treatment Plant Attachment B: Updated designation 9562 text Attachment C: Updated GIS viewer	

Prepared by :	Text Entered by:
Joe McDougall	Maninder Kaur
Policy Planner	Planning Technician
Signature:	Signature:

1 Maps prepared by: Reviewed by: Craig Cairncross Dean Thompson Geospatial Specialist Team Leader/Acting Manager - Central/South Signature: Signature: Duthourso

Attachment A: Section 181(3) report and decision for Designation 9562 -Papakura Water Treatment Plant

Notice of requirement for a minor alteration to a designation under section 181(3) of the Resource Management Act 1991



Notice of requirement description

Designation number:	Designation 9562 - Papakura Water Treatment Plant
Requiring authority:	Watercare Services Limited
Site address:	241 Hunua Road, Drury and 245A Hunua Road, Drury

Summary

Auckland Council has received a request from Watercare Services Limited (Watercare) under section 181(3) of the Resource Management Act 1991 (RMA), dated 30 March 2023, to alter Designation 9562 - Papakura Water Treatment Plant.

It is considered after undertaking an assessment of the notice, that the proposed alteration meets the statutory tests of section 181(3) of the RMA and can therefore be processed and confirmed as a minor alteration.

Recommendation

- 1. That the proposed alteration of Designation 9562 Papakura Water Treatment Plant, in the Auckland Unitary Plan be confirmed, for the following reasons:
 - the alteration involves no more than minor changes to the effects on the environment associated with the use of the land;
 - there are only minor adjustments to the boundaries of the existing designation;
 - both the requiring authority and Auckland Council agree with the alteration; and
 - the land is owned and occupied by Watercare Services Limited.
- 2. That Designation 9562 Papakura Water Treatment Plant is altered in the designation map layer and Chapter K Designations where the text needs to be altered in the Auckland Unitary Plan as set out in section 4 of this report.

1. Background

1.1. Minor alteration to a designation

Auckland Council has received a notice of requirement (NoR) for an alteration to a Designation 9562 -Papakura Water Treatment Plant from Watercare Services Limited (Watercare) under section 181(3) of the RMA. Further information was requested on 17 April 2023 with a response received, inclusive of requested information on 21 July 2023.

In response to the drought in the early 2020s, Watercare reinstated the Hay's Creek Dam as a water source. This involved establishing a temporary Water Treatment Plant (WTP) to the north of the designated site, while works occurred for the permanent WTP on the designated site. Watercare now owns the land that the temporary WTP was built on. Consequently, the purchase of this land allows for layout changes to the permanent WTP.

The main change involves moving the initial stages of the permanent WTP to where the temporary WTP was located.

Additionally, during the existing design of the permanent WTP it was identified that the boundary fence between the designated site and the land to the west and south (151 Hunua Road) did not reflect the legal boundary nor the designation boundary. The land boundary between the designated site and the land to the west and south has now been changed through a land swap to rationalise the legal boundary and the respective landowner on either side of the designation boundary.

Therefore Watercare requires a notice of requirement (NoR) for an alteration to a Designation for two changes:

- 1) A change to the designation boundary to match the new legal land boundary between 241 Hunua Road and 151 Hunua Road. The changes to the designation boundary mean the designation would no longer extend onto private land.
- 2) A change to incorporate 245A Hunua Road, a recently subdivided parcel of land to the north of the original designation boundary area where the temporary WTP was built. This new parcel has a total area of 1280m². This would result in an 8 per cent increase to the total designated area.

1.2. Land affected by the alteration

The land affected by the alteration to the designation is located at 241 Hunua Road, 151 Hunua Road and 245A Hunua Road, Drury and is shown Figures 1 and 2 as follows:

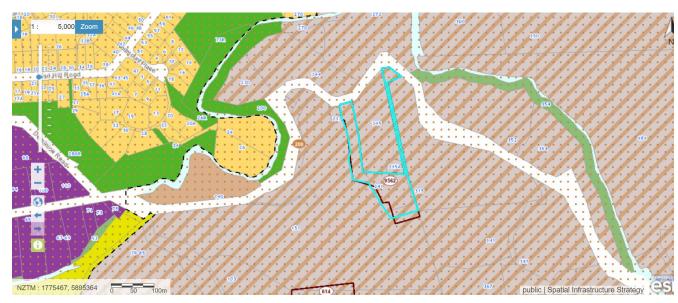


Figure 1 – Zoning (and designation) map (Auckland Council Geomaps)

Figure 2 – Aerial view of the land affected by the alteration to the designation indicated with yellow boundaries (Auckland Council Geomaps)



The requiring authority has provided a site plan showing the extent of the alteration to the designation boundary (refer to **Attachment A**).

1.3. Description of the site and existing environment

The site and environment are described in the AEE to the notice. I concur with the description detailed in section 3 of the AEE. The existing designation site area is 1.6407 hectares.

The construction of the permanent WTP at 241 Hunua Road is now complete. The temporary WTP on the Watercare-owned 245A Hunua Road, Drury has been decommissioned and reused for the permanent WTP.

The site adjoins three privately owned properties, 151, 245 and 315 Hunua Road, Drury.

To the west and south of the existing designated site, 151 Hunua Road is utilised predominantly for pasture and has a total area of 14.0684 hectares.

To the north of the existing designated site, 245 Hunua Road comprises a residential lifestyle block with dwellings and has a total area of 1.7444 hectares.

To the east, 315 Hunua Road consists of a dwelling, open farmland and some vegetation, with has a total area of 4.7640 hectares.

All sites, including the designated sites are zoned Rural - Mixed Rural Zone.

This zone permits dwellings (and accessor buildings) of a height of 9m and other buildings to a height of 15m.

1.4. Delegated authority

Tier 5 Team Leaders - have delegated authority, in accordance with Schedule 2A (under RMA functions, powers and duties: *Designations*) of 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 181(3).

The NoR can therefore be considered under delegated authority 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))

The requiring authority has provided an assessment of environmental effects with the NoR and further assessment was provided under section 92 of the RMA.

I consider the effects are as follows:

Landscape and visual

The s92 response received in July notes that the area for 245A Hunua Road is intended for a washwater thickener that is 6.1 m high, 6 m long and 3.5 m wide. This operation would supported by two cylindrical tanks for washwater recovery. The FLOC tank would be 7.5 m high with a 4 m diameter and the Supernatant tank is 5.3 m high with a 4.2 m diameter.

I note that no conditions were provided with alteration and that the final assembly on the proposed altered site could look different.

However due to natural topography and vegetation on 245 Hunua Road, the site is not visible from the house at 245 Hunua Road. I also note the owners have provided written approval.

The proposed structures will also be approximately 60-70m from the closest dwelling at 315 Hunua Road and is not considered to have any overshadowing or overbearing impact on neighbouring properties.

I note the maximum height for the mixed rural zone is 15m.

I also note that the additional area does not abut the site at 315 Hunua Road and is physically separated by an accessway.

Noise and vibration

A 2-metre-high noise screen has been constructed above the existing ground contour on the eastern boundary. The washwater thickener and ancillary tanks left on site at 245A Hunua Street are not considered to be noisy pieces of equipment by the RA. As such, they believe that the operational noise would be quieter than the previously consented under land use consent.

I note that no conditions were provided with the alteration and that the noise generated on the proposed altered site could potentially be different and may include any equipment that is related to water treatment, including equipment that is nosier than what is proposed at this time. The requiring authority considers that the proposed alteration to the designation involves no more than minor changes to the effects on the environment and following my review, I concur.

Overall conclusion

The existing designation on this site has already been established without conditions, being for water supply purposes, a water treatment plant and associated structures. This forms the existing and future environment on the site.

The addition of 1280m² or 8 per cent of the existing designation area, in the worst-case scenario, will include additional support structures or water treatment devices, limited by the small footprint provided by this additional site to the north when compared to the overall designation size.

Given that the site is subject to an existing designation, and the existing and the potential effects on the environment that could be exercised through its use, any use of land enabled through this relatively small extension would, in my view, constitute no more than a minor change to the environment.

Therefore I agree with the requiring authority that the effects on the environment are minor.

I do not consider it appropriate to include additional conditions.

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

The alteration to the designation involves two changes to the boundary of the existing designation:

1) A change to match to new legal boundary between 241 Hunua Road and 151 Hunua Road, which has been recently adjusted. The changes to the designation boundary mean the designation would no longer cover any part of the site at 151 Hunua Road and results in no increase to the designation area.

This is a minor adjustment to the boundary to designation, which would result in the neighbouring property at 151 Hunua Road being removed from the designation. As a rationalisation of the boundary, with no increase to the size of the designation, I agree with the Requiring Authority that it constitutes a minor change.

2) A change to incorporate 245A Hunua Road, a recently subdivided parcel of land to the north of the original designation boundary area. This results in a net increase in designation area as this parcel has a total area of 1280m². This is an 8 per cent increase of the existing designated area.

The second change can be considered a minor change to the boundary, as it is comparatively small in size or importance compared with the total size of the designation. Additionally this change to the boundary does not introduce additional coverage onto properties that are not owned by the Requiring Authority.

As such I agree with the RA that the changes or adjustments to the boundary are minor.

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))

These boundary adjustments would result in a designation area covering only property that is owned by the Requiring Authority. However considering land beyond the boundaries of the designation, the following neighbouring properties which border the designation are assessed to determine if the land is directly affected.

245 Hunua Road

This property is directly north of the designation site and abuts the proposed new proposed 245A Hunua Road. The requiring authority has provided written notice to 245 Hunua Road and their agreement has been provided.

315 Hunua Road

The proposed extension to the designation area will be approximately 60 to 70 metres from the closest dwelling at 315 Hunua Road.

I also note that the additional area proposed to be designated, 245A Hunua Road, does not border the site at 315 Hunua Road and is physically separated by the accessway.

The effects are considered less than minor as no changes are proposed to the eastern designation boundary that abuts the site at 315 Hunua Road.

151 Hunua Road

The designation will be removed from 151 Hunua Road. The owners of 151 Hunua Road entered into the agreement to swap land with the RA on condition the designation boundary was changed to remove the designation from the area of land they would acquire.

I agree that the written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and with written responses provided showing that the owners and occupiers agree with the alteration.

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 with the alteration). I consider Auckland Council can agree 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 boundary
- The owners and/or occupiers of all land directly affected by the proposed alteration have been given notice and agree with the proposed alteration

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.
- There are only minor changes or 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.

3.2 Recommendation

- 1. That pursuant to Section 181(3) of the Resource Management Act 1991, Watercare Services Limited's notice of requirement for an alteration to Designation 9562 Papakura Water Treatment Plant is **confirmed**.
- 2. That Designation 9562 Papakura Water Treatment Plant is amended in the Designation overlay and Chapter K Designations in the Auckland Unitary Plan Operative in part as recommended in Section 4 of this report.

4. Agreed alterations

The text alterations are shown below. Amendments are shown as either strikethrough or underlined.

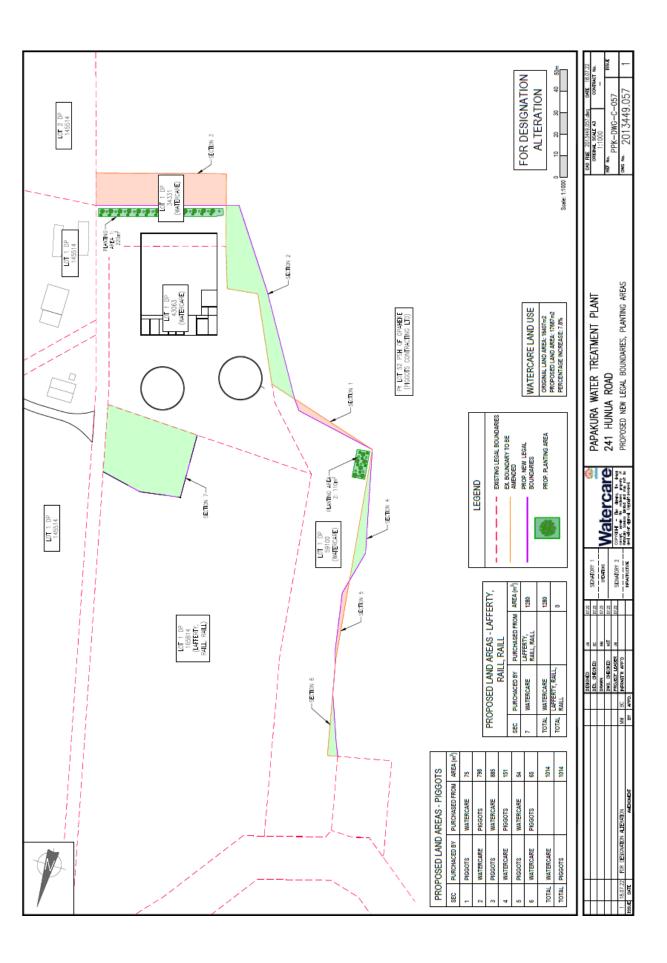
9562 Papakura Water Treatment Plant

Designation	9562 - Papakura Water Treatment Plant
Requiring	Watercare Services Ltd
Location	241 Hunua Road, Drury and 245A Hunua Road

Rollover	Yes
Legacy Reference	Designation 4, Auckland Council District Plan (Papakura Section) 1991
Lapse Date	Given effect to (i.e. no lapse date)

Purpose Water supply purposes - water treatment plant and associated structures

The boundary alterations are shown on the next page.



Report Prepared by:

Joe McDougall Policy Planner Plans & Places

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 9562 - Papakura Water Treatment Plant is confirmed under section 181(3) of the RMA as agreed and set out in section 4 of this report.

Name:	Craig Cairncross
Title:	Team Leader – Planning
Signed:	
Date:	24 August 2023

SCHEDULE OF ATTACHMENTS

AttachmentDesignation 9562 - Papakura Water Treatment PlantA:

Date: 24 August 2023

Attachment B: Updated designation 9562 text

Designation Schedule - Watercare Services Ltd (3/3)

South

Number	Purpose	Location
9500	Water supply purposes - water catchment headworks land	Cosseys Road and 201 Moumoukai Hill Road, Clevedon
9501	Water supply purposes - headworks service land	201 Moumoukai Hill Road, Clevedon
9502	Wastewater purposes - Mangere Wastewater Treatment Plant	500 Island Road, Mangere Bridge
9503	Wastewater purposes - Area 1A - wastewater treatment purposes; Area 1B and 2 - buffer area and application of biosolids from wastewater treatment plant	Area 1 Ascot Road North; Area 2 Greenwood Road, Mangere
9504	Wastewater purposes - pipelines, chambers and associated structures	4W Wilta Court, Mangere
9505	Withdrawn	
9506	Water supply purposes - reservoirs, pump station and associated structures	396B, 390V and part of 394B Redoubt Road, Manukau
9507	Water supply purposes - reservoir and associated structures	477A Redoubt Road (Pt Lot 1 DP 24865 and SO 60815), Manukau
9508	Water supply purposes - reservoirs, pump stations and associated structures	38 Mill Road, Alfriston
9509	Water supply purposes - reservoir and associated structures	95 Mill Road, Alfriston
9510	Water supply purposes - pump station, reservoir and associated structures	28 Alfriston Ardmore Road, Alfriston
9511	Wastewater purposes and Ambury Regional Park	66 Wellesley Road (Ambury Regional Park), Mangere Bridge
9512	Water supply purposes - reservoir and associated structures	17A and part of 17R Gracechurch Drive, East Tamaki
9513	Water supply purposes - Ardmore Water Treatment Plant	250 Creightons Road, Clevedon
9514	Wastewater purposes - pump station and associated structures	27 Diversey Lane, Manukau Central
9515	Wastewater purposes - pump station and associated structures	51 Hillside Road, Papatoetoe
9516	Wastewater purposes - pump station and associated structures	4R and 6R Granger Road (Rangitoto View Road Esplanade Reserve), Howick
9517	Wastewater purposes - pump station and associated structures	140 and part of 100 Hospital Road, Otahuhu
9518	Wastewater purposes - pump station and associated structures	39R Wattle Farm Road, Wattle Downs
9519	Wastewater purposes - pump station and associated structures	283R Mahai Road (Pt Lot 1 DP 25887 and SO 46795), Manurewa
9520	Wastewater purposes - pump station and associated structures	51 Ben Lomond Crescent, Pakuranga Heights

9521	Wastewater purposes - pump station and associated structures	2A Vivian Wilson Drive and part of 150 Bucklands Beach Road, Bucklands Beach
9522	Wastewater purposes - pump station and associated structures	207 and part of 201 Highbrook Drive, East Tamaki
9523	Wastewater purposes - pump station and associated structures	137 Gadsby Road and road reserve, Favona
9524	Wastewater purposes - pump station and associated structures	84R Wymondley Road and Allot 295 Parish of Manurewa (Billington Esplanade Reserve), Otara
9525	Wastewater purposes - pump Station and associated structures	103R Prince Regent Drive (Wakaaranga Creek Reserve), Half Moon Bay
9526	Wastewater purposes - pump station and associated structures	13 and 15R Milen Avenue, Pakuranga
9527	Wastewater purposes - pump station and associated structures	7D Kiwi Esplanade, Mangere Bridge
9528	Wastewater purposes - pipeline and associated structures	5 St Leger Close to 30 Matarangi Road, East Tamaki
9529	Wastewater purposes - Southwestern Interceptor	257 Roscommon Road, Manurewa to Jimmy Ward Crescent (400 George Bolt Memorial Drive), Mangere
9530	Wastewater purposes - pump station and associated structures	107 Golfland Drive (Corta Bella Place Reserve), Howick
9531	Wastewater purposes - pump station and associated structures	54R Pitt Avenue, Weymouth
9532	Wastewater purposes - pump station and associated structures	18R Hazards Road and 29R Greers Road, Weymouth
9533	Wastewater purposes - pump station and associated structures	Browns Road (unformed road reserve adjoining 257 Roscommon Road), Clendon Park
9534	Wastewater purposes - pump station and associated structures	2A and 4 Hinau Street, and 6R Walmsley Road (Tarata Creek Reserve), Mangere
9535	Wastewater purposes - pump station and associated structures	Te Puru Park, 954R Whitford- Maraetai Road, Maraetai
9536	Water supply purposes - reservoir and associated structures	37 Walpole Avenue, Manurewa
9537	Wastewater purposes - Beachlands Wastewater Treatment Plant	100 Okaroro Road, Beachlands
9538	Wastewater purposes -Tamaki South East Branch Sewer and wastewater pump stations	Ormiston Road (road reserve adjoining No. 123), East Tamaki to Murphys Road (road reserve adjoining No. 251), Flat Bush
9539	Wastewater purposes - Kawakawa Bay Wastewater Treatment Plant	123 Kawakawa-Orere Road, Kawakawa Bay
9540	Withdrawn	
9541	Water supply purposes - Cosseys Dam	Hunua Ranges
9542	Water supply purposes - Wairoa Dam	Hunua Ranges
9543	Water supply purposes - headworks service land	Hunua Ranges

9544	Wastewater purposes - Waiuku Wastewater Treatment Plant	Williams Road (Lot 1 DP 73307 and Lot 1 DP 154681), Glenbrook
9545	Wastewater purposes - Clarks Beach Wastewater Treatment Plant	Torkar Road and part of 100 Stevenson Road, Clarks Beach
9546	Wastewater purposes - Bombay Wastewater Treatment Plant	Barber Road (Lot 10 DP 134365), Bombay Township
9547	Wastewater purposes - Kingseat Wastewater Treatment Plant	16A Buchanan Road, Kingseat
9548	Water supply purposes - reservoir and associated structures	End of Totara Avenue (Rosesville Park), Pukekohe
9549	Water supply purposes - reservoirs and associated structures	176 Kitchener Road, Pukekohe
9550	Water supply purposes - Pukekohe Water Reservoir	Anzac Road (Lot 1 DP 85420), Pukekohe
9551	Water supply purposes - reservoir and associated structures	327-339 Anzac Road (Pukekohe Hill Reserve), Pukekohe
9552	Water supply purposes - reservoir and associated structures	Leaming Place (Lot 145 DP 90274 and part of Lot 415 DP 90274), Clarks Beach
9553	Water supply purposes - reservoir and associated structures	Part of 129 Wharf Road (lot 2 DP 458020), Waiau Beach
9554	Water supply purposes - reservoir and associated structures	40 Ronald Avenue (Glenbrook Beach Recreation Reserve), Glenbrook
9555	Water supply purposes - reservoir and associated structures	6 Carter Road, Pukekohe
9556	Water supply purposes - reservoir and associated structures	518 Buckland Road, Buckland
9557	Water supply purposes - reservoirs and associated structures	Corner Paparata Road and Barber Road (road reserve), and part of Sec 1 SO 66791, Bombay
9558	Water supply purposes - reservoir and associated structures	83 Victoria Avenue (Lot 2 DP 134302), Waiuku
9559	Water supply purposes - hydraulic balancing tank	Corner Rutherford Road and Runciman Road (part of Lot 1 DP 201876), Pukekohe East
9560	Water supply purposes - Hays Creek Dam	120 Hays Creek Road and 902 Hunua Road, Drury
9561	Water supply purposes - reservoir, pump station and associated structures	279 Kaipara Road, Papakura
9562	Water supply purposes - water treatment plant and associated structures	241 Hunua Road, Drury and 245A Hunua Road
9563	Water supply purposes	251 Creightons Road, Ardmore
9564	Water supply purposes	Part of 2 and 9 Jones Road (corner Creighton and Jones Road), Drury
9565	Wastewater purposes - pump station and associated structures	Part of 152 and 158 Park Estate Road, Hingaia
9566	Water supply purposes - pump station and associated structures	103 Flanagan Road, Drury
9567	Wastewater purposes - Puketutu Island	600 Island Road (Puketutu Island),

	rehabilitation	Mangere
9568	Water supply purposes – reservoir and associated structures	108 Runciman Road Pukekohe
9569	Pump station for wastewater purposes	1749 Bucklands Road, Pukekohe
9570	Water supply purposes, including abstraction, treatment and storage	11 Cornwall Road, Waiuku
9571	Water supply purposes – abstraction infrastructure, water treatment plants, associated structures, maintenance and upgrades.	66 Dublin Street, Pukekohe

9562 Papakura Water Treatment Plant

Designation Number	9562
Requiring Authority	Watercare Services Ltd
Location	241 Hunua Road, Drury and 245A Hunua Road
Rollover Designation	Yes
Legacy Reference	Designation 4, Auckland Council District Plan (Papakura Section) 1991
Lapse Date	Given effect to (i.e. no lapse date)

Purpose

Water supply purposes - water treatment plant and associated structures.

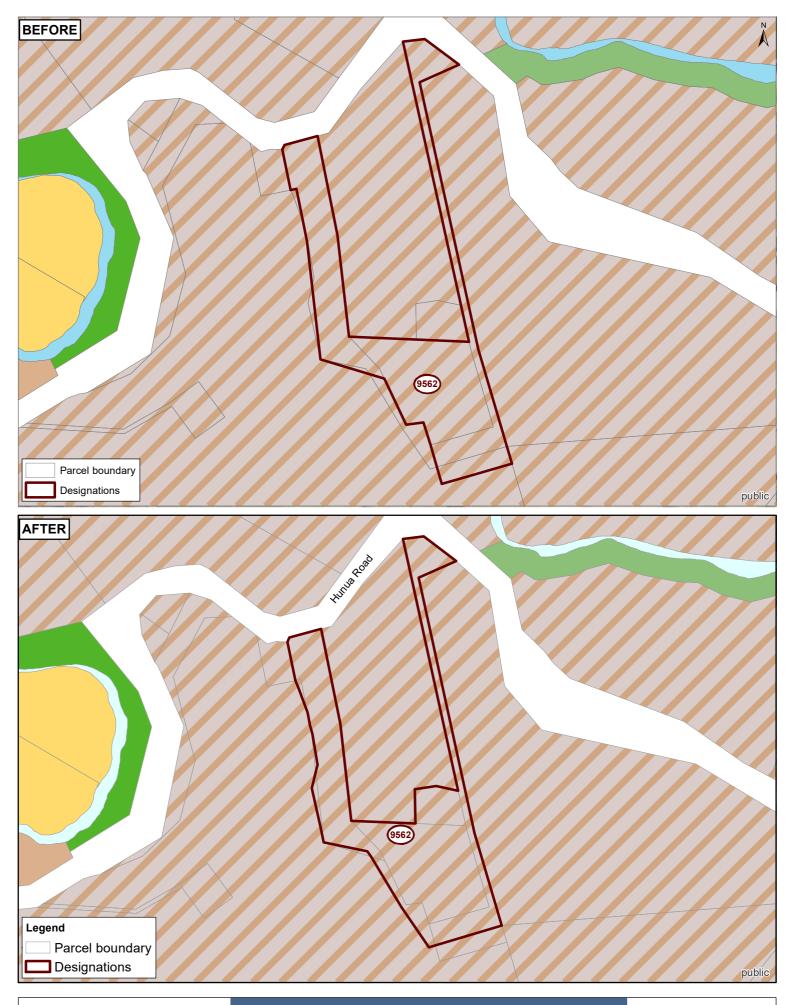
Conditions

No conditions.

Attachments

No attachments.

Attachment C: Updated GIS viewer



0 25 50 100 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: 6/10/2023 Alteration to Designation 9562

