

AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS PANEL

Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau

20 June 2016

Stephen Town
Chief Executive
Auckland Council
Private Bag 92300
Victoria Street West
Auckland 1142

cc Katherine Anderson, Director Legal and Risk

Dear Mr Town

Independent Hearings Panel report and recommendations on the Proposed Auckland Unitary Plan – Hearing topic 074 Designations – Subsequent amendment

On 18 May I presented to you the Panel's recommendations and report on most of the designations that were the subject of the hearings on topic 074. The Council then proceeded to publish the recommendations and report on the Auckland Council website.

It has since been brought to the Panel's attention that the Panel's recommendations did not include amendments to a number of designations made subsequent to Watercare's reporting memorandum of 14 October 2015. This was an unintended omission so it is regarded by the Panel as an error. Watercare has asked the Panel to consider re-issuing amended recommendations to address the changes sought by Watercare at the hearing on Topic 074 Designations.

While the LGATPA does not include a specific power for the Panel to correct errors in its recommendations, there is a general power in the Interpretation Act 1999 which does:

13 Power to correct errors

The power to make an appointment or do any other act or thing may be exercised to correct an error or omission in a previous exercise of the power even though the power is not generally capable of being exercised more than once.

It is a power to be used sparingly and the Panel had not expected to need to use it, as the expectation was for Council, on receipt of the Panel's recommendations, to progress its recommendations to the requiring authorities ahead of the Panel's statutory reporting date. If that were the case, either the Council could amend the errors in its recommendation to the requiring authority, or the requiring authority could amend them in its decision.

Letter to AC_IHP recommendations on topic 074 Designations 2016-06-20

AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS PANEL

Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau

But given that the Council has not yet acted on the recommendations, and the Panel has received a detailed explanation from the requiring authority, the Panel is seeking to use the power under section 13 of the Interpretation Act 1999 to amend the errors prior to the Council considering the Panel's recommendations and making its own recommendations to the requiring authority.

The amended report and annexure for the Watercare designations is attached. The amendments reflect the later wording presented by Watercare at the Panel's hearing on 30 November 2015 and corrections to the maps advised by email in November 2015. These amended versions replace the report and annexure for Watercare designations and should replace the 18 May versions on the Council's website.

The Panel has not been advised of any other errors and does not expect to use this power after 22 July 2016, when it will be for Council to address any matters raised by the requiring authorities or other submitters.

Yours sincerely



Judge David Kirkpatrick
Chairperson, Independent Hearings Panel
Auckland Unitary Plan

AUCKLAND UNITARY PLAN
INDEPENDENT HEARINGS PANEL

Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau

Report to Auckland Council
Hearing topic 074 Designations

Watercare Services Limited

Designations, modifications and requirements

May 2016

Report first prepared by David Wren in accordance with the Auckland Unitary Plan Independent Hearing Panel procedure and in accordance with section 142 of the Local Government (Auckland Transitional Provisions) Act 2010, on 24 August 2015 (Updated 2 October 2015 and 21 January 2016).

Adopted as Auckland Unitary Plan Independent Hearings Panel recommendations in accordance with the Auckland Unitary Plan Independent Hearing Panel procedure and in accordance with section 144 of the Local Government (Auckland Transitional Provisions) Act 2010 on date of signature.

Contents

| | |
|--|----|
| 1. Introduction | 3 |
| 2. Minor matters and errors | 3 |
| 3. Moderately complex matters | 3 |
| 3.1 Assessment..... | 3 |
| 3.2 Mediation required..... | 4 |
| 3.3 Hearing required..... | 4 |
| 4. Recommendation to Panel | 5 |
| 5. Panel recommendations to Auckland Council | 6 |
| 6. Panel reasons | 10 |
| 7. Assessment of modifications and submissions | 11 |

1. Introduction

The purpose of this report is to provide an assessment and recommendation in relation to designations, modifications and new designations classified by the Independent Hearings Panel as moderately complex. This classification will generally apply where there is a:

- i. rollover of a designation with no modifications and a submission lodged by third party;
- ii. modification to a designation that will result in more than minor effects and/or will include land not owned by the requiring authority with or without submissions; or
- iii. notice of requirement for a new designation for existing works with or without submissions and the land is owned by the requiring authority.

The report also provides an assessment and recommendation in relation to modifications to and submissions on designations classified by the Independent Hearings Panel as minor matters and errors. This classification applies where there is a:

- i. modification to a designation and no submissions;
- ii. rollover of a designation with no modification and submissions lodged by the requiring authority or others (submissions to correct errors or address minor matters);
- iii. modification to a designation and submissions lodged by the requiring authority or others (modifications address minor matters and submissions to correct errors or address minor matters);
- iv. where the modification involves changes to the boundary to incorporate additional land, and the requiring authority has an interest in the land sufficient for undertaking the proposed work.

2. Minor matters and errors

Errors do not require an assessment. The assessment of minor matters applies the following criteria.

Does the modification/submission:

- i. involve no more than a minor change to the effects on the environment associated with the use or proposed use of land or any water concerned? or
- ii. involve only minor changes or adjustments to the boundaries of the designation?

See section 6 for the application of these criteria to the individual designations.

On the basis of the assessment, this report concludes that the modifications and designations in section 7 meet the above criteria.

3. Moderately complex matters

3.1 Assessment

The assessment of the moderately complex matters will address:

- i. effects on the environment of allowing the modification or requirement;

- ii. mitigation measures proposed by requiring authority including any proposed conditions;
- iii. other section 171 matters or section 168A(3) (if the requiring authority is Auckland Council) matters where relevant.

See section 7 of this report for the assessment of each modification and requirement.

3.2 Mediation required

Based on the responses of the requiring authorities as detailed in section 7 of this report, the following matters have been identified that would benefit from mediation: It was estimated that a day of mediation will be required. However no mediation was required.

3.3 Hearing required

Direct discussion between Watercare and submitters resolved a number of issues and discussions continued until the hearing. As a result, the majority of issues were resolved by the time of the hearing. The Panel heard evidence in relation to 9446 Bycroft Reserve Water Protection Reserve, which remained partly contested at the hearing.

4. Recommendation to Panel

On the basis of the assessment, the report concludes that:

- i. the following modifications/requirements should be confirmed:
 1. 9370, 9371
- ii. the following requirements should be modified as recommended in the section 7 assessment checklist:
 2. 9304, 9359, 9334, 9367, 9369, 9538, 9422, 9502, 9565, 9370, 9371
- iii. conditions should be imposed on the following requirements:
 3. 9343, 9430, 9431, 9432, 9312, 9313, 9314, 9315, 9316, 9317, 9318, 9319, 9320;
 4. 9300, 9301, 9302, 9303, 9306, 9308, 9310, 9311, 9312, 9321, 9322, 9323, 9324, 9325, 9326, 9327, 9328, 9329, 9330, 9331, 9332, 9333, 9335, 9336, 9337, 9338, 9344, 9346, 9348, 9349, 9350, 9352, 9353, 9354, 9355, 9358, 9360, 9364, 9366, 9368, 9400, 9402, 9405, 9406, 9407, 9412, 9415, 9424, 9425, 9438, 9439, 9440, 9442, 9443, 9444, 9445, 9447, 9458, 9501, 9503, 9504, 9507, 9510, 9513, 9519, 9521, 9525, 9526, 9531, 9534, 9536, 9537, 9539, 9540, 9544, 9545, 9546, 9547, 9548, 9550, 9552, 9553, 9557, 9558, 9559, 9567.
- iv. the following designations should be deleted at the request of Watercare Services;
 5. 9339, 9351, 9365.

| | |
|---------------------------|--|
| Author | David Wren |
| Author's Signature |  |
| Date | 24 August 2015/ 2 October 2015/21 January 2016 for complex matters, and 31 August 2015/2 October 2015/22 January 2016 for minor matters. |

5. Panel recommendations to Auckland Council

6.1. Notices of requirement for existing designations included in the Proposed Auckland Unitary Plan with or without modification on which submissions have been lodged; and where issues have been resolved, by mediation, direct discussions, the evidence exchange process, or where submissions were not pursued, or left unrepresented by evidence at the hearing.

The Panel recommends to Auckland Council that it recommends to the requiring authority that the notices of requirement for the following designations be withdrawn at the request of the requiring authority.

- 9339
- 9351
- 9365

The Panel recommends to Auckland Council that it recommends to the requiring authority that the notices of requirement for the following designations be confirmed, subject to further modifications identified in the table below and contained in the attachments to the relevant report table.

A “yes” is used in the table to indicate where the Panel is recommending further modifications. Refer to the report table referenced for the details of the further modifications recommended and Annexure 1.

| Designation No. | Report table No. | Additional text modifications recommended | Additional viewer map modifications recommended |
|-----------------|------------------------------------|---|---|
| 9304 | WSL001, Annexure 1 | Yes | |
| 9343 | WSL002, Annexure 1 | Yes | |
| 9359 | WSL003, Annexure 1 | Yes | Yes |
| 9334 | WSL004, Annexure 1 | Yes | Yes |
| 9367 | WSL004, Annexure 1 | Yes | |
| 9369 | WSL004, Annexure 1 | Yes | |
| 9538 | WSL004, Annexure 1 | Yes | |
| 9430 | WSL005, WSL011, WSL012, Annexure 1 | Yes | |
| 9431 | WSL005, WSL011, Annexure 1 | Yes | |
| 9432 | WSL005, WSL011, WSL012, Annexure 1 | Yes | |

| | | | |
|------|-------------------------------|-----|-----|
| 9422 | WSL006, Annexure 1 | Yes | Yes |
| 9502 | WSL008, Annexure 1 | Yes | |
| 9565 | WSL009, Annexure 1 | Yes | Yes |
| 9312 | WSL010, WSL015, Annexure 1 | Yes | |
| 9313 | WSL010, Annexure 1 | Yes | |
| 9314 | WSL010, Annexure 1 | Yes | |
| 9315 | WSL010, Annexure 1 | Yes | |
| 9316 | WSL010, Annexure 1 | Yes | |
| 9317 | WSL010, Annexure 1 | Yes | |
| 9318 | WSL010, Annexure 1 | Yes | |
| 9319 | WSL010, Annexure 1 | Yes | |
| 9320 | WSL010, Annexure 1 | Yes | |
| 9321 | WSL011, WSL015, Annexure 1 | Yes | |
| 9322 | WSL011, WSL015, Annexure 1 | Yes | |
| 9323 | WSL011, WSL015, Annexure 1 | Yes | |
| 9324 | WSL011, WSL015, Annexure 1 | Yes | |
| 9409 | WSL011, Annexure 1 | Yes | |
| 9410 | WSL011, Annexure 1 | Yes | |
| 9417 | WSL011, WSL012, Annexure 1 | Yes | |
| 9418 | WSL011, WSL012, Annexure 1 | Yes | |
| 9423 | WSL011, WSL012, Annexure 1 | Yes | |
| 9427 | WSL011, WSL012, Annexure 1 | Yes | |
| 9428 | WSL011, WSL012, Annexure 1 | Yes | |
| 9429 | WSL011, WSL012, Annexure 1 | Yes | |
| 9434 | WSL011, WSL012, Annexure 1 | Yes | |
| 9435 | WSL011, WSL012, Annexure 1 | Yes | |
| 9437 | WSL011, WSL012, Annexure 1 | Yes | Yes |
| 9457 | WSL011, Annexure 1 | Yes | |
| 9458 | WSL011, WSL015, Annexure 1 | Yes | |
| 9511 | WSL011, Annexure 1 | Yes | |
| 9414 | WSL013, Annexure 1 | Yes | |
| 9433 | WSL013, Annexure 1 | Yes | Yes |
| 9436 | WSL013, Annexure 1 | Yes | |
| 9540 | WSL013, WSL015, Annexure 1 | Yes | |
| 9370 | WSL014, Annexure 1 | Yes | |
| 9371 | WSL014, Annexure 1 | Yes | |

| | | | |
|------|--------------------|-----|--|
| 9300 | WSL015, Annexure 1 | Yes | |
| 9301 | WSL015, Annexure 1 | Yes | |
| 9302 | WSL015, Annexure 1 | Yes | |
| 9303 | WSL015, Annexure 1 | Yes | |
| 9306 | WSL015, Annexure 1 | Yes | |
| 9308 | WSL015, Annexure 1 | Yes | |
| 9310 | WSL015, Annexure 1 | Yes | |
| 9311 | WSL015, Annexure 1 | Yes | |
| 9325 | WSL015, Annexure 1 | Yes | |
| 9326 | WSL015, Annexure 1 | Yes | |
| 9327 | WSL015, Annexure 1 | Yes | |
| 9328 | WSL015, Annexure 1 | Yes | |
| 9329 | WSL015, Annexure 1 | Yes | |
| 9330 | WSL015, Annexure 1 | Yes | |
| 9331 | WSL015, Annexure 1 | Yes | |
| 9332 | WSL015, Annexure 1 | Yes | |
| 9333 | WSL015, Annexure 1 | Yes | |
| 9335 | WSL015, Annexure 1 | Yes | |
| 9336 | WSL015, Annexure 1 | Yes | |
| 9337 | WSL015, Annexure 1 | Yes | |
| 9338 | WSL015, Annexure 1 | Yes | |
| 9344 | WSL015, Annexure 1 | Yes | |
| 9346 | WSL015, Annexure 1 | Yes | |
| 9348 | WSL015, Annexure 1 | Yes | |
| 9349 | WSL015, Annexure 1 | Yes | |
| 9350 | WSL015, Annexure 1 | Yes | |
| 9352 | WSL015, Annexure 1 | Yes | |
| 9353 | WSL015, Annexure 1 | Yes | |
| 9354 | WSL015, Annexure 1 | Yes | |
| 9355 | WSL015, Annexure 1 | Yes | |
| 9358 | WSL015, Annexure 1 | Yes | |
| 9360 | WSL015, Annexure 1 | Yes | |
| 9364 | WSL015, Annexure 1 | Yes | |
| 9366 | WSL015 | | |
| 9368 | WSL015, Annexure 1 | Yes | |
| 9400 | WSL015, Annexure 1 | Yes | |
| 9402 | WSL015, Annexure 1 | Yes | |
| 9405 | WSL015, Annexure 1 | Yes | |
| 9406 | WSL015, Annexure 1 | Yes | |
| 9407 | WSL015, Annexure 1 | Yes | |
| 9412 | WSL015, Annexure 1 | Yes | |
| 9415 | WSL015, Annexure 1 | Yes | |
| 9424 | WSL015, Annexure 1 | Yes | |
| 9425 | WSL015, Annexure 1 | Yes | |
| 9438 | WSL015, Annexure 1 | Yes | |
| 9439 | WSL015 | | |
| 9440 | WSL015, Annexure 1 | Yes | |
| 9442 | WSL015, Annexure 1 | Yes | |
| 9443 | WSL015, Annexure 1 | Yes | |
| 9444 | WSL015, Annexure 1 | Yes | |
| 9445 | WSL015, Annexure 1 | Yes | |
| 9447 | WSL015, Annexure 1 | Yes | |

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|------|--------------------|-----|--|
| 9501 | WSL015 | | |
| 9503 | WSL015, Annexure 1 | Yes | |
| 9504 | WSL015, Annexure 1 | Yes | |
| 9507 | WSL015, Annexure 1 | Yes | |
| 9510 | WSL015, Annexure 1 | Yes | |
| 9513 | WSL015, Annexure 1 | Yes | |
| 9519 | WSL015, Annexure 1 | Yes | |
| 9521 | WSL015, Annexure 1 | Yes | |
| 9525 | WSL015, Annexure 1 | Yes | |
| 9526 | WSL015, Annexure 1 | Yes | |
| 9531 | WSL015, Annexure 1 | Yes | |
| 9534 | WSL015, Annexure 1 | Yes | |
| 9536 | WSL015, Annexure 1 | Yes | |
| 9537 | WSL015, Annexure 1 | Yes | |
| 9539 | WSL015, Annexure 1 | Yes | |
| 9544 | WSL015, Annexure 1 | Yes | |
| 9545 | WSL015, Annexure 1 | Yes | |
| 9546 | WSL015, Annexure 1 | Yes | |
| 9547 | WSL015, Annexure 1 | Yes | |
| 9548 | WSL015, Annexure 1 | Yes | |
| 9550 | WSL015, Annexure 1 | Yes | |
| 9552 | WSL015, Annexure 1 | Yes | |
| 9553 | WSL015, Annexure 1 | Yes | |
| 9557 | WSL015, Annexure 1 | Yes | |
| 9558 | WSL015, Annexure 1 | Yes | |
| 9559 | WSL015, Annexure 1 | Yes | |
| 9567 | WSL015, Annexure 1 | Yes | |

6.2. Notices of requirement for existing designations included in the Proposed Auckland Unitary Plan with or without modification on which submissions have been lodged, and where issues were contested in evidence at the hearing.

The Panel recommends to Auckland Council that it recommends to the requiring authority that the notices of requirement for the following designation be confirmed, subject to further modifications identified in the table below and contained in the attachments to the relevant report table.

A “yes” is used in the table to indicate where the Panel is recommending further modifications. Refer to the report table referenced for the details of the further modifications recommended.

| Designation No. | Report table No. | Additional text modifications recommended | Additional viewer map modifications recommended |
|-----------------|------------------|---|---|
| 9446 | WSL007 | Yes | Yes |

6.3 Additional minor and consequential amendments

The Auckland Unitary Plan Independent Hearings Panel recommends that Auckland Council recommends to the requiring authority that it confirms the further minor modifications to designations contained in a separate annexure: IHP Report to AC_074 Watercare Services Ltd Annexure 1 2016-05-18. Note that Annexure 1 is a compilation of all recommended amendments in attachments WSL001 to WSL0015 as well as the additional minor and consequential amendments identified by the Panel.

6. Panel reasons

The reasons for the Panel's recommendation are set out in section 7 below.

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| Panel Chair | David Kirkpatrick |
| Chair's Signature |  |
| Date | 20 June 2016 |

7. Assessment of modifications and submissions

Note: Watercare advised that it has noted a number of mapping errors. These were addressed at the pre-hearing meeting on 16 September so that a means of addressing these can be discussed. The Panel provide Watercare with the opportunity to supply the minor corrections. These minor corrections were set out in an email from Mark Bishop on behalf of Watercare dated 29 January 2016. These errors relate to the following designations:

- i. 9324: Huia and Nihotupu Water Treatment Plants (Woodlands Park Road – Huia);
- ii. 9321: Waitakere Ranges Catchment Headworks Area (water supply reservoirs);
- iii. 9322: Waitakere Ranges Catchment Headworks Services Land (Surrounding catchments of the water supply reservoirs);
- iv. 9430 – Campbell Road Reservoir and Pump Station;
- v. 9431 – Cornwall Park Reservoir, 9437 – Mt Roskill Reservoir;
- vi. 9433 – Panmure Basin Pump Station.

These changes have been made and checked in the Panel's GIS viewer version of the designation maps.

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| Table reference No. | WSL001 |
| Requiring authority | Watercare Services Ltd |
| Designation number | 9304 |
| Designation purpose | Water supply purposes – reservoir and associated structures |
| Location | 83 and 89 Waipa Street, Birkenhead. |
| Designation given effect to | Yes |
| Lapse date in operative plan | NA |
| Rollover designation with no modifications | Yes |
| Description of the modification | NA |
| Notice of requirement | NA |
| Land ownership | No |
| Land owned by the requiring authority | Yes |
| Submitter | Watercare Services 6190-9 Auckland Council 5716-2769 K Vernon – FS347 Jenny and Eamon Holdings Ltd FS2279 John Sanderson FS3079 Lyn Hume FS3038 David Lourie FS3748 Waiheke Island Community Planning Group FS3412 Watercare FS3062 Auckland Chamber of Commerce 1250 |
| Matters addressed in submission | These submissions relate to the designation of a reservoir and associated structures at 83 and 89 Waipa Street. This relates to what would normally be classed as a minor matter but has been included in this report as there are multiple submissions and further submission. The submission from Watercare Services seeks a minor |

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| | <p>amendment to the designation to correct a capital 's' in the purpose statement.</p> <p>The submission from Auckland Council seeks the same change.</p> <p>The further submissions are all general in nature and do not impact on the specific designation.</p> <p>The submission from the Auckland Chamber of Commerce is a general submission in support of the Watercare submission. The submission from Ngati Tamatera Treaty Settlement Trust does not address this point.</p> <p>The Heritage New Zealand submission does not affect this designation.</p> |
| Engagement by requiring authority with submitters. | Watercare has engaged with the further submitters and has confirmed with all of the further submitters (with the exception of K Vernon) that the further submitters have no interest in pursuing this further submission. Watercare has not been able to contact K Vernon. |
| Assessment and reasons | The changes requested to the designation by the submissions will have no impact on the environment as it simply corrects an error in the purpose statement. |
| Recommendation | That the designation text be amended as requested in submissions. |
| Recommendation to Panel | <p>Amend the purpose (Designation Schedule_ - Correct capital 'S' in the word 'supply' as follows:</p> <p style="padding-left: 40px;">Water Ssupply purposes – reservoirs and associated structures.</p> |
| Response from requiring authority | <p>Agrees with the above recommendations to Panel.</p> <p>Wishes to be heard on the following matters:</p> <ul style="list-style-type: none"> • Submission of K Vernon. All other submitters have confirmed they have no interest in pursuing their submissions. |
| Update from report writer. | Watercare gave evidence in support of its designations. The Panel determined that the submission of K Vernon did not apply and K Vernon did not appear at the hearing. Therefore the previous recommendation is confirmed. |
| Recommendation from Panel | The Panel agrees with the report writer's recommendations. |
| Reasons | The Panel agrees with the report writer's reasons. |

WSL 001 Attachment 1 changes to text of Proposed Auckland Unitary Plan

Watercare Services Ltd

North and West

Designation Schedule - Watercare Services Ltd (1/3)

North and West

| Number | Purpose | Location |
|--------|--|------------------------------------|
| ... | | |
| 9304 | Water <u>s</u> Supply purposes - reservoirs and associated | 83 and 89 Waipa Street, Birkenhead |

...

| | |
|--|--|
| Table reference No. | WSL002 |
| Requiring authority | Watercare Services |
| Designation number | 9343 |
| Designation purpose | Wastewater Purposes –Water Treatment Plant |
| Location | 55 Alnwick Street, Warkworth. |
| Designation given effect to | Yes |
| Lapse date in operative plan | NA |
| Rollover designation with no modifications | Yes |
| Description of the modification | NA |
| Notice of requirement | NA |
| Land ownership | Land owned by Watercare Services |
| Land owned by the requiring authority | Yes |
| Submitter | Roger and Patte Williams |
| Matters addressed in submission | The submitters request that some of the land not used for wastewater treatment be designated for a walkway to link up with other land nearby. |
| Engagement by requiring authority with submitters. | Watercare has initiated discussions with the submitter and a meeting was planned for 11 August 2015 between the submitter, Watercare and the Local Board. I understand from Watercare’s Legal Counsel that an agreement for walkway access across the land is in development with final wording being developed. |
| Assessment and reasons | The Warkworth wastewater treatment plant adjoins to the west a designated park (Auckland Council) that provides for a pedestrian link around the adjoining boat yard area. The submitters show an easement over land to the east of the treatment plant, which is stated to be part of a coastal walkway. The treatment plant is made up of a developed area to the north with a large undeveloped area to the south joined by a narrow link. While it would appear physically possible to provide a pedestrian link either through the undeveloped land or across the small link within the designation the impacts on the future operation of the plant could be affected by a walkway. It is understood that Watercare and the submitters have come to an agreement to provide access and the final wording of the agreement is currently being developed. |
| Recommendation | 1. That the designation be confirmed noting that a final agreement to provide pedestrian access across the plant is being developed. |
| Recommendation to Panel | No changes recommended at this time. |

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| Response from requiring authority | <p>Watercare has reached agreement with the submitter that the following condition be included in the designation to address the submitters' concerns:</p> <p>The Requiring Authority will endeavour to work with the community on the development of the Cement Works to Warkworth Walkway, and, should a request be made for approval under Section 176(1)(b) of the Resource Management Act 1991 for a walkway to be constructed through the designated area, the Requiring Authority shall not unreasonably withhold its approval provided that any public walkway does not interfere with the construction, operation, or maintenance of the site for wastewater purposes and meets all health and safety requirements.</p> <p>The agreement reached between Watercare and the submitters is recorded in a joint memorandum to the Panel dated 2 September 2015. Does not wish to be heard and no mediation is considered necessary.</p> |
| Reporting Officer comment on response | I agree that this condition should be included within the designation. I have set out revised condition below. |
| Recommendation from Panel | The Panel agrees with the report writer's recommendations. |
| Reasons | The Panel agrees with the report writer's reasons. |

WSL 002 Attachment 1 changes to text of Proposed Auckland Unitary Plan

9343 Warkworth Wastewater Treatment Plant

| | |
|----------------------|---|
| Designation Number | 9343 |
| Requiring Authority | Watercare Services Ltd |
| Location | 55 Alnwick Street and Pt Allot 68 SO 64916, Warkworth |
| Rollover Designation | Yes |
| Legacy Reference | Designation 118, Auckland Council District Plan (Rodney |
| Lapse Date | Given effect to (i.e. no lapse date) |

Purpose

Wastewater purposes - wastewater treatment plant.

Conditions

The requiring authority will endeavour to work with the community on the development of the Cement Works to Warkworth Walkway, and, should a request be made for approval under Section 176(1)(b) of the Resource Management Act 1991 for a walkway to be constructed through the designated area, the requiring authority shall not unreasonably withhold its approval provided that any public walkway does not interfere with the construction, operation, or maintenance of the site for wastewater purposes and meets all health and safety requirements.

Attachments

No attachments.

| | |
|--|--|
| Table reference No. | WSL003 |
| Requiring authority | Watercare Services Ltd |
| Designation number | 9359 |
| Designation purpose | Wastewater Purposes – wastewater treatment plant. |
| Location | 18 Oraha Road Huapai |
| Designation given effect to | Yes |
| Lapse date in operative plan | NA |
| Rollover designation with no modifications | Yes |
| Description of the modification | NA |
| Notice of requirement | NA |
| Land ownership | Requiring authority |
| Land owned by the requiring authority | Yes |
| Submitter | Smith and Rose Family |
| Matters addressed in submission | The submitter requests that the Huapai wastewater plant be decommissioned. |
| Engagement by requiring authority with submitters. | Watercare has advised that it has made contact with the submitter but has not yet received a reply. |
| Assessment and reasons | <p>The submitters request that the wastewater treatment plant be decommissioned because of ongoing issues with the plant including smell and overflow.</p> <p>Watercare has advised through a further submission that the facility is required for the ongoing maintenance and upgrades of Auckland's wastewater network. The designation is still required by Watercare to authorise its operations.</p> <p>Watercare has since advised that the plant is no longer functioning as a wastewater treatment plant but is functioning as a pump station to pump wastewater to the Massey pump station.</p> <p>Watercare has also advised that they do not have any overflows at this location and that no odour monitoring has occurred.</p> <p>Given that the function of the plant has changed it is appropriate to partially accept the submission by changing the purpose of the designation to pump station. It is understood that some time in the future a new pump station will be built on the site. An outline plan of works OPW will be required for this work and any environmental effects of that work can be assessed at that time.</p> <p>It is not necessary to consider alternative sites, as the requiring authority is the owner of the land.</p> <p>The designation is a rollover designation and does not contain any conditions concerning its use. In a similar manner the designation in the operative district plan does</p> |

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| | <p>not contain any conditions.</p> <p>The submitters have identified a number of adverse effects on the environment resulting from the operation of the plant including odours and evidence of overflows. Watercare disputes these effects. These matters appear to relate to the operation of the plant as a wastewater treatment plant. As the site is no longer being used as a treatment plant such effects are likely to diminish.</p> |
| Recommendation | It is recommended that the purpose of designation 9259 be amended to reflect its current and future purpose. |
| Recommendation to Panel | <p>1. That the purpose of designation 9359 in the schedule of designations be amended as follows:</p> <p>Wastewater purposes – water treatment plant <u>pump station</u>.</p> <p>2. That designation 9359 be amended as set out in Attachment 1 below.</p> |
| Response from requiring authority | <p>Agrees with the above recommendations to Panel.</p> <p>Wishes to be heard on the following matters: Submission from Smith and Rose families.</p> <p>Will attend mediation if requested by the submitter.</p> |
| Reporting Officer comment on response | No mediation was requested by the submitter. Watercare presented evidence on these matters but the submitters did not appear. I agree with the requiring authority and confirm my recommendation. |
| Recommendation from Panel | The Panel agrees with the report writer's recommendation. |
| Reasons | The Panel agrees with the report writer's reasons and notes that it has no power to order decommissioning of works. |

WSL 003 Attachment 1 changes to text of Proposed Auckland Unitary Plan

Designation Schedule - Watercare Services Ltd (1/3)

North and West

| | | |
|------|---|--------------------------|
| 9359 | Wastewater purposes - wastewater treatment plant <u>pump station</u> | 18 Oraha Road, Huapai |
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...

9359 Huapai ~~Wastewater Treatment Plant~~ Pump Station

| | |
|----------------------|------------------------|
| Designation Number | 9359 |
| Requiring Authority | Watercare Services Ltd |
| Location | 18 Oraha Road, Huapai |
| Rollover Designation | Yes |

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| Legacy Reference | Designation 145, Auckland Council District Plan (Rodney Section) 2011 |
| Lapse Date | Given effect to (i.e. no lapse date) |

Purpose

Wastewater purposes - ~~wastewater treatment plant~~ pump station.

Conditions

No conditions.

Attachments

No attachments.

WSL 003 Attachment 2 changes to Proposed Auckland Unitary Plan maps

Change designation map name to 9359 Huapai ~~Wastewater Treatment Plant~~ Pump Station

| | |
|--|---|
| Table reference No. | WSL004 |
| Requiring authority | Watercare Services |
| Designation number (s) | 9334, 9367, 9369, 9538 |
| Designation purpose | 9334 – Water supply purposes- pump station and associated structures. 9367 – Water supply purposes – reservoir and associated structures (including power supply and telemetry). 9369 – Water supply purposes – reservoir and associated structures 9538 – Wastewater purposes – Tamaki South East branch sewer and wastewater pump stations. |
| Location | 9334 – 97B Fred Taylor Drive, Whenuapai 9367 – 2 Lonely Track Road, Glenvar 9369 – 124 Scott Road, Wade Heads 9538 – Ormiston Road, East Tamaki to Murphys Road, Flat Bush. |
| Designation given effect to | Yes |
| Lapse date in operative plan | 13 September 2022 (9334) – Others no lapse date |
| Rollover designation with no modifications | Yes |
| Description of the modification | None |
| Notice of requirement | None |
| Land ownership | Land owned by requiring authority and Auckland Transport. |
| Land owned by the requiring authority | Yes |
| Submitter | Watercare Services I & M Selak, Westgate Joint Venture, Nuich Trust 9334 only. Cozy Cul and Zheyuan C Cui 9538 only. |
| Matters addressed in submission | The submissions from Watercare Services relate to all of these designations and seek that various conditions applying to the designations be deleted as the conditions relate only to the construction of the works. Now that the works have been completed these conditions are seen as being no longer necessary. The other submissions relate to aspects of two of these designations (9334 and 9538) and have been considered in this table of the report as follows. The submitters in respect of designation 9334 support the designations in part but seek a clear analysis of real demand for the pump station. The submissions on 9538 seek that the boundaries on the designation align with the operative plan designation 268. |
| Engagement by requiring authority with submitters. | In respect of designation 9334 Watercare has made initial contact with I and M Selak to work towards a resolution of the submission and intends to engage with the other submitters. Watercare has advised that its legal advisors have contacted the submitter to explain that there has been no change in the |

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| | <p>boundaries of the designation. The submitter has advised that they acknowledge that the designation may not have been changed, they are unwilling to withdraw their submission but do not wish to be heard at the hearing.</p> |
| Assessment and reasons | <p>There are three matters that require assessment.</p> <p>In respect of designation 9334 the submissions from I and M Selak et al that seek confirmation concerning the demand for the pump station appear to have been overtaken by time in that the pump station has now been constructed.</p> <p>In respect of designation 9538 I have reviewed the extent of the existing designation and the designation in the proposed plan. The designations both cover the same land. The operative designation may appear to cover different land because a road widening designation is also shown over adjoining sites.</p> <p>In respect of the submissions from Watercare Services to remove conditions I consider that some of the conditions assist to explain the designation and should be retained.</p> <p>Some conditions appear to be designed to be complied with on an on-going basis and accordingly these conditions should remain, as the designation is the sole record of development where there is not an outline plan of works in place.</p> <p>Conditions that relate purely to construction can generally be deleted in my view.</p> |
| Recommendation | <p>That designations 9334, 9367, 9369, and 9538 be amended as set out in Schedule 1 below.</p> |
| Recommendation to Panel | <p>1. Amend designations 9334, 9367, 9369 and 9538 as set out in Attachment 1 below.</p> |
| Response from requiring authority | <p>9334</p> <p>Watercare agrees to the deletions proposed in the Report.</p> <p>Watercare sought that all conditions and the attachments be deleted as they relate to construction and are not relevant now that the pump station has been constructed.</p> <p>Watercare agrees that Conditions 1 and 6 should be retained.</p> <p>Watercare does not agree that Conditions 2 and 4 should be retained as they relate to the construction that has already been undertaken. Watercare also sought that the description and purpose of the designation be modified as follows:</p> <p style="text-align: center;">Water supply <u>Wastewater</u> purposes - pump station and associated structures.</p> |

| | |
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| | <p>Purpose</p> <p>Wastewater Purposes - pump station and associated structures Construction and operation of a wastewater pump station pump station and associated structures to service the new town centre of Massey North. The proposed wastewater pumping station includes: an underground storage tank, wet well with submersible pumps, control building, mechanical and electrical installation, siteworks, planting and permanent access road.</p> <p>Watercare continues to seek that these minor amendments be made to the purpose and description.</p> <p>Watercare has engaged with the three submitters on Designation 9334. Agreement has been reached and is recorded in a joint memorandum to the Panel dated 9 September 2015. In discussions between the parties, Watercare and the submitters have agreed that the designation should be renamed 'Massey North pump station', because it is referred to as such within the designation. While there is no submission to this effect, Watercare seeks that the Panel recommend that the designation be renamed accordingly in its recommendations to the Council. The request is to modify the name to 'Massey North Pump Station' in both the designation schedule and the designation text.</p> <p>Watercare also notes that one of the three submitters (I and M Selak) is a member of another of the submitters (Westgate Joint Venture). In discussions it has been confirmed that I and M Selak do not wish to be individually named in the joint memorandum and that they wish to withdraw their relevant submission point altogether.</p> <p>Watercare notes that there is an error in the notified Condition 6 in relation to Designation 9334. It should read as follows:</p> <p style="padding-left: 40px;">6. If council seeks approval under s. 176(1)(b) Resource Management Act (1991) for a public walkway over part of the site, the Requiring Authority shall <u>not</u> unreasonably withhold its approval...</p> <p>While Watercare does not have a submission to this effect, Watercare seeks that the Panel recommend that this error be corrected in its recommendations to the Council.</p> <p>Watercare wishes to be heard and considers mediation would be useful.</p> <p>9367</p> |
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| | <p>Watercare agrees to the deletions proposed in the report.</p> <p>Watercare sought that all conditions and the attachment be deleted as they relate to construction and are not relevant now that the reservoir has been constructed.</p> <p>Watercare agrees that Conditions 1 and the intent of 5(g) should be retained.</p> <p>Watercare does not agree that Conditions 2 and 4 should be retained as they relate to the construction and landscaping that has already been undertaken.</p> <p>Watercare also sought that the description and purpose of the designation be modified as follows:</p> <p style="padding-left: 40px;">Purpose</p> <p style="padding-left: 80px;">Water supply purposes - reservoir and associated structures (including power supply and telemetry).</p> <p>Watercare continues to seek that these minor amendments be made to the purpose and description.</p> <p>Watercare wishes to be heard and considers mediation would be useful.</p> <p>9369</p> <p>Watercare agrees to the deletions proposed in the Report.</p> <p>Watercare sought that all conditions be deleted as they relate to construction and are not relevant now that the reservoir has been constructed.</p> <p>Watercare agrees that Conditions 1, 3 (as proposed), 6 (as proposed) and 8 should be retained.</p> <p>Watercare does not agree that Conditions 2 should be retained as it relates to the construction that has already been undertaken.</p> <p>Watercare wishes to be heard and considers mediation would be useful.</p> <p>9538</p> <p>The requiring authority agrees with the recommendation in respect of this designation.</p> |
| Reporting officer comment on response | <p>9334</p> <p>I have met with the requiring authority and agree the changes as set out below. I believe the change in the name of the designation is necessary to provide consistency and can be seen as minor error.</p> <p>9367</p> |

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|---------------------------|--|
| | <p>I have met with the requiring authority and have agreed to the minor changes. We have also agreed that conditions 2, 3 and 4 should be retained and condition 5 be reworded to reflect only the ongoing maintenance of the landscaping.</p> <p>9369</p> <p>I have met with the requiring authority and have agreed that condition 2 can be retained.</p> |
| Recommendation from Panel | The Panel agrees with the report writer's recommendations. |
| Reasons | The Panel agrees with the report writer's reasons. |

WSL 004 Attachment 1 changes to text of Proposed Auckland Unitary Plan

9334 Fred Taylor Massey North Drive Pump Station

| | |
|----------------------|--|
| Designation Number | 9334 |
| Requiring Authority | Watercare Services Ltd |
| Location | 97B Fred Taylor Drive, Whenuapai |
| Rollover Designation | Yes |
| Legacy Reference | Designation WSL15, Auckland Council District Plan (Waitakere Section) 2003 |
| Lapse Date | 13 September 2022 |

Purpose

Wastewater Purposes — pump station and associated structures construction and operation of a wastewater pump station pump station and associated structures to service the new town centre of Massey North. ~~The proposed wastewater pumping station includes: an underground storage tank, wet well with submersible pumps, control building, mechanical and electrical installation, siteworks, planting and permanent access road.~~

Conditions

General Condition

1. Except as modified by the conditions, the works shall be undertaken in general accordance with the information provided by the requiring authority in the Notice of Requirement and all information and plans being:
 - a. Form 18 titled 'Notice of Requirement by for Designation Under Section 168 of the Resource Management Act 1991' for 'wastewater purposes', signed by General Counsel for Watercare Services Ltd, dated 27 January 2012;
 - b. plan prepared by Watercare Services Ltd titled 'Proposed Design for Massey North Watercare Pumping Station Proposed Designation', drawing number 131837.100 R2 dated 24 January 2012;
 - c. report prepared by Watercare Services Ltd titled 'Assessment of Effects on the Environment - Massey North Wastewater Pumping Station', dated May 2012;
 - d. plan prepared by Watercare Services Ltd titled 'Massey North Pump Station Control Building Elevations, drawing number 131837.021, dated 1 March 2012; and
 - e. letter from Nick Grala of Harrison Grierson titled 'Watercare Services Ltd,

NoR for Massey North Pumping Station', dated 17 May 2012.

~~Outline Plan of Works~~

~~2. The Requiring Authority shall submit an outline plan of works for the project in accordance with section 176A of the Resource Management Act 1991, except that an outline plan of works does not need to be submitted for earthworks authorised by regional consent 40357.~~

~~Construction Noise~~

~~3. Construction activities shall be managed to generally achieve compliance with the requirements of NZS6803:1999 Acoustics – Construction Noise.~~

~~Archaeology and Heritage~~

~~4. If any archaeological sites, including human remains are exposed during site works then the following procedures should apply:~~

- ~~a. Immediately after it becomes apparent that an archaeological or traditional site has been exposed, all site works in the immediate vicinity shall cease;~~
- ~~b. The Requiring Authority shall immediately secure the area so that any artefacts or remains are untouched; and~~
- ~~c. The Requiring Authority shall be notify the New Zealand Historic Places Trust, tangata whenua, and the 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 recommence in the immediate vicinity of the archaeological site until any approval required from the New Zealand Historic Places Trust has been obtained.~~

~~Planting~~

~~5. The Requiring Authority shall plant around the periphery of the pumping station with an emphasis on the planting of the riparian margin, in areas not required for proposed or future works, servicing and maintenance, and any public walkway created in accordance with Condition 6. Planting shall be designed in consultation with council Parks, Sports and Recreation to ensure that plant species are generally consistent with the overall planting concept for the area as set out in the Totara Creek Stormwater and Open Space Master Plan dated April 2011. Details of the proposed planting shall be included with the Outline Plan of Works referred to in Condition 2.~~

~~Public Access~~

~~6. If council seeks approval under s. 176 (1) (b) Resource Management Act (1991) for a public walkway over part of the site, the Requiring Authority shall not unreasonably withhold its approval provided that any public walkway does not interfere with the construction, operation and maintenance of the site for wastewater purposes and meets all health and safety requirements.~~

~~Lapsing of the Designation~~

~~7. The designation shall lapse on expiry of period 10 years after the date it is included in the District Plan in accordance with section 184(1)(c) of the RMA, unless:~~

- ~~a. It is given effect before the end of that period; or~~

~~b. The council determines, on an application made within 3 months before the expiry of that period, that substantial progress or effort has been made towards giving effect to the designation and is continuing to be made, and fixes a longer period for the purposes of this subsection.~~

9367 Glenvar Reservoir (Lonely Track Road)

| | |
|----------------------|---|
| Designation Number | 9367 |
| Requiring Authority | Watercare Services Ltd |
| Location | 2 Lonely Track Road, Glenvar |
| Rollover Designation | Yes |
| Legacy Reference | Designation 951, Auckland Council District Plan (Rodney Section) 2011 |
| Lapse Date | Given effect to (i.e. no lapse date) |

Purpose

Water supply purposes - reservoir and associated structures (including power supply and telemetry).

Conditions

1. That development shall proceed in general accordance with the notice of requirement and attached plans submitted on 4 March 1996, (Plan Number 2001111-03).
2. That "Option 2" on Plan Number 2001111-03 be adopted.
3. That provision of vehicular access to the site be made from Lonely Track Road, and that access to the balance land be located at the most practicable northernmost point onto East Coast Road.
4. That the reservoir and associated structures are painted in visually recessive colours appropriate to the setting when viewed from East Coast Road and Lonely Track Road.
5. ~~That a detailed landscape plan and implementation programme shall be submitted and approved by the Council's Parks Officer, prior to the construction of the reservoir.~~
 - a. ~~The landscape plan is to take into account the safety problem caused by landfill debris on the site.~~
 - b. ~~A rehabilitation programme is to be included in the landscape plan to address amenity and safety issues.~~
 - c. ~~The landscape plan is to include appropriate measures for the screening of the reservoir and associated structures by earth mounding and vegetation.~~
 - d. ~~Subsoil shall be ripped and drained and the depth of topsoil shall be no less than 500mm where planting is to be undertaken.~~
 - e. ~~Irrigation and mulching is to be provided for the first three years after planting.~~
 - f. ~~Priority shall be given to the retention of as much of the existing vegetation on the site as is practicable and to the selection of native species for replanting.~~

- g. ~~New Planting shall be implemented and maintained in accordance with the approved plan approved by the Council's Parks Officer.~~

9369 Wade Heads Reservoir (Scott Road)

| | |
|----------------------|---|
| Designation Number | 9369 |
| Requiring Authority | Watercare Services Ltd |
| Location | 125 Scott Road, Wade Heads |
| Rollover Designation | Yes |
| Legacy Reference | Designation 953, Auckland Council District Plan (Rodney Section) 2011 |
| Lapse Date | Given effect to (i.e. no lapse date) |

Description

Water supply purposes - reservoir and associated structures.

Purpose

General

1. The activity shall proceed in general accordance with the Notice of Requirement and further information submitted to council, and plans drawn by Watercare Services Limited, dated 26/06/2003 and numbered 2003768.00112.
Note: Consent may be required from council for sediment control relating to the necessary earthworks.

Outline Plan

2. An outline plan shall be submitted to council prior to the commencement of work on the site.

Landscape Plan

3. A detailed landscape plan, including an implementation and maintenance programme shall be submitted to and approved by the Team Leader – Resource Consents prior to any works commencing on the site:
 - ~~a. The plan shall include details of the plant sizes at the time of planting and intended species. Preference should be given to the use of indigenous species, with a further preference for the use of local genetic stock. Such a plan shall include appropriate measures to reduce adverse effects on visual amenity and to provide screening of the water supply structures viewed from neighbours and the road; and~~
 - ~~b. The landscaping shall be implemented and maintained in accordance with the approved landscaping plan within the first planting season (May to October) following the completion of the works on the site. The landscaping shall be maintained thereafter.~~

Review Condition

~~4. Pursuant to s. 128 of the Resource Management Act (1991), the council may serve notice on the requiring authority of its intention to review conditions of this consent after three years of operation of the activity. The purpose of this review will be to ensure that the visual effects associated with the bulk of the reservoir structure are being mitigated by the conditions of this consent and if additional measures, such as the painting of the structure, are to be taken. This review condition will ensure that any adverse effects not anticipated at the time consent was granted are duly mitigated.~~

~~Stormwater~~

~~5. It is recommended that Watercare Services Ltd mitigate the discharge of stormwater from the site in terms of the joint RDCIARC publication "Management of Stormwater in Countryside Living Zones (Rural and Town) – A Toolbox of Methods".~~

~~Site Access~~

~~6. It is recommended that all construction and long term access to the site be from Scott Road as indicated on Watercare Services Ltd Drawing 2003768.001 dated 23/6/2003, clear of the intersection Defined Road Boundary and Wade River Road.~~

~~Construction Activities~~

~~7. Construction activities shall be restricted to 7.30am to 6.00pm Monday to Saturday.~~

~~Noise~~

~~8. The activity shall not exceed the following noise limits:~~

~~a. Corrected noise level L10 as measured on or at the boundary of any site shall not exceed the following limits: Monday to Friday 7.00am to 6.00pm 52 dBA~~

~~At all other times including public holidays 47 dBA~~

~~The background noise level as measured on or close to the boundary of any site shall not exceed the following limits:~~

~~Monday to Friday 7.00am to 6.00pm 47 dBA~~

~~At all other times including public holidays 42 dBA~~

~~i. Sound levels shall be measured with a sound level meter complying with international standard IEC 60651:1979 Sound Level Meters - Type 1.~~

~~Exposure of Archaeological Artefacts~~

~~9. If any artefact, including human remains is exposed during any site works the following procedures shall apply:~~

~~a. Immediately when an artefact has been exposed, all site works shall cease; and~~

~~b. The site supervisor shall immediately secure the area in a way that ensures that any artefacts or remains are untouched; and~~

~~c. The site supervisor shall notify tangata whenua, the New Zealand Historic Places Trust, the Department of Conservation and the Council's RMA~~

~~Compliance Administration Officer (telephone 0800 4265169) and in the case of~~

~~human remains, the Police, that an archaeological site has been exposed, so that appropriate action can be taken. This includes such people being given a reasonable time as determined by the Council to record and recover the archaeological features discovered before work may recommence on the site.~~

~~**Monitoring Charges**~~

~~10. The applicant shall pay to the Council within one month prior to the activity commencing the cost, including specialist services, staff time and administration for the processing of this application together with initial charges for the following inspections:~~

- ~~a. Specialist 1 @ \$150.00; and~~
- ~~b. Environmental protection 1 @ \$150.00~~

~~Monitoring deposits will be invoiced by the Council together with the consent processing charges. Should further monitoring be required to ensure compliance, the Council will recover the actual and reasonable costs that are incurred for this monitoring as set out in the Council's Schedule of Fees and Charges.~~

Attachments

No attachments.

9538 Tamaki South East Branch Sewer

| | |
|----------------------|---|
| Designation Number | 9538 |
| Requiring Authority | Watercare Services Ltd |
| Location | Ormiston Road (road reserve adjoining No. 123), East Tamaki to Murphys Road (road reserve adjoining No. 251), Flat Bush |
| Rollover Designation | Yes |
| Legacy Reference | Designation 268, Auckland Council District Plan (Manukau Section) 2002 |
| Lapse Date | Given effect to (i.e. no lapse date) |

Purpose

Wastewater purposes - Tamaki South East branch sewer and wastewater pump stations.

Conditions

No conditions.

~~1. That an Outline Plan of Work be submitted prior to the proposed construction of the sewer. This Outline Plan shall include details in respect of depth, size of pump stations, and the nature of incoming sewers and verification as to the catchment they will serve.~~

- ~~2. That proposed Pump Station 61 be amended to avoid encroachment on the downstream face of the Rongomai Dam and to be located outside of the overflow zone of this dam.~~
- ~~3. An alternative provision for access to Pump Station 61 shall need to be provided to avoid stress to the Rongomai Dam.~~
- ~~4. Construction activities shall be managed to generally achieve compliance with the requirements of NZ6803:1999 – Acoustics – Construction Noise~~
- ~~5. That an archaeologist shall be present to monitor an excavation of the higher land to the east of Preston Road Reserve, in the general vicinity of proposed Pump Station No 61 as identified in the 7 June 1996 report by Clough and Associates – Tamaki South East Interceptor Route – Preliminary Archaeological Survey for the Feasibility Investigation, at the time works are undertaken to construct the sewer.~~
- ~~6. That all land shall be fully reinstated as soon as practicable upon completion of installation of the sewer.~~
- ~~7. All land modification works associated with the activity involving either removal of soil from the site to an approved cleanfill location or its relocation on site, are to be undertaken in such a manner as to ensure that beyond the boundary of the site there should be no dust or soil erosion/siltation which, in the opinion of an enforcement officer who is employed by Council, is objectionable offensive, or has the potential to create an adverse effect on the receiving environment.~~

Attachments

No attachments.

WSL 004 Attachment 2 changes to Proposed Auckland Unitary Plan maps

Change designation map name to 9334 Fred Tayler Massey North Drive Pump Station

| | |
|--|---|
| Table reference No. | WSL005 |
| Requiring authority | Watercare Services Ltd |
| Designation number (s) | 9430, 9431 and 9432 (Also reported on in WSL 011) |
| Designation purpose | Water supply purposes – reservoir, pump station and associated structures. |
| Location | 197-211 Greenlane West (Cornwall Park), Epsom |
| Given effect to. | Yes |
| Lapse date in operative plan | NA |
| Rollover designation with no modifications | Yes |
| Description of the modification | NA |
| Notice of requirement | NA |
| Land ownership | Land owned by Cornwall Park Trust Board |
| Land owned by the requiring authority | No. |
| Submitter | Cornwall Park Trust Board |
| Matters addressed in submission | <p>These designations relate to a number of water supply reservoirs located within Cornwall Park. The submissions sought to amend the designation description, add conditions and a diagram for the physical extent of the location of the existing infrastructure.</p> <p>The designations contained within the Proposed Auckland Unitary Plan (and operative District Plan) contain a simple outline of the extent of the designation. While the existing infrastructure is located underground (some buried totally with one reservoir visible), there are no conditions in the designation requiring this to remain underground.</p> <p>These designations also remain subject to the Heritage New Zealand submission.</p> |
| Engagement by requiring authority with submitters. | <p>Watercare has advised that it has made contact with the submitter to work towards a resolution of the submission.</p> <p>Watercare is also in discussion with Heritage New Zealand about the wording of conditions concerning heritage matters.</p> |
| Assessment and reasons | <p>I am of the opinion that the effects of any replacement reservoirs located above ground may have significant adverse effects on the visual environment and operation of Cornwall Park. The existing reservoirs appear as parkland (with the exception of 9431 which is largely hidden by hedges from much of the park).</p> <p>The current designations are somewhat vague in what could be provided and while the outline plan of works process will allow the Council to have some say in the design and environmental effects of any replacement reservoirs this may not preclude above ground reservoirs being proposed.</p> <p>I consider that the designations would benefit from having improved definition as to what they permit so that all parties would have greater certainty over what the designation</p> |

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| | <p>provides for.</p> <p>While I consider that conditions further defining these designations are necessary, at this stage it is not appropriate to recommend specific conditions as there will be greater benefit if these can be agreed between the parties.</p> |
| Recommendation | That conditions be applied to designations 9430, 9431 and 9432 in order to better define the extent and nature of the designations. |
| Response from requiring authority | <p>Agrees to consider the inclusion of conditions to better define the extent and nature of the designations.</p> <p>Wish to be heard and consider that mediation would be useful.</p> <p>Watercare continues to be in discussions with the Cornwall Park Trust Board and Heritage New Zealand in relation to these designations.</p> |
| Reporting Officer comment on response | I note that discussions are ongoing. |
| Updated reporting officer recommendation | <p>The parties issued a Joint Memorandum on 18 November 2015 outlining an agreement that resulted in two additional conditions for these designations.</p> <p>I therefore recommend the addition of the conditions agreed by the parties.</p> |
| Recommendation from Panel | The Panel agrees with the report writer's recommendations. |
| Reasons | The Panel agrees with the report writer's reasons. |

WSL 005 Attachment 1 changes to text of Proposed Auckland Unitary Plan

9430 Campbell Road Reservoirs and Pump Station

| | |
|----------------------|---|
| Designation Number | 9430 |
| Requiring Authority | Watercare Services Ltd |
| Location | Cornwall Park, 197-211 Green Lane West, Epsom |
| Rollover Designation | Yes |
| Legacy Reference | Designation F10-14, Auckland Council District Plan (Isthmus Section) 1999 |
| Lapse Date | Given effect to (i.e. no lapse date) |

Purpose

Water supply purposes - reservoirs, pump station and associated structures.

Conditions

~~No conditions.~~

- The scope of works associated with the designation is limited to the operation, maintenance and replacement of the existing reservoirs,

pump station, and associated structures, provided that any replacement reservoir, pump station or associated structure is of the same or similar scale and location (including whether the structure is located above and/or below ground).

2. Unless otherwise agreed with the Cornwall Park Trust Board, where the existing structures are no longer required for the purpose of the designation, they shall be remediated or removed at the requiring authority's expense, subject to the requiring authority obtaining all necessary approvals for the proposed remediation or removal works. The remediation or removal must be in accordance with a remediation or removal plan. The plan must be approved by the Council, unless otherwise agreed with the Cornwall Park Trust Board. Where the structures are to be remediated, they shall be made structurally secure and be remediated to remedy any visual impacts such that the final remediation is consistent with the character of the surrounding area.

Attachments

No attachments.

431 Cornwall Park Reservoir

| | |
|----------------------|---|
| Designation Number | 9431 |
| Requiring Authority | Watercare Services Ltd |
| Location | Cornwall Park, 197-211 Green Lane West, Epsom |
| Rollover Designation | Yes |
| Legacy Reference | Designation F10-15, Auckland Council District Plan (Isthmus Section) 1999 |
| Lapse Date | Given effect to (i.e. no lapse date) |

Purpose

Water supply purposes - reservoir and associated structures.

Conditions

~~No conditions.~~

1. The scope of works associated with the designation is limited to the operation, maintenance and replacement of the existing reservoirs, pump station, and associated structures, provided that any replacement reservoir, pump station or associated structure is of the same or similar scale and location (including whether the structure is located above and/or below ground).
2. Unless otherwise agreed with the Cornwall Park Trust Board, where the existing structures are no longer required for the purpose of the designation, they shall be remediated or removed at the requiring authority's expense, subject to the requiring authority obtaining all

necessary approvals for the proposed remediation or removal works. The remediation or removal must be in accordance with a remediation or removal plan. The plan must be approved by the Council, unless otherwise agreed with the Cornwall Park Trust Board. Where the structures are to be remediated, they shall be made structurally secure and be remediated to remedy any visual impacts such that the final remediation is consistent with the character of the surrounding area.

Attachments

No attachments.

9432 Onehunga Low Reservoirs and Pump Station

| | |
|----------------------|---|
| Designation Number | 9432 |
| Requiring Authority | Watercare Services Ltd |
| Location | Cornwall Park, 197-211 Green Lane West, Epsom |
| Rollover Designation | Yes |
| Legacy Reference | Designation F10-16, Auckland Council District Plan (Isthmus Section) 1999 |
| Lapse Date | Given effect to (i.e. no lapse date) |

Purpose

Water supply purposes - reservoirs, pump station and associated structures.

Conditions

~~No conditions.~~

1. The scope of works associated with the designation is limited to the operation, maintenance and replacement of the existing reservoirs, pump station, and associated structures, provided that any replacement reservoir, pump station or associated structure is of the same or similar scale and location (including whether the structure is located above and/or below ground).
2. Unless otherwise agreed with the Cornwall Park Trust Board, where the existing structures are no longer required for the purpose of the designation, they shall be remediated or removed at the requiring authority's expense, subject to the requiring authority obtaining all necessary approvals for the proposed remediation or removal works. The remediation or removal must be in accordance with a remediation or removal plan. The plan must be approved by the Council, unless otherwise agreed with the Cornwall Park Trust Board. Where the structures are to be remediated, they shall be made structurally secure and be remediated to remedy any visual impacts such that the final remediation is consistent with the character of the surrounding area.

Attachments

No attachments.

| | |
|--|--|
| Table reference No. | WSL006 |
| Requiring authority | Watercare Services Ltd |
| Designation number | 9422 |
| Designation purpose | Wastewater Purposes – Overflow Apron |
| Location | End of Morning Star Place and 30-36 Alberton Avenue (near Roy Clement Walkway), Mt Albert |
| Given effect to. | Yes |
| Lapse date in operative plan | NA |
| Rollover designation with no modifications | Yes |
| Description of the modification | NA |
| Notice of requirement | NA |
| Land ownership | Private |
| Land owned by the requiring authority | No. |
| Submitter | Body Corporate 346086 and St Lukes Gardens Apartments Progressive Society. Watercare Services. |
| Matters addressed in submission | This designation relates to an overflow structure of the Edenvale Branch sewer, which takes the form of an apron on a portion of the submitter's property which contains a number of apartment buildings. Watercare Services has requested some minor changes to the wording of the designation so that it is referred to as an overflow structure rather than an overflow apron. The Body Corporate 346086 and St Lukes Gardens Apartments Progressive Society oppose the designation to the extent that Watercare will try and rely on it to undertake works in addition to that covered by the easement instrument. |
| Engagement by requiring authority with submitters. | Watercare has advised that it has made contact with the submitter to work towards a resolution of the submission. |
| Assessment and reasons | The submission from Watercare Services relates to minor corrections and should be accepted. The submission from Body Corporate 346086 and St Lukes Gardens Apartments Progressive Society relates to works that the requiring authority may do in relation to the new central interceptor project that is subject to another designation. Any works other than the existing apron will require an outline plan of works to be submitted to the Council. Any works outside of the designation will not be able to be carried out and will be identified when the outline plan of works is submitted to the Council. In my view it is not appropriate that this designation be deleted to prevent something happening under another designation. |
| Recommendation | That minor amendments be made to designation 9422. |

| | |
|---------------------------------------|--|
| Recommendation to Panel | <ol style="list-style-type: none"> 1. Amend Designation Schedule as follows: “Wastewater Purposes – Overflow Apron <u>Structure</u>” 2. Amend designation text as follows: <ol style="list-style-type: none"> a. “Wastewater Purposes – Overflow Apron <u>Structure</u>” |
| Response from requiring authority | <p>Agrees, in particular that:</p> <ul style="list-style-type: none"> • The submission from Body Corporate 346086 and St Lukes Garden Apartments Progressive Society relate to work that Watercare may do in relation to the Central Interceptor project, which is subject to another designation and is not work to be covered under this existing designation for the existing structure. • It is not appropriate that Designation 9422 be deleted to prevent something happening under another designation. <p>Wish to be heard and to attend mediation on matters raised by submitter, if these are to be pursued.</p> <p>Watercare has engaged with the submitter (Body Corporate 346086 and St Lukes Gardens Apartments Progressive Society) but is still awaiting a response.</p> |
| Reporting Officer comment on response | It has been confirmed that the submission from Body Corporate 346086 and St Lukes Gardens Apartments Progressive Society has now been withdrawn. |
| Recommendation from Panel | The Panel agrees with the report writer’s recommendations. |
| Reasons | The Panel agrees with the report writer’s reasons. |

WSL 006 Attachment 1 changes to text of Proposed Auckland Unitary Plan

Designation Schedule - Watercare Services Ltd (2/3)

Central

| | | |
|---------|---|--|
| ...9422 | Wastewater Purposes - Overflow <u>Structure</u> Apron | End of Morning Star Place and 30-36 Alberton Avenue (near Roy Clement Walkway), Mount Albert |
|---------|---|--|

....

9422 Edendale Branch Overflow Structure ~~Apron~~

| | |
|----------------------|---|
| Designation Number | 9422 |
| Requiring Authority | Watercare Services Ltd |
| Location | End of Morning Star Place and 30-36 Alberton Avenue (near Roy Clement Walkway), Mt Albert |
| Rollover Designation | Yes |
| Legacy Reference | Designation E06-06, Auckland Council District Plan (Isthmus Section) 1999 |

| | |
|------------|--------------------------------------|
| Lapse Date | Given effect to (i.e. no lapse date) |
|------------|--------------------------------------|

Purpose

Wastewater purposes - overflow apron structure.

WSL 006 Attachment 2 changes to Proposed Auckland Unitary Plan maps

**Change designation map name to 9422 Edendale Branch Overflow Structure
~~Apron~~**

| | |
|--|---|
| Table reference No. | WSL007 |
| Requiring authority | Watercare Services Ltd |
| Designation number | 9446 |
| Designation purpose | Water Supply Purposes – Water Reserve |
| Location | 122R and 122S Neilson Street and 43 Galway Street Onehunga |
| Given effect to. | Yes |
| Lapse date in operative plan | NA |
| Rollover designation with no modifications | Yes |
| Description of the modification | NA |
| Notice of requirement | NA |
| Land ownership | Council and Private |
| Land owned by the requiring authority | No |
| Submitter | Tram Lease Limited and Viaduct Holdings Limited and Viaduct Harbour Management Limited. Watercare Services. |
| Matters addressed in submission | <p>This designation relates to a water protection reserve in Onehunga. The greater portion of the reserve area is Council reserve with a small area located on 43 Galway Street being in the ownership of Tram Lease Limited. Its purpose is to protect the existence of the aquatic moss <i>Fissidens bertatoi</i>, indigenous vegetation and wildlife. A minimum water flow in the Bycroft Stream is required to protect the wetland.</p> <p>The submitter seeks that the designation be amended by deleting that portion that relates to 43 Galway Street.</p> <p>Watercare Services has requested some minor changes to the wording of the designation updating references from the operative plan to the Unitary Plan.</p> |
| Engagement by requiring authority with submitters. | <p>Watercare has advised that it is in discussions with the Council about the transfer of this designation to the Council as the purpose of the designation is for a water reserve and not for water supply purposes.</p> <p>Watercare has not yet directly engaged with the submitter but it has advised their counsel that it is considering their submission and investigating background material relating to this matter.</p> |
| Assessment and reasons | <p>I am of the opinion that the designation should be transferred to the Council if it is to be retained. It seems as though the Council is the body that would be financially responsible for the ongoing ownership and maintenance of the reserve.</p> <p>If the designation was retained the Council would be also be responsible for the purchase of additional reserve land from the submitter rather than Watercare.</p> |

| | |
|---|---|
| | It is not practicable to make a considered recommendation on this submission until the matter of the transfer of the designation has been agreed. |
| Initial recommendation | NA |
| Response from requiring authority prior to hearing. | <p>Agrees.</p> <p>Does not wish to be heard and no mediation considered necessary.</p> <p>Watercare is awaiting a response from the Council in relation to this designation and has updated the submitter (Tram Lease Limited) of progress made in relation to the concerns raised in the submission.</p> <p>The Council's and Watercare's agreement to the transfer of the designation to Auckland Council is recorded in a joint memorandum of Auckland Council and Watercare dated 9 October 2015. That memorandum also recorded Council's intention to continue to engage with the submitter – Tram Lease Ltd.</p> <p>A memorandum dated 16 October 2015 set out the position of Tram Lease Ltd in response to the above and requested a hearing.</p> |
| Reporting officer comment on response | Agree that the designation should be transferred to the Council and cover the land set out in the submitter's statement. |
| Further reporting officer assessment in response to hearing evidence. | <p>Evidence from Watercare and Auckland Council reiterated the agreement to transfer the designation to Auckland Council.</p> <p>At the hearing the evidence from Tram Lease Ltd stated: Assuming that Council will now proceed to acquire part of the site (as shown on Mr McGarr's Attachment A and Mr Cross's Attachment 1) under the Public Works Act 1981 and compensate them, the Submitters agree that it would be appropriate to extend Designation ID 9446 to include the ONF overlay area. Their submission is amended accordingly.</p> <p>Auckland Council's closing statement stated that: The Council wishes to clarify that it has not made any representation to Tram Lease of its intention to acquire the land under the Public Works Act 1981.</p> <p>Therefore there is agreement in principle among the parties except for expectations on the purchase of land. The Panel's jurisdiction does not however extend to making recommendations to requiring authorities on the acquisition of land within designations.</p> <p>If the designation is to be transferred to Council,</p> |

| | |
|---------------------------|--|
| | consequential changes are required to the text of the designation conditions. |
| Recommendation from Panel | The Panel recommends transfer of the designation from Watercare Services Ltd to Auckland subject to modification of the text of the designation as set out in Attachment 1, and modification of the designation boundaries as set out in Attachment 2. |
| Reasons | <p>Watercare, Auckland Council and Tram Lease Ltd had reached agreement that the designation should be transferred to Council and that the boundary be extended to include the habitat of the aquatic moss <i>Fissidens bertaroi</i>.</p> <p>The Panel agrees with this because the transfer and boundary change reflects the agreed purpose of the designation as a reserve to protect the habitat of the aquatic moss <i>Fissidens bertaroi</i> and is reasonably necessary to achieve the objectives of the requiring authority.</p> <p>The Panel also notes that it does not have the jurisdiction to recommend purchase of land by a requiring authority at a particular point in time or in general.</p> |

WSL 007 Attachment 1 changes to text of Proposed Auckland Unitary Plan

Designation Schedule - Watercare Services Ltd (2/3)

Central

| | | |
|---------|---|--|
| ...9446 | Water supply purposes – water protection reserve | 122R and 122S Neilson Street (Bycroft Reserve), and 43 Galway Street Onehunga |
|---------|---|--|

...

~~9446 Bycroft Reserve Water Protection Reserve~~

| | |
|----------------------|--|
| Designation Number | 9446 |
| Requiring Authority | Watercare Services Ltd |
| Location | 122R and 122S Neilson Street (Bycroft Reserve) and 43 Galway Street, Onehunga |
| Rollover Designation | Yes |
| Legacy Reference | Designation H10-31, Auckland Council District Plan (Isthmus Section) 1999 |
| Lapse Date | Given effect to (i.e. no lapse dates) |

Purpose

~~Water supply purposes – water protection reserve.~~

Conditions

1. Establishment of a Water Protection Reserve will be a permitted activity provided that:
 - a. Activities shall be in accordance with the rules for the Open Space 2 zone and the following relevant parts of the District Plan;
 - b. Measures shall be taken to protect the existence of the aquatic moss *Fissidens bertaroi*, indigenous vegetation and wildlife; and
 - c. The Requiring Authority will discuss appropriate measures with the Auckland Council to ensure minimum water flow of 30m³/day (0.31 l/sec) in the Bycroft Stream is maintained to protect the wetland.

Attachments

No attachments.

Designation Schedule - Auckland Council (2/3)

Central

| | | |
|--------|---------------------------------|---|
| ...556 | <u>Water protection reserve</u> | <u>Bycroft Reserve, 122R and 122S Neilson Street, and 43 Galway Street Onehunga</u> |
|--------|---------------------------------|---|

556 Bycroft Reserve Water Protection Reserve

| | |
|-----------------------------|---|
| <u>Designation Number</u> | <u>556</u> |
| <u>Requiring Authority</u> | <u>Auckland Council</u> |
| <u>Location</u> | <u>Bycroft reserve, 122R and 122S Neilson Street and 43 Galway Street, Onehunga</u> |
| <u>Rollover Designation</u> | <u>Yes</u> |
| <u>Legacy Reference</u> | <u>Designation H10-31, Auckland Council District Plan (Isthmus Section) 1999</u> |
| <u>Lapse Date</u> | <u>31 August 2022</u> |

Purpose

Water protection reserve to protect the aquatic moss *Fissidens bertaroi* and its habitat.

Conditions

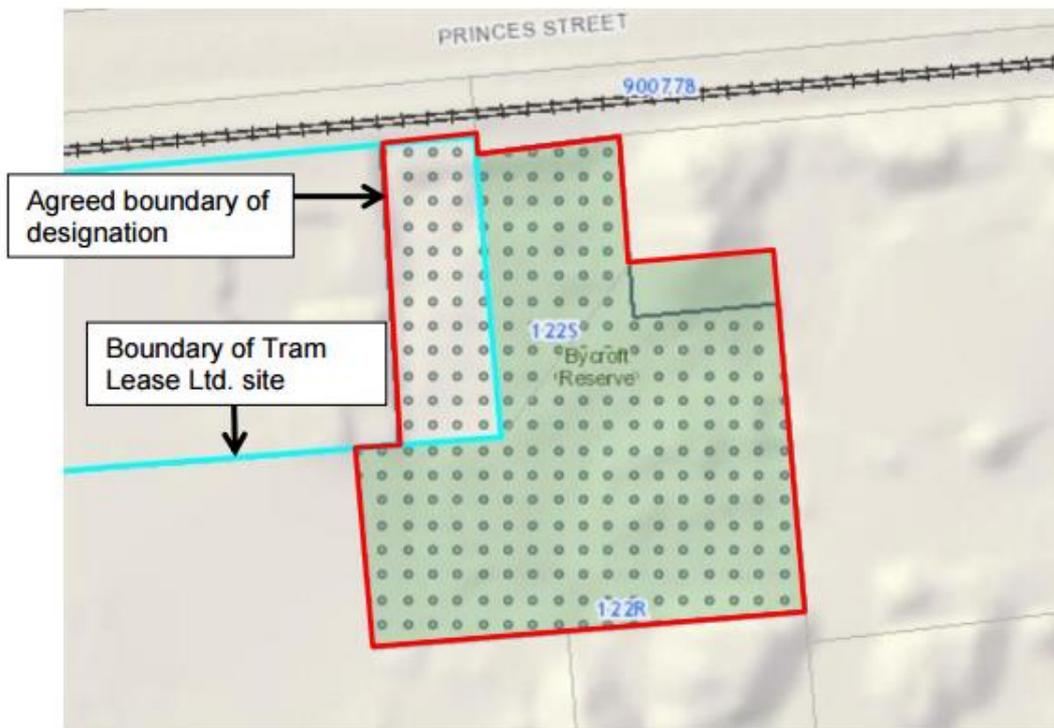
1. Measures shall be taken to protect the existence of the aquatic moss *Fissidens bertaroi*, indigenous vegetation and wildlife; and
2. The requiring authority shall use appropriate measures to ensure minimum water flow of 30m³/day (0.31 l/sec) in the Bycroft Stream is maintained to protect the wetland.

Attachments

No attachments.

WSL 007 Attachment 2 changes to Proposed Auckland Unitary Plan maps

Delete designation 9446 and insert a new designation 556 Bycroft Reserve Water Protection Reserve with amended boundary as follows:



| | |
|--|--|
| Table reference No. | WSL008 |
| Requiring authority | Watercare Services Ltd |
| Designation number | 9502 |
| Designation purpose | Wastewater purposes – Mangere Wastewater Treatment Plant |
| Location | 500 Island Road, Mangere Bridge |
| Given effect to. | Yes |
| Lapse date in operative plan | NA |
| Yes | Yes |
| Description of the modification | NA |
| Notice of requirement | NA |
| Land ownership | Requiring authority |
| Land owned by the requiring authority | Yes |
| Submitter | Frederick A Buck Auckland Council Watercare Services K Vernon – FS347 Jenny and Eamon Holdings Ltd FS2279 John Sanderson FS3079 Lyn Hume FS3038 David Lourie FS3748 Waiheke Island Community Planning Group FS3412 Watercare FS3062 Auckland Chamber of Commerce 1250 |
| Matters addressed in submission | <p>This designation relates to the Mangere treatment plant.</p> <p>F A Buck seeks that the wastewater discharged from the Mangere treatment plant be piped through the western hills and into deep water of the west coast.</p> <p>Watercare Services seeks to replace the diagram in 5.7 with a corrected diagram. Auckland Council seeks to remove the odour buffer from the same diagram.</p> <p>The further submissions are all general in nature and do not impact on the specific designation.</p> <p>The submission from the Auckland Chamber of Commerce is a general submission in support of the Watercare submission.</p> <p>The submission from Ngati Tamatera Treaty Settlement Trust does not address this point.</p> <p>The Heritage New Zealand submission does not affect this designation.</p> |
| Engagement by requiring authority with submitters. | Watercare has advised that has made contact with Mr Buck but the parties have been unable to resolve the issues to date. Watercare intends to continue to engage with the submitter. |

| | |
|-----------------------------------|---|
| | Watercare supports the change proposed by the Council but needs to fully review the Council map before agreeing to the change. |
| Assessment and reasons | <p>At this time the submitter has provided no evidence why the treated water from the treatment plant should be piped further out to the deep ocean. Without such evidence I am unable to recommend that the designation be amended in the manner proposed by the submitter. Any such change will also involve other discharge consents and designation of land outside the current designation which is likely to be beyond the scope of the Panel or Council to require from the requiring authority.</p> <p>With respect to the change requested by Auckland Council this seeks to correct a plan which has shown the area of the odour buffer (designation 9503) within designation 9502. This correction is appropriate but the final plan will need to be agreed between the parties.</p> |
| Recommendation to Panel | It is recommended that the designation be amended generally as requested by the Council subject to the final plan being agreed. |
| Response from requiring authority | <p>Agree. Do not wish to be heard and no mediation considered necessary.</p> <p>Watercare will work with the Council to agree and provide a corrected plan to the Panel for inclusion in this designation.</p> <p>The parties have agreed on a revised Figure 5.7 which is attached to this report. It is recommended that the designation be amended to reflect this agreement.</p> |
| Recommendation from Panel | The Panel agrees with the report writer's recommendations. |
| Reasons | The Panel agrees with the report writer's reasons. |

WSL 008 Attachment 1 changes to text of Proposed Auckland Unitary Plan

Replace Figure 5.7 with the following diagram.

Designation 9502 (Mangere Wastewater Treatment Plant) - Amended Figure 5.7

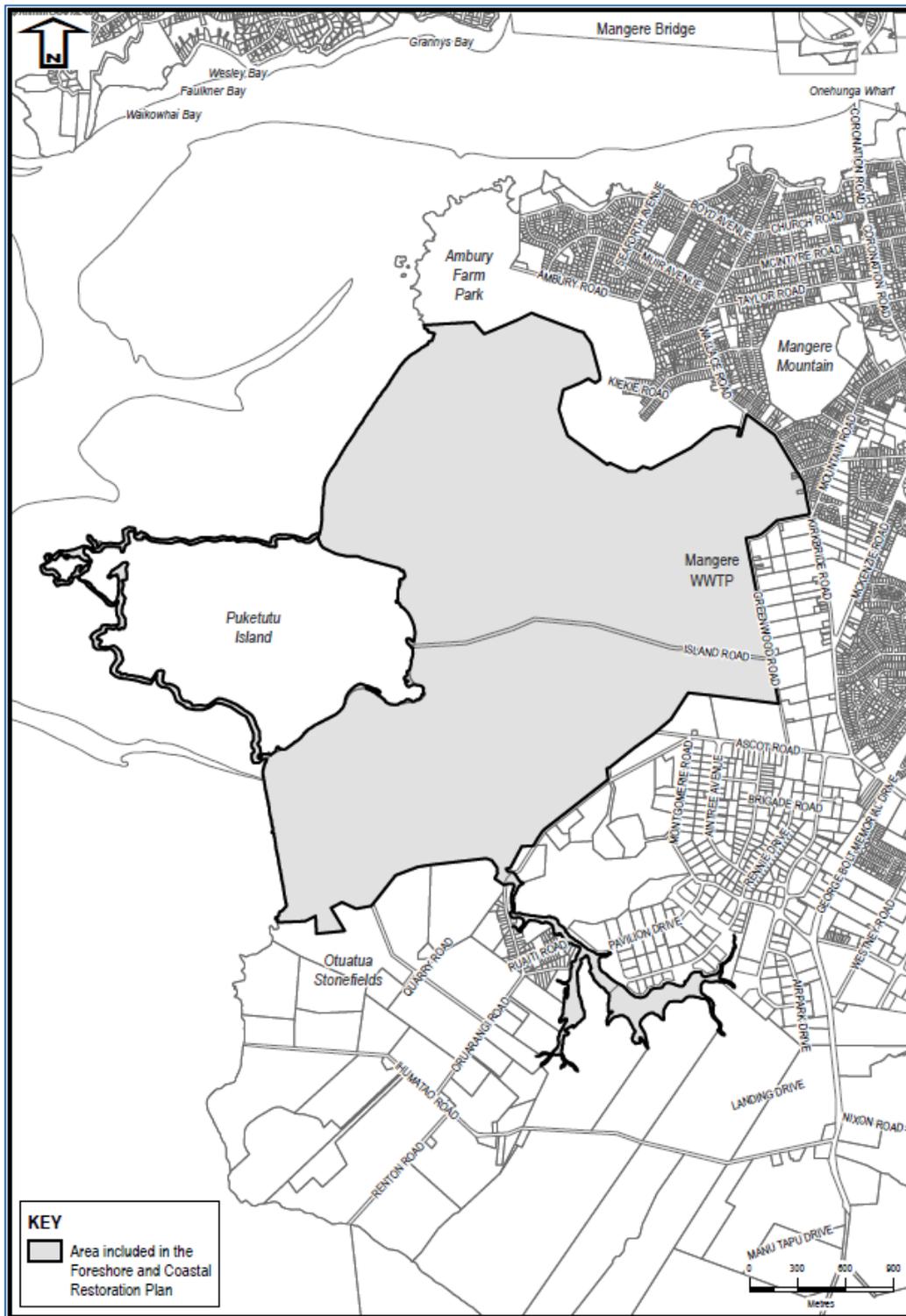


Figure 5.7 - Area Included in the Foreshore and Coastal Restoration Plan

| | |
|--|---|
| Table reference No. | WSL009 |
| Requiring authority | Watercare Services Ltd |
| Designation number | 9565 |
| Designation purpose | Wastewater purposes – pump station and associated structures |
| Location | 152 and 158 Park Estate Road, Hingaia |
| Given effect to. | Yes |
| Lapse date in operative plan | NA |
| Rollover designation with no modifications | Yes |
| Description of the modification | NA |
| Notice of requirement | NA |
| Land ownership | Requiring authority and Hugh Green Group |
| Land owned by the requiring authority | NA |
| Submitter | Hugh Green Group CDL Land New Zealand New Sun Developments |
| Matters addressed in submission | This submission relates to the extent of a pump station designation at Hingaia. |
| Engagement by requiring authority with submitters. | Watercare has advised that they have engaged with Hugh Green Group and reached an agreement that the extent of this designation as shown on the planning maps is incorrect and should be amended. A copy of this agreement is attached. |
| Assessment and reasons | I consider that this is largely a matter between the parties as it simply relates to the spatial extent of the designation. |
| Recommendation | It is recommended that the designation be amended as generally agreed by the parties. |
| Recommendation to Panel | Amend the extent of designation 9565 as set out in the plans attached to the Joint Memorandum of Counsel for Watercare Services Limited and Hugh Green Group Limited dated 5 August 2015 as included as WSL 009 Attachment 2 below. |
| Response from requiring authority | Agrees. Does not wish to be heard and no mediation considered necessary. |
| Recommendation from Panel | Panel agrees with the report writer's recommendations. |
| Reasons | The Panel agrees with the report writer's reasons. |

WSL 009 Attachment 1 changes to text of PAUP

Designation Schedule - Watercare Services Ltd (3/3)

South

| | | |
|---------|--|---|
| ...9565 | Wastewater purposes - pump station and associated structures | Part of 152 and 158 Park Estate Road, Hingaia |
|---------|--|---|

....

9565 Hingaia Pump Station

| | |
|----------------------|--|
| Designation Number | 9565 |
| Requiring Authority | Watercare Services Ltd |
| Location | 152 and 158 Park Estate Road, Hingaia |
| Rollover Designation | Yes |
| Legacy Reference | Designation 10, Auckland Council District Plan (Papakura Section) 1999 |
| Lapse Date | Given effect to (i.e. no lapse date) |

Purpose

Wastewater purposes - pump station and associated structures.

Conditions

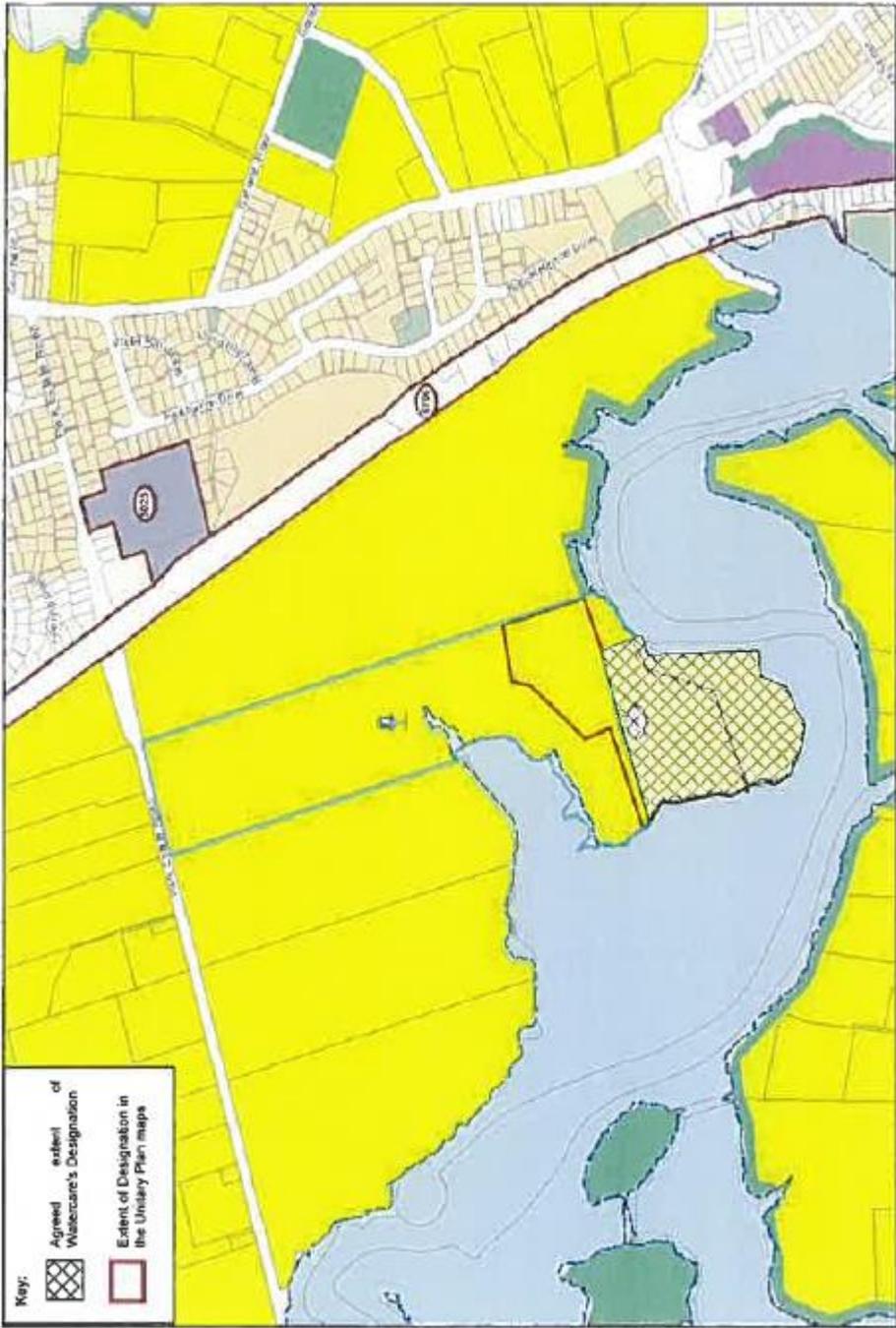
No conditions.

Attachments

No attachments.

WSL 009 Attachment 2 changes to Proposed Unitary Plan maps

Amend the designation boundary to match the hatched area below, except that the designation boundary should not extend beyond mean high water springs.



| | |
|--|---|
| Table reference No. | WSL010 |
| Requiring authority | Watercare Services Ltd |
| Designation number (s) | 9312, 9313, 9314, 9315, 9316, 9317, 9318, 9319, 9320 |
| Designation purpose | 9312 - Water Supply – pump station and associated structures 9313 - Water Supply – pump station and associated structures 9314 - Water Supply – pump station and associated structures 9315 - Water Supply – pump station and associated structures 9316 - Water Supply – pump station and associated structures 9317 - Water Supply – pump station and associated structures 9318 - Water Supply – pump station and associated structures 9319 - Water Supply – pump station and associated structures 9320 - Water Supply – pump station and associated structures |
| Location | 9312 - 22B Easter Parade Glen Eden 9313 – 161C Colwill Road, Massey 9314 – 47A Phillip Avenue, Glen Eden 9315 – 126 McEntee Road, Waitakere 9316 – 270 Don Buck Road, Massey 9317 – 893 and 895 Scenic Drive North, Swanson 9318 – 272A Scenic Drive, Titirangi 9319 – 19 Bush Road, Waitatarua 9320 – 1076A Huia Road, Huia |
| Given effect to. | Yes |
| Lapse date in operative plan | NA |
| Rollover designation with no modifications | No |
| Description of the modification | In the operative district plan these designations are subject to general conditions that require compliance with the following rules; <ul style="list-style-type: none"> • District Plan noise rules; • District Plan natural hazard rules • District Plan Hazardous facilities rules • District Plan heritage rules • District plan air discharges rules • District Plan odour rules • District Plan Glare rules • District Plan vibration rules • Natural Area Rules <p>The designations which were previously Waitakere City Council designations have been rolled over into the Proposed Auckland Unitary Plan without the corresponding conditions.</p> |

| | |
|--|---|
| | The conditions that relate to these designations in the Proposed Auckland Unitary Plan include conditions relating to the need for an outline plan of works for new works, a requirement for appropriate erosion and sediment control and a construction noise condition. |
| Notice of requirement | NA |
| Land ownership | Watercare Services |
| Land owned by the requiring authority | Yes |
| Submitter | Watercare Services |
| Matters addressed in submission | Watercare Services has requested some minor changes (9312, 9313, 9314, 9315, 9317, 9319). It has also requested that designations 9316, 9318 and 9320 be retained as notified. |
| Engagement by requiring authority with submitters. | NA |
| Assessment and reasons | <p>Turning first to the amendments requested by Watercare I consider that the changes sought are minor in effect and will achieve improved consistency within the Unitary Plan.</p> <p>The change between the operative designations and the designations in the Proposed Auckland Unitary Plan has the potential to result in adverse effects that may be more than minor as the designations will be subject to fewer conditions especially in respect of the operation of the pump stations.</p> <p>It is necessary in my view to first examine whether the conditions are still relevant and whether a reference to another rule is relevant. I have made an assessment of these and have concluded that the conditions are not necessary if regional rules apply in respect of a particular matter. I also consider that a condition is not necessary if it relates to construction matters as these designations are already in place.</p> <p>Based on the above assessment I consider that the rules that may be relevant to these designations are:</p> <ul style="list-style-type: none"> • District Plan noise rules; • District Plan Hazardous facilities rules; • District Plan vibration rules. <p>(The Proposed Auckland Unitary Plan does not appear to include glare rules.)</p> <p>The changes proposed do not make any change to the purpose of the designations and to the need for the designations.</p> <p>In terms of effects there is potential for additional adverse effects especially in terms of operational noise and vibration. Currently the pump stations are required to comply with the relevant district plan rules, which acts to protect neighbours</p> |

| | |
|---------------------------------------|--|
| | <p>from adverse effects.</p> <p>Overall I consider that these designations should remain subject to a limited range of Unitary Plan rules aimed at managing the adverse effects of the operation of the pump stations.</p> |
| Recommendation | It is recommended that the designation be amended to reflect the changes requested by Watercare and to make the designations more consistent with the operative designations. |
| Recommendation to Panel | <ol style="list-style-type: none"> 1. Amend designation 9312 - as set out in Attachment 1. 2. Amend designation 9313 - as set out in Attachment 1. 3. Amend designation 9314 - as set out in Attachment 1. 4. Amend designation 9315 - as set out in Attachment 1. 5. Amend designation 9316 - as set out in Attachment 1. 6. Amend designation 9317 - as set out in Attachment 1. 7. Amend designation 9318 - as set out in Attachment 1. 8. Amend designation 9319 - as set out in Attachment 1. 9. Amend designation 9320 - as set out in Attachment 1. 10. Amend the Designation Schedule as set out in Attachment 2. |
| Response from requiring authority | <p>Disagrees. Wishes to be heard.</p> <p>Watercare sought no amendments to the conditions. The submission only seeks to correct the description of the purpose.</p> |
| Reporting Officer comment on response | <p>The requiring authority has provided a letter outlining the approach taken to the rollovers of these designations. I have also sought information from the requiring authority concerning the likely noise levels that the items will create.</p> <p>Watercare has advised that:</p> <p>Water Supply reservoirs - The reservoirs don't have any pumps on site and are filled via the transmission network. No noise would be associated with the sites.</p> <p>Wastewater pump stations - Generally the water pump stations have very quiet pumps and all that is heard is a humming noise which wouldn't be noticeable at our boundaries. We don't have any noise complaints for the wastewater sites, even though nearly all of our WWPS are located right near houses. The only complaints we get regarding noise at our sites are if the pumps "run on" due to a faulty or tangled float this shows up on SCADA and the contractors respond within an hour if a call is received.</p> |

| | |
|---------------------------|---|
| | <p>Given this, our view remains that there is no need to impose a noise rule on these sites. Watercare has about 500 wastewater pump stations across the region with no operational noise conditions. There is no reason to impose a condition on three of these.</p> <p>Based on this response and based on the fact that the vast majority of wastewater pumps stations have no operational noise conditions I have concluded that is likely to be little need or benefit of including noise conditions on this limited range of pump stations. This is especially the case given that there are no equivalent conditions on other designated pump stations in the Proposed Auckland Unitary Plan.</p> <p>Therefore I recommend that the designations 9312, 9313, 9314, 9315, 9316, 9317, 9318, 9319 9320 be confirmed subject to the amendments as set out in WSL 010 Attachment 1.</p> |
| Recommendation from Panel | The Panel agrees with the report writer's recommendations. |
| Reasons | The Panel agrees with the report writer's reasons. |

WSL 010 Attachment 1 changes to text of Proposed Auckland Unitary Plan

Amend the designation schedule as follows:

| | | |
|------|---|---|
| 9312 | Water supply <u>Wastewater</u> purposes - pump station and associated structures | 22B Easter Parade, Glen Eden |
| 9313 | Water supply <u>Wastewater</u> purposes - pump station and associated structures | 161C Colwill Road, Massey |
| 9314 | Water supply <u>Wastewater</u> purposes - pump station and associated structures | 47A Phillip Avenue, Glen Eden |
| 9315 | Water supply purposes - reservoirs and associated structures | 126 McEntee Road, Waitakere |
| 9316 | Water supply purposes - reservoir and associated structures | 270 Don Buck Road, Massey |
| 9317 | Water supply purposes - reservoirs and associated structures | 893 and 895 Scenic Drive North, Swanson |
| 9318 | Water supply purposes - | 272A Scenic Drive, Titirangi |

| | | |
|------|--|-------------------------|
| | reservoir and associated structures | |
| 9319 | Water supply purposes - reservoirs and associated structures | 19 Bush Road, Waiatarua |
| 9320 | Water supply purposes - reservoir and associated structures | 1076A Huia Road, Huia |

| | |
|--|--|
| Table reference No. | WSL011 |
| Requiring authority | Watercare Services Ltd |
| Designation number (s) | 9321, 9322, 9324, 9323, 9409, 9410, 9417, 9418, 9423, 9427, 9428, 9429, 9430, 9431, 9432, 9434, 9435, 9437, 9457, 9458, 9511 (note 9430, 9431 and 9432 also reported on in WSL005). |
| Designation purpose | Various |
| Location | Various |
| Given effect to. | Yes |
| Lapse date in operative plan | NA |
| Rollover designation with no modifications | NA |
| Description of the modification | NA |
| Notice of requirement | NA |
| Land ownership | NA |
| Land owned by the requiring authority | NA |
| Submitter | Heritage New Zealand Character Coalition |
| Matters addressed in submission | <p>These submissions are part of a wider submission that Heritage New Zealand the Character Coalition lodged in respect of all designations.</p> <p>These submissions sought that where a designation contains scheduled heritage, the terms and conditions of the designation should provide for the protection of the historic heritage. Where the designation does not include heritage an advice note should be included regarding the application of the Historic Places Act 2003.</p> <p>Watercare has also made submissions on these designations, either seeking that the designations be retained or for the purposes of minor corrections.</p> |
| Engagement by requiring authority with submitters. | <p>Watercare has advised that they have engaged with Heritage New Zealand (which is also acting on behalf of the Character Coalition).</p> <p>The parties have agreed that designations 9321, 9322, 9323 and 9324 already contain appropriate conditions and require no further change.</p> <p>Heritage New Zealand has also advised that no condition is required in respect of 9458.</p> |
| Assessment and reasons | <p>The majority of these submissions relate to the various maunga in Auckland but not exclusively so. Some relate to heritage structures and buildings.</p> <p>As the parties are in ongoing discussions this report will not provide a recommendation at this stage and it will be up to the parties to report progress on 16th September. Mediation may be appropriate if agreement cannot be reached by that date.</p> |

| | |
|---------------------------------------|--|
| Initial recommendation to Panel | NA |
| Response from requiring authority | <p>Agrees.</p> <p>Wishes to be heard and consider mediation could be useful.</p> <p>These are the designations identified by Heritage New Zealand as being subject to its submission. Watercare is engaging with Heritage New Zealand to try to address its concerns.</p> <p>As identified in the report the parties have already agreed designations 9321, 9322, 9323, 9324 and 9458 do not require any additional conditions.</p> <p>Watercare notes that it appears 9407 has been mistakenly included in this list of designations whereas 9409 has been mistakenly left out.</p> |
| Reporting Officer comment on response | <p>Noted with the error 9407/9409 corrected above.</p> <p>It is also recommended that the minor changes set out in the Watercare submissions concerning these designations be agreed.</p> <p>The parties have since agreed on the remaining outstanding matters as set out in the joint memorandum of 17 November 2015. This agreement resulted in amendments to the conditions for 9409, 9410 and 9511. These amendments are included in WSL 011 Attachment 1 below.</p> |
| Updated recommendation to Panel | That the designations be amended as agreed by the parties. |
| Recommendation from Panel | The Panel agrees with the report writer's recommendations. |
| Reasons | The Panel agrees with the report writer's reasons. |

WSL 011 Attachment 1 changes to text of Proposed Auckland Unitary Plan

Designation Schedule - Watercare Services Ltd (2/3)

Central

| | | |
|---------|---|---|
| ...9410 | Water supply purposes – reservoir, <u>and associated structures</u> | 20 Park Road (Auckland Domain), Grafton |
|---------|---|---|

...

9322 Waitakere Ranges Catchment Headworks Services Land

| | |
|---------------------|------------------------|
| Designation Number | 9322 |
| Requiring Authority | Watercare Services Ltd |
| Location | Waitakere Ranges |

| | |
|----------------------|---|
| Rollover Designation | Yes |
| Legacy Reference | Designation WSL2, Auckland Council District Plan (Waitakere Section) 2003 |
| Lapse Date | Given effect to (i.e. no lapse date) |

Purpose

Water supply purposes - headworks services land.

9409 Khyber Reservoir Complex and Pump Station

| | |
|----------------------|---|
| Designation Number | 9409 |
| Requiring Authority | Watercare Services Ltd |
| Location | 230 - 250 Symonds Street, Grafton |
| Rollover Designation | Yes |
| Legacy Reference | Designation C08-14, Auckland Council District Plan (Isthmus Section) 1999 |
| Lapse Date | Given effect to (i.e. no lapse date) |

Purpose

Water supply purposes - reservoirs, pump station and associated structures.

Conditions

~~No conditions.~~

1. The provisions of Section 176A of the RMA shall apply to the activities within the designation.
2. Notwithstanding condition (1.) above, where any construction works for a project within the designation include the total or substantial demolition of or modifications (beyond minor upgrades or alterations, maintenance or repair) to the pump station, any Outline Plan of Works that is required shall include:
 - a. an assessment of the effects of the historic heritage values of the pump station; and
 - b. a consideration of alternative methods and/or appropriate mitigation where practicable to avoid or minimise damage, loss or destruction of the historic heritage values of the pump station.

Exemptions

Condition 2 does not apply in the following circumstances:

- i. in recognition that the pump station is part of Auckland's existing water supply network, any works that:
 - (A.) involve the installation, replacement or removal of any pipelines and associated infrastructure that does not destroy, compromise, damage or impair the historic heritage values of the pump station;
 - (B.) are required to meet Health and Safety requirements;
 - (C.) involve the installation, replacement or removal of signage for safety

reasons:

- (D.) involve upgrading of any fencing required around the site;
- (E.) are emergency works; or
- (F.) are required for any structural strengthening required to be undertaken to the pump station to ensure the pump station is reasonably structurally sound and meets the requirements of the Building Act, acknowledging that such strengthening is to be undertaken in a way that does not detract from those features for which the pump station has been scheduled.

Attachments

No attachments.

9410 Auckland Domain Reservoir

| | |
|----------------------|---|
| Designation Number | 9410 |
| Requiring Authority | Watercare Services Ltd |
| Location | Auckland Domain, 20 Park Road, Grafton |
| Rollover Designation | Yes |
| Legacy Reference | Designation C09-18, Auckland Council District Plan (Isthmus Section) 1999 |
| Lapse Date | Given effect to (i.e. no lapse date) |

Purpose

Water supply purposes - reservoir and associated structures.

Conditions

~~No conditions.~~

1. The provisions of Section 176A of the RMA shall apply to the activities within the designation.
2. Notwithstanding condition (1.) above, where any construction works for a project within the designation include the total or substantial demolition of or modifications (beyond minor upgrades or alterations, maintenance or repair) to the pump station, any Outline Plan of Works that is required shall include:
 - a. an assessment of the effects of the historic heritage values of the pump station; and
 - b. a consideration of alternative methods and/or appropriate mitigation where practicable to avoid or minimise damage, loss or destruction of the historic heritage values of the pump station.

Exemptions

Condition 2 does not apply in the following circumstances:

- i. in recognition that the pump station is part of Auckland's existing water supply network, any works that:
 - (A.) involve the installation, replacement or removal of any pipelines and associated infrastructure that does not destroy, compromise, damage or

- (B.) impair the historic heritage values of the pump station;
- (B.) are required to meet Health and Safety requirements;
- (C.) involve the installation, replacement or removal of signage for safety reasons;
- (D.) involve upgrading of any fencing required around the site;
- (E.) are emergency works; or
- (F.) are required for any structural strengthening required to be undertaken to the pump station to ensure the pump station is reasonably structurally sound and meets the requirements of the Building Act, acknowledging that such strengthening is to be undertaken in a way that does not detract from those features for which the pump station has been scheduled.

Attachments

No attachments.

9427 Three Kings Low Reservoir

| | |
|----------------------|---|
| Designation Number | 9427 |
| Requiring Authority | Watercare Services Ltd |
| Location | Big King Reserve, 113A Duke Street, Three Kings |
| Rollover Designation | Yes |
| Legacy Reference | Designation F07-05, Auckland Council District Plan (Isthmus Section) 1999 |
| Lapse Date | Given effect to (i.e. no lapse date) |

Purpose

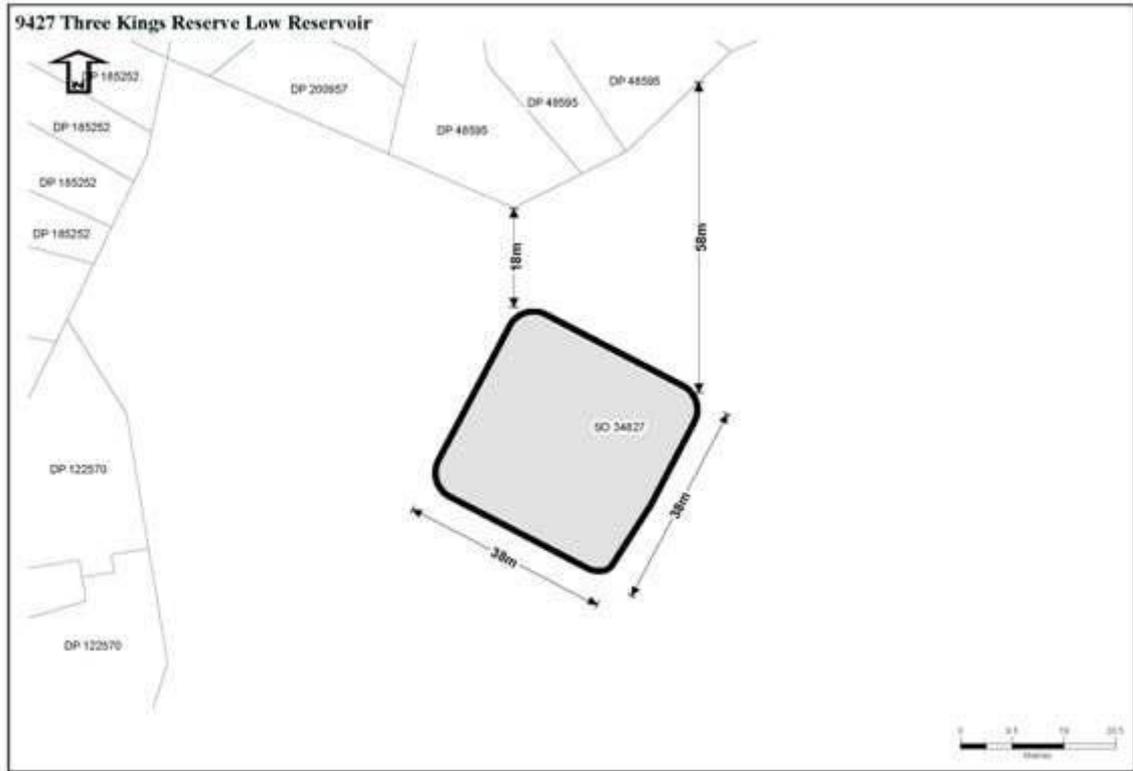
Water supply purposes - reservoir and associated structures.

Conditions

No conditions.

Attachments

Designation Plan - 9427 Three Kings Reserve Low Reservoir



9430 Campbell Road Reservoirs and Pump Station

| | |
|----------------------|---|
| Designation Number | 9430 |
| Requiring Authority | Watercare Services Ltd |
| Location | Cornwall Park, 197-211 Green Lane West, Epsom |
| Rollover Designation | Yes |
| Legacy Reference | Designation F10-14, Auckland Council District Plan (Isthmus Section) 1999 |
| Lapse Date | Given effect to (i.e. no lapse date) |

Purpose

Water supply purposes - reservoirs, pump station and associated structures.

Conditions

No conditions.

1. The scope of works associated with the designation is limited to the operation, maintenance and replacement of the existing reservoirs, pump station, and associated structures, provided that any replacement reservoir, pump station or associated structure is of the same or similar scale and location (including whether the structure is located above and/or below ground).

2. Unless otherwise agreed with the Cornwall Park Trust Board, where the existing structures are no longer required for the purpose of the designation, they shall be remediated or removed at the requiring authority's expense, subject to the requiring authority obtaining all necessary approvals for the proposed remediation or removal works. The remediation or removal must be in accordance with a remediation or removal plan. The plan must be approved by the Council, unless otherwise agreed with the Cornwall Park Trust Board. Where the structures are to be remediated, they shall be made structurally secure and be remediated to remedy any visual impacts such that the final remediation is consistent with the character of the surrounding area.

Attachments

No attachments.

9431 Cornwall Park Reservoir

| | |
|----------------------|---|
| Designation Number | 9431 |
| Requiring Authority | Watercare Services Ltd |
| Location | Cornwall Park, 197-211 Green Lane West, Epsom |
| Rollover Designation | Yes |
| Legacy Reference | Designation F10-15, Auckland Council District Plan (Isthmus Section) 1999 |
| Lapse Date | Given effect to (i.e. no lapse date) |

Purpose

Water supply purposes - reservoir and associated structures.

Conditions

~~No conditions.~~

1. The scope of works associated with the designation is limited to the operation, maintenance and replacement of the existing reservoirs, pump station, and associated structures, provided that any replacement reservoir, pump station or associated structure is of the same or similar scale and location (including whether the structure is located above and/or below ground).
2. Unless otherwise agreed with the Cornwall Park Trust Board, where the existing structures are no longer required for the purpose of the designation, they shall be remediated or removed at the requiring authority's expense, subject to the requiring authority obtaining all necessary approvals for the proposed remediation or removal works. The remediation or removal must be in accordance with a remediation or removal plan. The plan must be approved by the Council, unless otherwise agreed with the Cornwall Park Trust Board. Where the structures are to be remediated, they shall be made structurally secure and be remediated to remedy any visual impacts such that the final remediation is consistent with the character of the surrounding area.

Attachments

No attachments.

9432 Onehunga Low Reservoirs and Pump Station

| | |
|----------------------|---|
| Designation Number | 9432 |
| Requiring Authority | Watercare Services Ltd |
| Location | Cornwall Park, 197-211 Green Lane West, Epsom |
| Rollover Designation | Yes |
| Legacy Reference | Designation F10-16, Auckland Council District Plan (Isthmus Section) 1999 |
| Lapse Date | Given effect to (i.e. no lapse date) |

Purpose

Water supply purposes - reservoirs, pump station and associated structures.

Conditions

~~No conditions.~~

1. The scope of works associated with the designation is limited to the operation, maintenance and replacement of the existing reservoirs, pump station, and associated structures, provided that any replacement reservoir, pump station or associated structure is of the same or similar scale and location (including whether the structure is located above and/or below ground).
2. Unless otherwise agreed with the Cornwall Park Trust Board, where the existing structures are no longer required for the purpose of the designation, they shall be remediated or removed at the requiring authority's expense, subject to the requiring authority obtaining all necessary approvals for the proposed remediation or removal works. The remediation or removal must be in accordance with a remediation or removal plan. The plan must be approved by the Council, unless otherwise agreed with the Cornwall Park Trust Board. Where the structures are to be remediated, they shall be made structurally secure and be remediated to remedy any visual impacts such that the final remediation is consistent with the character of the surrounding area.

Attachments

No attachments.

9457 Constitution Hill Pump Station

| | |
|---------------------|---|
| Designation Number | 9457 |
| Requiring Authority | Watercare Services Ltd |
| Location | <u>Reserve at 2 Alten Road and road reserve on Churchill Street</u> (road reserve) and Constitution Hill (road reserve), Auckland |

| | |
|----------------------|--|
| Rollover Designation | Yes |
| Legacy Reference | Designation 292, Auckland Council District Plan (Central |
| Lapse Date | Given effect to (i.e. no lapse date) |

Purpose

Wastewater purposes - pump station and associated structures.

~~Existing pump station and associated structure including a control and odour filter building. The station was built in 1920. The purpose of the pump station is to pump the wastewater collected from the area around Beach Road and Custom Street to the Orakei Main Sewer where it crosses Stanley Street. The work will include operation, maintenance, upgrading and refurbishing of the station and associated structures and any necessary temporary works.~~

Conditions

No conditions.

Attachments

No attachments.

9458 Fanshawe Street Pump Station

| | |
|----------------------|---|
| Designation Number | 9458 |
| Requiring Authority | Watercare Services Ltd |
| Location | Hardinge Street (Road reserve between 120 <u>Hardinge Street</u> and 136- 142 Fanshawe Street), Auckland Central |
| Rollover Designation | Yes |
| Legacy Reference | Designation 293, Auckland Council District Plan (Central |
| Lapse Date | Given effect to (i.e. no lapse date) |

Purpose

Wastewater purposes - pump station and associated structures.

Conditions

No conditions.

Attachments

No attachments.

9511 Wastewater purposes and Ambury Regional Park

| | |
|---------------------|---|
| Designation Number | 9511 |
| Requiring Authority | Watercare Services Ltd |
| Location | <u>Ambury Regional Park</u> , 66 Wellesley Road (Ambury Regional Park), Mangere Bridge |

| | |
|----------------------|---|
| Rollover Designation | Yes |
| Legacy Reference | Designation 153, Auckland Council District Plan (Manukau) |
| Lapse Date | Given effect to (i.e. no lapse date) |

Purpose

Wastewater purposes and Ambury Regional Park.

Conditions

No conditions.

1. The provisions of Section 176A of the RMA shall apply to the activities within the designation.
2. Notwithstanding condition (1.) above, where any construction works for a project within the designation include the total or substantial demolition of or modifications (beyond minor upgrades or alterations, maintenance or repair) to the group of stone structures or stone walled enclosures within the scheduled historic heritage extents of place, any Outline Plan of Works shall include:
 - a. an assessment of the effects on the features for which those parts of Ambury Regional Park have been scheduled; and
 - b. a consideration of alternative methods and/or appropriate mitigation where practicable to avoid or minimise damage, loss or destruction of the features for which those parts of Ambury Regional Park have been scheduled.

Exemptions

Condition 2 does not apply in the following circumstances:

- i. in recognition that the infrastructure is part of Auckland's existing water supply and wastewater network, any works that:
 - a. involve the installation, replacement or removal of any pipelines and/or related infrastructure;
 - b. are required to meet Health and Safety requirements;
 - c. are emergency works; or
 - d. are required for any structural strengthening required to be undertaken to Watercare's infrastructure within the scheduled areas to ensure the infrastructure is reasonably structurally sound, acknowledging that such strengthening is to be undertaken in a way that does not detract from those features for which those parts of Ambury Regional Park have been scheduled.

Attachments

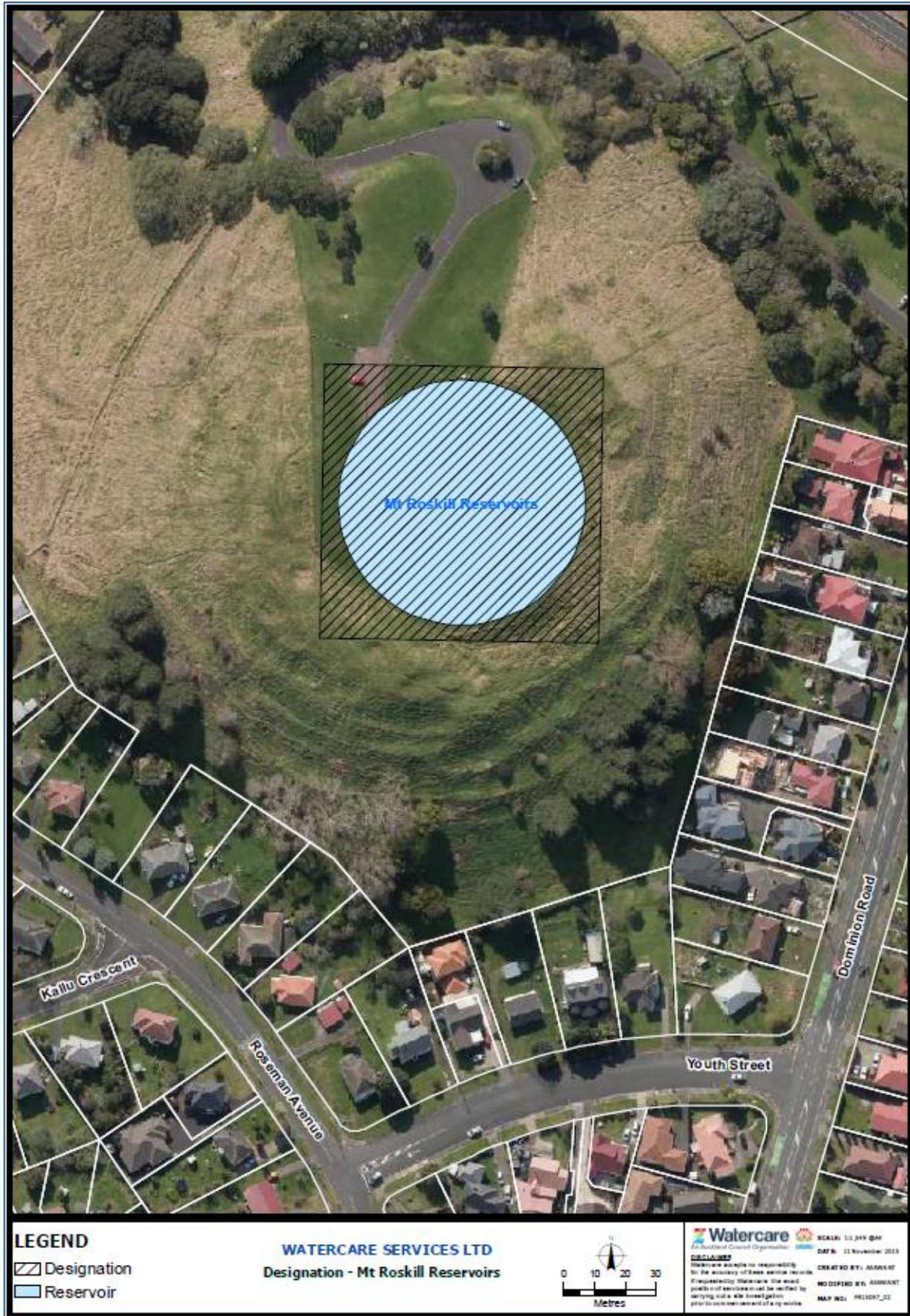
No attachments.

| | |
|--|---|
| Table reference No. | WSL012 |
| Requiring authority | Watercare Services Ltd |
| Designation number (s) | 9417, 9418, 9423, 9427, 9428, 9429, 9430, 9432, 9434, 9435, 9437 (these designations are all also assessed in WSL011, and 9430 and 9432 are also addressed in WSL005). |
| Designation purpose | Various |
| Location | Various |
| Given effect to. | Yes |
| Lapse date in operative plan | NA |
| Rollover designation with no modifications | Yes |
| Description of the modification | NA |
| Notice of requirement | NA |
| Land ownership | NA |
| Land owned by the requiring authority | NA |
| Submitter | Ngati Tamatera Treaty Settlement Trust |
| Matters addressed in submission | The Ngati Tamatera Treaty Settlement Trust is a further submitter with a general submission requesting that designations be consistent with the Nga Manawhenua o Tamaki Makaurau Collective Redress Bill. |
| Engagement by requiring authority with submitters. | Watercare has advised that it has engaged with Ngati Tamatera Treaty Settlement Trust and has advised that the bill has now become an act ((the Nga Manawhenua o Tamaki Makaurau Collective Redress Act 2014), which gives the ability to register easements over Auckland's volcanic cones where Watercare has existing water supply and wastewater infrastructure. Watercare considers that this may resolve the submitter's concerns and has sent them a letter in relation to this matter and is currently awaiting a response. |
| Assessment and reasons | <p>The majority of these submissions relate to the various maunga in Auckland.</p> <p>As the parties are in ongoing discussions this report will not provide a recommendation at this stage and it will up to the parties to report progress on 16th September. Mediation may be appropriate if agreement cannot be reached by that date.</p> |
| Recommendation to Panel | NA |
| Response from requiring authority | <p>Agrees.</p> <p>Wishes to be heard and consider mediation could be useful.</p> <p>These are the designations identified in the Ngati Tamatera Treaty Settlement Trust submission. Watercare is engaging with the Trust to try to address its concerns.</p> <p>Watercare notes that designations 9430 and 9434 appear to have been mistakenly included in this list. As Cornwall Park is not subject to the Nga Mana Whenua o Tamaki Makaurau Collective Redress Act 2014 the submission is not</p> |

| | |
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| | considered relevant to these designations. |
| Reporting Officer comment on response | <p>Noted. While the further submission relates to all the Watercare designations, designations 9430 and 9434 are not within the ambit of the Nga Mana Whenua o Tamaki Makaurau Collective Redress Act 2014 and accordingly are not related to the interests of the submitter.</p> <p>The parties have issued a joint memorandum that no changes are required apart from a correction to the alignment of the boundary of Designation 9437- Mt Roskill Reservoir, see WSL 012 Attachment 1 below.</p> |
| Updated recommendation to Panel | That the designations be amended to as agreed by the parties. |
| Recommendation from Panel | The Panel agrees with the report writer's recommendations. |
| Reasons | The Panel agrees with the report writer's reasons. |

WSL 012 Attachment 1 changes to Proposed Auckland Unitary Plan maps

Amend designation 9437 as shown in the following diagram:



| | |
|--|--|
| Table reference No. | WSL013 |
| Requiring authority | Watercare Services Ltd |
| Designation number (s) | 9414, 9433, 9436. 9540 |
| Designation purpose | 9414 – Wastewater Purposes – pump station and associated structures 9433 - Wastewater Purposes – pump station and associated structures 9436 - Wastewater Purposes – pump station and associated structures 9540- Water Supply Purposes – Hunua No.4 Waterman |
| Location | 9414 – 6 Baddeley Avenue (Madills Farm). 9433 – 200 Ireland Road 9436 32B Miranda Street (Miranda Reserve) 9540 – 396B Redoubt Road to Mangere Bridge |
| Given effect to. | Yes |
| Lapse date in operative plan | NA |
| Rollover designation with no modifications | No |
| Description of the modification | Boundary of 9414 amended. |
| Notice of requirement | NA |
| Land ownership | NA |
| Land owned by the requiring authority | NA |
| Submitter | Watercare Services |
| Matters addressed in submission | The submitter seeks some minor amendments to the wording of the submissions. The plans associated with the designations represent modifications to the designations. |
| Engagement by requiring authority with submitters. | NA |
| Assessment and reasons | The text changes are minor and will improve the integrity and usefulness of the Proposed Auckland Unitary Plan. The changes in respect of 9414 relate partially to another notice of requirement that has been lodged in respect of the operative district plan for a wider construction designation around the pump station, which will be reduced once the works are complete. This notice of requirement was made after the Proposed Auckland Unitary Plan was notified and has not been included within the Proposed Auckland Unitary Plan. Given the wider notice of requirement the small change to 9414 is considered to be minor. The changes to the plans for 9433 and 9436 are small changes to the extent of the designations. Watercare has advised me that these were agreed with the Council who is the landowner. At this stage Watercare has indicated that the reasons for these changes will be provided. I have therefore made no recommendation on these but reasons |

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| | <p>can be presented on 16 September.</p> <p>The submission in respect of designation 9540 is to reflect a consent order change when the designation 9540 was first incorporated within the district plan. Watercare should provide further evidence that the changes requested are consistent with the consent order, as the email provided in the further submission is ambiguous as to whether the mapping changes are actually a change to the consented designation.</p> |
| Recommendation | <p>It is recommended that the minor text amendments be made to the designations.</p> <p>It is recommended that the changes proposed to the maps be confirmed by Watercare on 16 September.</p> |
| Recommendation to Panel | <ol style="list-style-type: none"> 1. Amend the schedule of Watercare designations as set out in WSL 013 Attachment 1 below. 2. Amend the designation text for designation 9540 as set out in WSL 013 Attachment 1 below. |
| Response from requiring authority | <p>Agree to amend the schedule, if the suggested method is to be consistently applied across all designations in reserves.</p> <p>Agree to amend the text of Designation 9540.</p> <p>In relation to request for further information in support of modifications requested prior to notification, this can be provided in due course. Mediation could be useful in relation to those modifications.</p> |
| Updated recommendation from the report writer | <ol style="list-style-type: none"> 1. Amend the schedule of Watercare designations as set out in WSL 013 Attachment 1 below to provide consistent headings in the schedule. 2. Amend the designation text for designation 9540 as set out in WSL 013 Attachment 1 below. 3. Amend the designation maps as set out in WSL 013 Attachment 2 below. |
| Recommendation from Panel | The Panel agrees with the report writer's recommendations. |
| Reasons | The Panel agrees with the report writer's reasons. The Panel has also amended the headings in the designation tables so that the "location" details are set out consistently where the location is a reserve as agreed. This is set out in Annexure 1. |

WSL 013 Attachment 1 changes to text of Proposed Auckland Unitary Plan

1. Amend the designation schedule as follows:

| | | |
|------|--|---|
| 9414 | Wastewater purposes - pump station and associated structures | <u>Madills Farm</u> , 6 Baddeley Avenue (Madills Farm), Kohimarama |
|------|--|---|

| | | |
|------|--|---|
| 9433 | Wastewater purposes - pump station and associated structures | <u>Panmure Basin Foreshore</u> , 100 Ireland Road (Panmure Basin Foreshore), Panmure |
| 9436 | Wastewater purposes - pump station and associated structures | <u>Miranda Reserve</u> , 32B Miranda Street (Miranda Reserve), Avondale |

2. Amend the text of designation 9540 as follows;

9540 Hunua No. 4 Watermain

| | |
|----------------------|--|
| Designation Number | 9540 |
| Requiring Authority | Watercare Services Ltd |
| Location | Williams Road (Lot 1 DP 73307 and Lot 1 DP 154681), Glenbrook <u>396B Redoubt Road to Mangere Bridge, Hugh Watt Drive, Mangere.</u> |
| Rollover Designation | Yes |
| Legacy Reference | Designation 307, Auckland Council District Plan (Manukau) |
| Lapse Date | Given effect to (i.e. no lapse date) |

WSL013 Attachment 2 changes to maps in the Proposed Auckland Unitary Plan

Amend 9433 as follows:

9433 – Panmure Basin Pump Station – Revert to original designation shape file.



| | |
|--|--|
| Table reference No. | WSL014 |
| Requiring authority | Watercare Services Limited |
| Designation number (s) | 9370 – Orewa Pump Station and Associated Network, 228 Millwater Parkway, Silverdale. 9371 Massey Pump Station (Triangle Road) 2-12 Lincoln Park Avenue, Massey. |
| Designation purpose | Various as above |
| Location | Various as above |
| Given effect to. | No |
| Lapse date in operative plan | 9370 – 10 years from inclusion in plan 9371 – 10 years from inclusion in plan. |
| Rollover designation with no modifications | No |
| Description of the modification | These designations have all been rolled over with new lapse dates being reset from the date that the Unitary Plan becomes operative. |
| Notice of requirement | NA |
| Land ownership | Auckland Council |
| Land owned by the requiring authority | Yes |
| Submitter | NA |
| Matters addressed in submission | NA |
| Engagement by requiring authority with submitters. | NA |
| Assessment and reasons | Under section 78 of the Local Government (Auckland Transitional Provisions) Act 2010 the Panel has no powers to deal with the lapse dates of designations and accordingly I make no recommendation on these designations. I understand that any application to extend lapse times for designations needs to be made to the Auckland Council. |
| Recommendation to Panel | NA |
| Response from requiring authority | Watercare does not agree that the Panel is precluded from extending the lapse date of a designation. Mediation is unlikely to be helpful as the recommendation is based on a legal issue. In any event, as both designations have been given effect to, the submitter does not wish to be heard. |
| Reporting Officer comment on response | The rollover is appropriate and the issue of lapse date does not arise as both designations have now been implemented. No recommendation is required as these designations are outside of the ambit of the Panel. |
| Recommendation from Panel | The Panel recommends that the designations be amended to note that they are given effect to, as set out in WSL 014 Attachment 1. |
| Reasons | This is a minor update. |

WSL 014 Attachment 1 changes to text of Proposed Auckland Unitary Plan

Amend designation 9370 as follows:

9370 Orewa Pump Station and Associated Network (Millwater Parkway)

| | |
|----------------------|--|
| Designation Number | 9370 |
| Requiring Authority | Watercare Services Ltd |
| Location | 228 Millwater Parkway, Silverdale |
| Rollover Designation | Yes |
| Legacy Reference | Designation 954, Auckland Council District Plan (Rodney Section) 2011 |
| Lapse Date | 10 years from inclusion in the plan <u>Given effect to (i.e. no lapse date)</u> |

...

Amend designation 9371 as follows:

9371 Massey Pump Station (Triangle Road)

| | |
|----------------------|--|
| Designation Number | 9371 |
| Requiring Authority | Watercare Services Ltd |
| Location | 2-12 Lincoln Park Avenue, Massey |
| Rollover Designation | Yes |
| Legacy Reference | Designation WSL16, Auckland Council District Plan (Waitakere Section) 2003 |
| Lapse Date | 10 years from inclusion in the plan <u>Given effect to (i.e. no lapse date)</u> |

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| | |
|------------------------|---|
| Table reference No. | WSL015 |
| Requiring authority | Watercare Services Limited |
| Designation number (s) | 9300, 9301, 9302, 9303, 9306, 9308, 9310, 9311, 9312, 9321, 9322, 9323, 9324, 9325, 9326, 9327, 9328, 9329, 9330, 9331, 9332, 9333, 9335, 9336, 9337, 9338, 9344, 9346, 9348, 9349, 9350, 9352, 9353, 9354, 9355, 9358, 9360, 9364, 9366, 9368, 9400, 9402, 9405, 9406, 9407, 9412, 9415, 9424, 9425, 9438, 9439, 9440, 9442, 9443, 9444, 9445, 9447, 9458, 9501, 9503, 9504, 9507, 9510, 9513, 9519, 9521, 9525, 9526, 9531, 9534, 9536, 9537, 9539, 9540, 9544, 9545, 9546, 9547, 9548, 9550, 9552, 9553, 9557, 9558, 9559, 9567 |
| Designation purpose(s) | <ul style="list-style-type: none"> • Water supply purposes – pump station, reservoir/future reservoirs and associated structures • Water supply purposes – water catchment headworks areas • Water supply purposes – headworks services land • Water supply purposes – water treatment plant and associated structures • Wastewater purposes – storage tanks and associated structures • Wastewater purposes – wastewater treatment plant • Wastewater purposes – wastewater treatment plant and odour buffer area • Wastewater purposes – wastewater treatment plant and underground route of outfall to Mairangi Bay • Wastewater purposes – exclusion of dwellings in the area surrounding the wastewater treatment plant • Wastewater purposes – pump station and associated structures • Water supply purposes – supply well, pump station and associated structures • Water supply purposes – Hunua No. 4 Water main • Water supply purposes – headworks service land • Wastewater purposes - Area 1A-wastewater treatment purposes; Area 1B and 2-buffer area and application of biosolids from wastewater treatment plant • Wastewater purposes - pipelines, chambers and associated structures • Water supply purposes – Ardmore Water Treatment Plant • Wastewater purposes – Beachlands Wastewater Treatment Plant • Wastewater purposes - Kawakawa Bay Wastewater Treatment Plant • Wastewater purposes – Waiuku Wastewater Treatment Plant • Wastewater purposes – Clarks Beach Wastewater Treatment Plant • Wastewater purposes – Bombay Wastewater Treatment Plant • Wastewater purposes – Kingseat Wastewater Treatment |

| | |
|---|--|
| | Plant <ul style="list-style-type: none"> • Water supply purposes – Pukekohe Water Reservoir • Water supply purposes – hydraulic balancing tank • Water supply purposes – Hunua No.4 Watermain • Wastewater purposes – Puketutu Island rehabilitation. |
| Location | Various |
| Designation given effect to | Yes |
| Lapse date in operative plan if not marked as 'given effect to' in the Proposed Auckland Unitary Plan | NA |
| Description of the modification | NA – Watercare sought changes primarily through its submission. |
| Land owned by the requiring authority | 9300-yes 9301-yes 9302-yes 9303-Auckland Council 9306-yes 9308-Auckland Council 9310-various (odour buffer) 9311-Auckland Council and Watercare 9312-yes 9321-no (Waitakere Ranges) 9322-no (Waitakere Ranges) 9323-partly (Watercare & Auckland Council) 9324-yes 9325-yes 9326-yes 9327-yes 9328-yes 9329-Auckland Council 9330-Auckland Council 9331-yes 9332-Auckland Council 9333-Auckland Council 9335-yes 9336-yes 9337-yes 9338-Auckland Council 9344-partly 9346-partly (Watercare & Peter and Carol Everiss) 9348-yes 9349-yes 9350-Auckland Council 9352-yes 9353-Auckland Council 9354-yes 9355-yes 9358-yes 9360-Auckland Council 9364-no (various) 9366-yes 9368- no (road reserve) |

| | |
|---------------------------------|---|
| | <p>9400-Auckland Council 9402-no (road reserve) 9405-no (road reserve) 9406-no (road reserve) 9407-no (road reserve) 9412-Auckland Council 9415-Auckland City Council Property Group 9424-Auckland Council 9425-yes 9438-yes 9439-yes 9440-yes 9442-yes 9443-Auckland Council 9444-yes 9445-no (road reserve) 9447-no (various) 9458-no (road reserve) 9501-Auckland Council 9503-yes 9504-yes 9507-yes 9510-yes 9513-yes 9519-Auckland Council and Watercare 9521-partly 9525-Auckland Council 9526-partly (Watercare & Auckland Council) 9531-Auckland Council 9534-partly (Watercare & Auckland Council) 9536-Auckland Council 9537-yes 9539-yes 9540-various along pipeline route 9544-yes 9545-partly (Watercare & Auckland Council), 9546-Auckland Council 9547-Auckland Council 9548-Auckland Council 9550-yes 9552-Auckland Council 9553-no (various) 9557-Auckland Council 9558-yes 9559-yes 9567-Puketutu Island</p> |
| Submitter | Watercare 6190. |
| Matters addressed in submission | <ul style="list-style-type: none"> • Correction to description • Correction to description and mapping • Correction to mapping • References |
| Assessment and reasons | Watercare sought minor changes through their submission rather than modifications prior to the notification of the |

| | |
|---------------------------------------|--|
| | Proposed Auckland Unitary Plan. The submission is seeking simple corrections to their designations, including corrections to the description and/or mapping and reference amendments. The changes sought would result in less than minor effects on the environment. |
| Recommendation to Panel | That the Panel recommends to Council that the designations set out in Annexure 1 are confirmed with all modifications. |
| Response from requiring authority | Watercare agrees with the recommendation made to the Panel in this report. Watercare also noted errors in the identification of whether the land is owned by the requiring authority. |
| Reporting Officer comment on response | The errors noted by Watercare have been corrected. A complete mark up from Watercare is provided as Annexure 1 showing the agreed changes described above in this report and additional minor corrections identified and agreed by Watercare and Auckland Council in the pre-hearing and hearing processes. These additional minor and consequential amendments will have less than minor effects and update the designations. |
| Recommendation from Panel | The Panel agrees with the report writer's recommendations and has recommended additional minor changes: <ul style="list-style-type: none"> • of a consequential nature, • to correct minor errors, • to update cross-references to the operative plan • to updated cross-references to the Proposed Auckland Unitary Plan. • to remove lapse date conditions that are no longer required. |
| Reasons | The Panel agrees with the report writer's recommendations. The additional changes recommended by the Panel will have less than minor effect on the environment but will assist with efficient implementation of the designation provisions. |

WSL 015 Attachment 1 changes to text of Proposed Auckland Unitary Plan

Please refer to IHP report to AC_074 Watercare Services Ltd Annexure 1 2016-05-18.

Note that Annexure 1 is a compilation of all recommended amendments, including those already set out in section 7 as attachments to WSL001 to WSL015.