

# Memo

**Date 12 February 2025**

To: Celia Davison – Manager – Central / South Planning  
 From: Vanessa Leddra, Policy Planner  
 Planning – Central/South

**Subject: Plan Modification: Clause 20A modification to Auckland Unitary Plan**

Corrections are required to the Auckland Unitary Plan (Operative in Part) 2016 (the AUP).



I seek your approval of this plan modification pursuant to clause 20A, first schedule, Resource Management Act 1991.

You have delegated authority, as a tier four manager, to make a decision to correct an error to an operative plan under clause 20A. Schedule 2A of the Auckland Council Combined Chief Executives Delegation Register authorises all powers, functions, and duties under RMA’s first schedule (except clause 17 which cannot be delegated) to tier four positions.

<b>Rule or Section of Unitary Plan</b>	Chapter K Designations Watercare Services Ltd
<b>Subject Site (if applicable)</b>	Designation 9372: Fred Thomas Drive pump station and storage tank
<b>Legal Description (if applicable)</b>	N/A
<b>Nature of change</b>	<p>A Clause 20A modification is required to correct a Watercare designation in the AUP.</p> <p><b>Discussion</b>          In accordance with Section 184A of the Resource Management Act (the Act), designations lapse five years after being included in the plan unless the designation has been given effect to or the designation specified a different period when incorporated into the plan.</p> <p>A requiring authority, may within three months before the expiry of a lapse date, resolve that it has made, and is continuing to make, substantial progress or effort towards giving effect to the designation and fix a longer period (section 184A(3)(b) of the Act).</p> <p>In January 2024, Auckland Council (Plans and Places)] advised Watercare Services Ltd about this lapsing designation as set out above and requested:</p> <ol style="list-style-type: none"> <li>1. Confirmation as to whether this designation which was due to expire on 1 August 2024 had either been given effect to and if not, whether a longer lapse period is required</li> <li>2. Alternatively, if the designations should be allowed to lapse and be</li> </ol>

	<p style="text-align: center;">removed from the AUP</p> <p>3. A review and confirmation of whether the information of each designation was correct.</p> <p>Watercare Services Ltd is the Requiring Authority for a designation under the AUP which would have lapsed in 2024, unless given effect to. According to Watercare Services Ltd in an email on 4 April 2024, the construction of the operational waste water pump station and associated structures commenced in November 2015 and was completed in December 2017. Watercare have provided photographs of the completed structures, which confirm the assets have been installed. Included as part of this email, a copy of the “Compliance Completion” [email] has been provided by Watercare which confirmed that as of 1 April 2022, all conditions relating to the resource consent have been met and the status of the consent is now “completed”. Therefore, Watercare have advised that this designation has been given effect to, prior to the lapse date of 1 August 2024.</p> <p>This designation as set out below will remain in the AUP unless and until Watercare Services Ltd requests its removal.</p>										
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<b>Effect of change</b>	<p>This Watercare Services Ltd designation is to be ‘given effect to’ as per the email request and supporting information 4 April 2024 (see Attachment 1).</p> <p>Effectively this means that the lapse date for the designations set out in Chapter K Designations, Auckland Council’s schedule of designations, can be amended from ‘five years from being operative in the Unitary Plan unless given effect to prior’ to ‘given effect to i.e. no lapse date’. This change is minor in nature. The amendment does not change the application or intent of the provisions and are administrative to reflect that the designations have been given effect to.</p> <p>Therefore, it is considered that this can be done via a First Schedule, clause 20a update to the AUP.</p>										
<b>Changes required to be made (text/in-text diagrams)</b>	<p><u>Designations to be Given effect to (i.e. no lapse date)</u></p> <p>Amend Chapter K Designations – Watercare Services Ltd for the following designation:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;">Designation Number</th> <th style="text-align: left;">Designation Name</th> <th style="text-align: left;">Purpose</th> <th style="text-align: left;">Address</th> <th style="text-align: left;">Date given effect to</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Designation Number	Designation Name	Purpose	Address	Date given effect to					
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<b>Changes required to be made (maps)</b>	N/A					
<b>Attachments</b>	Attachment 1: Watercare Services Ltd request – email dated 4 April 2024 including email 27 September 2022 – Designation 9372 Attachment 2: Corrections to text (strikethrough/underscore) Attachment 3: Corrected text					

<b>Prepared by:</b> Vanessa Leddra Policy Planner	<b>Text Entered by:</b> Sarah El Karamany Planning Technician
<b>Signature:</b> 	<b>Signature:</b> 
<b>Maps prepared by:</b> Geospatial Analyst	<b>Reviewed by:</b> Craig Cairncross Team Leader
<b>Signature:</b>  n/a	<b>Signature:</b> 
<b>Decision:</b> I agree to authorise the Clause 20A modification using my delegated authority  Celia Davison Manager Planning – Central/South Date: 18 February 2025	

**Attachment 1: Watercare Services Ltd request –  
email dated 4 April 2024 including email 27  
September 2022 – Designation 9372**

4<sup>th</sup> April 2024

Vanessa Leddra  
Auckland Council  
135 Albert Street  
Auckland 1010

Dear Vanessa,

**WATERCARE DESIGNATION 9372: WASTEWATER PURPOSES – PUMP STATION AND ASSOCIATED STRUCTURES**

Further to our conversation in February, I can confirm that the Watercare Designation 9372 Wastewater Purposes – Pump Station and Associated Structures at Fred Thomas Drive, Section 1 and Section 2 SO 467484, Takapuna 0622 has been given effect to.

The Pump Station and Storage Tank is an operational wastewater pump station, construction commencement November 2015 and was completed on 12 December 2017, thereby giving effect to the designation. Below are photos to confirm the new assets.









27 September 2022

Watercare Services Limited  
PO Box 59077  
Mangere Bridge  
Auckland 2151

Dear Sir/Madam

#### **RMA Compliance Completion**

**Resource Consent:** LUC60027112                    **NC\_LCO-2140112**  
**Property Location:** Fred Thomas Drive Takapuna 0622  
**Legal Description:** Fred Thomas Drive Takapuna  
**Granted:** 26 March 2015

Your Landuse Consent for development of the above property was granted subject to conditions. Monitoring of your consent conditions has been undertaken by council to ensure those conditions were met.

Resource Consent conditions are imposed under section 108 of the RMA to:

- Minimise the environmental impact of a development while it is carried out and/or
- Minimise the environmental impact resulting from a development or activity.

Consequently some consent conditions may require compliance on an ongoing basis.

This letter confirms that on **01.04.2022** any conditions requiring ongoing compliance have been met and that all other conditions of the consent have been complied with to the Auckland Council's satisfaction. Council's records have been updated and the status of this consent has been changed to "COMPLETED".

If you have any queries please do not hesitate to contact the Team Leader Monitoring Compliance on 09 301 0101.

Yours faithfully

**Regulatory Support**  
**Licensing & Regulatory Compliance**



I trust the above is sufficient for your report. Should you have any queries, please do not hesitate to contact me.

Yours faithfully,

Chloe Jacobs  
**Environmental Planning Graduate**  
**Resource Consenting**  
Watercare Services Limited

Applicant/Requiring Authority (RA):	Watercare Services Limited
Address of Applicant/RA:	Watercare Services Ltd Private Bag 92521 Victoria St West Auckland 1142 New Zealand
Contact Emails for Billing:	Tanvir.Bhamji@water.co.nz
Contact Name:	Tanvir Bhamji
Contact Number:	022 059 7768
Project Name:	Designation Lapse Date 9372
Purchase Order Number:	

**Attachment 2: Corrections to text  
(~~strikethrough~~/underscore)**

## 9372 Fred Thomas Drive Pump Station and Storage Tank

Designation Number	9372
Requiring Authority	Watercare Services Ltd
Location	Section 1 and Section 2 SO 467484
Rollover Designation	Yes
Legacy Reference	Designation 207 Auckland Council District Plan (North Shore Section)
Lapse Date	<del>1 August 2024</del> <u>Given effect to (i.e. no lapse date)</u>

## Purpose

Wastewater purposes

## Conditions

### General Conditions

1. Except as modified by the conditions below and subject to final design, the works shall be undertaken in general accordance with the information provided by the Requiring Authority in the Notice of Requirement dated 20 May 2014 and supporting documents being “Barrys Point Pump Station and Storage Tank – Assessment of Effects on the Environment Report”, dated May 2014.

### Outline Plan of Works

2. The Requiring Authority shall submit an Outline Plan of Works (OPW) prior to construction of the proposed pump station and storage tank in accordance with Section 176A of the Resource Management Act 1991 (RMA).

3. The OPW shall include the following:
- Construction Management Plan (CMP)
  - Traffic Management Plan (TMP)
  - Landscaping Plan

### Construction

4. The Requiring Authority shall prepare a Construction Management Plan for construction of the proposed pump station and storage tank. The purpose of the CMP is to set out the management procedures and construction methods to be undertaken in order to avoid, remedy or mitigate potential adverse effects arising from these construction activities. The CMP shall include:

- Contact details of the site or project manager;
- An outline construction programme;
- The proposed hours of work;
- Measures to be adopted to maintain the land affected by the works in a tidy condition in terms of disposal / storage of rubbish, storage and unloading of construction materials and similar construction activities;
- Procedures for controlling sediment run-off, dust and the removal of soil, debris, demolition and construction materials (if any) from public roads or places adjacent to the work site;
- Procedures for ensuring that residents, road users and businesses in the immediate vicinity of construction areas, including Harbourside Church and schools, are given prior notice of the commencement of construction activities and are informed about the expected duration and effects of

the works;

- g. Means of providing for the health and safety of the general public;
- h. Procedures for responding to complaints about construction activities;
- i. Procedures for the management of noise and vibration.

### **Construction Noise**

5. Construction activities shall be managed to achieve compliance, as far as practicable, with the requirements of NZS6803:1999 Acoustics – Construction Noise.

### **Traffic Management**

6. A Traffic Management Plan shall be prepared for the proposed works, by a suitably qualified person.

7. The TMP shall include a traffic impact assessment and describe the measures that will be taken to avoid, remedy or mitigate the traffic effects associated with construction of the proposed works. In particular, the TMP shall describe:

- a. Traffic management measures to maintain traffic capacity or minimise the impact on traffic capacity during weekdays and weekends; and
- b. Methods to manage the effects of the delivery of construction material, plant and machinery.

8. The TMP shall be consistent with the New Zealand Transport Agency Code of Practice for Temporary Traffic Management that applies at the time of construction.

9. Any damage in the road corridor directly caused by heavy vehicles entering or exiting the construction site shall be repaired as soon as practicable or within a timeframe agreed with Auckland Transport.

### **Archaeology and Heritage**

10. If any archaeological sites, including human remains are exposed during works, the following procedures shall 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 notify Heritage New Zealand Pouhere Taonga, Mana Whenua and the Auckland Council (and in the case of human remains, the New Zealand Police) as soon as practicable that an archaeological site has been exposed so that appropriate action can be taken. Works shall not recommence in the immediate vicinity of the archaeological site until any approval required from Heritage New Zealand Pouhere Taonga has been obtained.

### **Landscaping Plan**

11. A Landscaping Plan shall be prepared for the site and submitted with the OPW in accordance with Condition 3(c). The development of the Landscaping Plan shall consider:

- a. The use of building materials such as fencing, paving and roofing in textures and colours to visually integrate with surrounding land areas;
- b. The planting of trees and shrubs to visually integrate with planting on adjacent land; for example, groupings of small native trees such as *Cordyline australis* (cabbage trees) and *Meryta sinclairii* (puka), and if low shrubs are required, *Lomandra longifolia*.

12. The final contouring and landscaping of the site shall take into account the proposed overland flow

path located adjacent to the north-eastern boundary of the designation. The final contours shall ensure that the overland flow path is not impeded and that stormwater runoff from impervious surfaces within the designated land is managed within the site to avoid adverse effects on adjacent land. Final contours and site landscaping shall be set out in the Landscaping Plan required by Condition 3(c).

### **Lapsing of Designation**

13. The designation shall lapse on the expiry of a 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 to 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 continuing to be made, and fixes a longer period for the purposes of this subsection.

## **Attachments**

No attachments.

## **Attachment 3: Corrected text**

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