

**In the Environment Court at Auckland**

**ENV-2016-AKL-218**

In the matter of the Local Government (Auckland Transitional Provisions) Act 2010 (**LGATPA**) and the Resource Management Act 1991 (**RMA**)

And

In the matter of an appeal under section 156(1) of the LGATPA against a decision of the Auckland Council on a recommendation of the Auckland Unitary Plan Independent Hearings Panel on the Proposed Auckland Unitary Plan

And

In the matter of Proposed Auckland Unitary Plan Hearing Topic 042 – Infrastructure

Between **Transpower New Zealand Ltd**

**Appellant**

And

**Auckland Council**

**Respondent**

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**Notice by Murphys Development Ltd of wish to be a party to appeal**

Dated 6 October 2016

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**McVeagh Fleming**

Solicitor Acting: **Brandon Cullen**

T: (09) 966 3609 P O Box 300 844, Albany 0752

Counsel Acting: **Matthew Casey QC / Asher Davidson**

T: (09) 337 0700 F: (09) 337 0800 E: asher@casey.co.nz P O Box 317 Auckland

To: The Registrar  
Environment Court  
**Auckland**

1. Murphys Development Ltd (**MDL**) wishes to be a party to this appeal by Transpower New Zealand Ltd.
2. The appeal concerns the Council's decision to reject, in the Proposed Auckland Unitary Plan (**Unitary Plan**), the Independent Hearing Panel's recommendation regarding the width of the National Grid Corridor Overlay.
3. MDL made a further submission on the Unitary Plan in support of a submission by Hugh Green Ltd which sought the removal of the Electricity Transmission Corridor Overlay / buffers and reliance on the existing electricity standards (NZCEP34:2001) in the Unitary Plan (Further Submission #2733).
4. MDL also has an interest in the proceedings greater than that of the general public, because its land at 125C and 125D Murphys Road, Flat Bush, is affected by the National Grid Corridor Overlay.
5. MDL is not a trade competitor for the purposes of s 308C of the Resource Management Act 1991.
6. MDL opposes the relief sought. The reasons for its position include, but are not limited to:
  - (a) The relief sought creates uncertainty for subdivision or development of land containing an overlay subject to electrical transmission lines.
  - (b) The relief sought does not allow MDL to develop its land in a reasonable manner (i.e. underneath powerlines but with building platforms away from power lines).
  - (c) The relief sought does not prevent loss of property rights for landowners, including MDL.

7. MDL agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated at Auckland the 6<sup>th</sup> day of October 2016.



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Matthew Casey QC / Asher Davidson  
Counsel for applicant