

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

New Zealand Transport Agency

Designation 6769

May 2016

---

**Report first prepared by Murray Kivell 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 27 August 2015 and updated 9 October 2015 and updated 18 December 2015.**

**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. Overview of designation .....	3
3. Submissions.....	3
3.1 Submitters and submissions.....	3
3.2 Engagement by requiring authority with submitters .....	3
4. Assessment .....	4
5. Assessment – Update .....	4
6. Expert input.....	4
7. Recommendation .....	5
8. Panel recommendations to Auckland Council .....	5
9. Panel reasons .....	5

## 1. Introduction

The purpose of this report is to provide an assessment and recommendation in relation to the designation of State Highway 1 Pūhoi to Warkworth by the New Zealand Transport Agency (NZTA) as the requiring authority.

Requiring authority	New Zealand Transport Agency
Designation or notice of requirement numbers	Proposed Auckland Unitary Plan No. 6769
Designation purpose	The construction, operation and maintenance of a State highway (Ara Tūhono - Pūhoi to Wellsford Road of National Significance: Pūhoi to Warkworth Section)
Location	State highway roading network
Designation given effect to	No
Lapse date in operative plan	NA
Land ownership	Land acquisition is ongoing by the Agency

## 2. Overview of designation

The submitter (Kaipara District Council) seeks to have confirmed in the Proposed Auckland Unitary Plan an extension to the state highway network as a Road of National Significance to connect to the Kaipara District. I understand that the intention is to elevate the importance of the project in the strategic roading programme for the region.

The Kaipara District Council's intention is therefore to give overall support to the concept at a unitary planning level.

I understand that the New Zealand Transport Agency is not in a position to initiate the necessary programme of technical and planning investigations to prepare and support a notice of requirement for the 'extension' to Wellsford and the designation in the Proposed Auckland Unitary Plan extends to Warkworth only.

## 3. Submissions

### 3.1 Submitters and submissions

3021-13 Kaipara District Council - Submitted to request the New Zealand Transport Agency to add to the designation for the Pūhoi to Warkworth Road of National Significance an extension to Wellsford, and to have this included in the Proposed Auckland Unitary Plan.

### 3.2 Engagement by requiring authority with submitters

The New Zealand Transport Agency has been in discussion with the Kaipara District Council and it has been confirmed that the intent of the Council's submission has largely been achieved considering that the Pūhoi to Warkworth designation has been included in the Proposed Auckland Unitary Plan.

New Zealand Transport Agency has provided a copy of the Kaipara District Council resolution on this matter on 27 August 2015 (Resolution 11-13) which states:

That the Kaipara District Council:

- i. Receives the Senior Policy Analyst's report 'NZ Transport Agency: Designations in Proposed Auckland Unitary Plan' dated 27 July 2015; and
- ii. Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of section 79 of the Act determines that it does not require further information prior to making a decision on this matter; and
- iii. Confirms the acceptance of the Designation for the Puhoi to Warkworth section of the Road of National Significance (RONS) in the Proposed Auckland Unitary Plan, noting the importance of the later extension on to Wellsford for the economic development of Northland.

#### **4. Assessment**

Based on the above information there is no difference of opinion between the New Zealand Transport Agency and the Kaipara District Council except for the Council's desire to have the Road of National Significance designation extended to include Wellsford. This outcome pre-empted the Agency's procedures to carry out feasibility studies to assess route options and alignments, obtain funding and to complete technical and planning reports to support the lodgement of a Notice of Requirement for such works. Only on the confirmation of a requirement can that designation be confirmed in the Unitary Plan.

#### **5. Assessment – Update**

Counsel for the New Zealand Transport Agency provided a memorandum dated 11 September 2015 confirming that the Agency agrees with the recommendations contained in the section 142 report. The Agency did note however at paragraph 12 that it wishes to be heard on this submission.

New Zealand Transport Agency did address this matter in very briefly in evidence but no submitters appeared. There is no basis to change my original recommendation set out below.


#### **6. Expert input**

Not applicable.

## 7. Recommendation

That the Panel advises that it has no jurisdiction to direct the New Zealand Transport Agency regarding the prioritisation of technical assessments to support the preparation of notices of requirements for future state highway projects.

That the Panel recommends that the Council accepts in part submission 3021-13 but notes that no change is required to the Proposed Auckland Unitary Plan Schedule of Designations.


<b>Author</b>	Murray Kivell
<b>Author's Signature</b>	
<b>Date</b>	28 August 2015 and updated 9 October 2015 with no change and updated 18 December 2015 with no change.

## 8. Panel recommendations to Auckland Council

The Auckland Unitary Plan Independent Hearings Panel recommends that Auckland Council recommends to the requiring authority that the notice of requirement for designation 6769 be confirmed without further modification as sought in the submission of the Kaipara District Council.

## 9. Panel reasons

The reasons for the Panel's recommendation are set out in sections 4 and 7 above.

<b>Panel Chair</b>	David Kirkpatrick
<b>Chair's Signature</b>	
<b>Date</b>	18 May 2016