

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

Request for motorway on
Transpower corridor

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 25 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.

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1. Introduction

The purpose of this report is to provide an assessment and recommendation in relation to a submission requesting that the New Zealand Transport Agency (NZTA) designate land for a motorway which is already designated by Transpower.

Requiring authority	New Zealand Transport Agency
Designation or notice of requirement numbers	NA
Designation or notice of requirement purpose	NA
Location	Land within Transpower designation Proposed Auckland Unitary Plan No. 8502 Pakuranga to Penrose corridor
Designation given effect to	NA
Lapse date in operative plan	NA
Land ownership	The requiring authority has not acquired an interest in the land

2. Overview of notices of requirement and or designations

The submitter is requesting a new designation for a motorway. New Zealand Transport Agency advise that this potential transport corridor has not been investigated by New Zealand Transport Agency and that it does not support the proposal. New Zealand Transport Agency has not consulted Transpower on this proposal.

3. Submissions

3.1 Submitters and submissions

Submitter 4663-2 B Mockeridge requested that New Zealand Transport Agency designate the area covered by the Transpower transmission line corridor Penrose to Pakuranga for the construction of a motorway.

3.2 Engagement by requiring authority with submitters

I understand that New Zealand Transport Agency has sought to consult the submitter on the matter. New Zealand Transport Agency could advise the Panel on the outcomes of that consultation at the hearing.

4. Assessment

The submitter needs to present technical and planning evidence to support the merits of this proposal.

In the absence of further information and support in principle from New Zealand Transport Agency or evidence of consultation with Transpower that is supportive of this proposal, then it is premature to commence any assessment of environmental effects or to consider the need for a further designation.

5. Assessment – Update

Counsel for the New Zealand Transport Agency provided a memorandum dated 11 September 2015 confirming that New Zealand Transport Agency agrees with the recommendations contained in the section 142 report.

The Agency did note however at paragraph 40 that it had continued informal discussions with the submitter, but no agreement is likely to be reached.

The Agency wishes to be heard on this submission.

There is no basis to change my original recommendation set out below.

6. Assessment – Update 18 December 2015

The planning statement of evidence by Patrick Buckley (paragraph 19, 21 October 2015) and the legal submissions by Cameron Law for New Zealand Transport Agency (paragraph 7, 30 November 2015) re-affirm the position recorded above.

There is no basis to change my original recommendation set out below.

7. Expert input

Not applicable.

8. Recommendation

That the Panel advises that it has no jurisdiction to direct the New Zealand Transport Agency to lodge notices of requirement in response to submissions or to prioritise and initiate feasibility studies in to the merits of this proposal.

Author	Murray Kivell
Author's Signature	
Date	25 August 2015 and updated 9 October 2015 with no change, and updated 18 December 2015 with changes.

9. Panel recommendations to Auckland Council

The Panel records that it has no jurisdiction to make a recommendation on this matter.

Panel Chair	David Kirkpatrick
Chair's Signature	
Date	18 May 2016